ISSN 0378-6986

Official Journal of the European Communities

C 311

Volume 38

22 November 1995

English edition

Information and Notices

Notice No | Contents | Page

I *Information*

European Parliament

Written Questions with answer

95/C 311/01 E-949/95 by Mihail Papayannakis to the Commission
Subject: Construction of a breakwater at the entrance to Chania harbour (Supplementary answer) ... 1

95/C 311/02 E-1386/95 by Nel van Dijk to the Commission
Subject: Coordination of cross-border rivers policy ... 1

95/C 311/03 E-1387/95 by Nel van Dijk to the Commission
Subject: Support for, and coordination of, cross-border rivers policy ... 2

Joint answer to Written Questions E-1386/95 and E-1387/95 ... 2

95/C 311/04 E-1563/95 by Jesús Cabezón Alonso and Juan Colino Salamanca to the Commission
Subject: Desertification ... 4

95/C 311/05 E-1583/95 by Josu Imaz San Miguel to the Commission
Subject: Aragon-Cazaril high-tension power line ... 4

95/C 311/06 E-1585/95 by Josu Imaz San Miguel to the Commission
Subject: Aragon-Cazaril high-tension power line ... 5

Joint answer to Written Questions E-1583/95 and E-1585/95 ... 5

95/C 311/07 E-1587/95 by Stefano De Luca to the Commission
Subject: Regulation of selection criteria for recruitment of trainees (stagiaires) at the Commission ... 5

95/C 311/08 E-1626/95 by Elly Plooij-van Gorsel to the Commission
Subject: Progress following the report on the adoption of a specific programme for dissemination and exploitation of the results of research, technological development and demonstration ... 6

(Continued overleaf)

Notice No	Contents (continued)	Page
95/C 311/09	E-1639/95 by Amedeo Amadeo to the Commission Subject: Community eco-management and audit scheme	7
95/C 311/10	E-1663/95 by Mark Killilea to the Commission Subject: Future of the Eco-label award scheme	8
95/C 311/11	E-1688/95 by Katerina Daskalaki to the Commission Subject: Maintaining economic activities in the immediate vicinity of special protection areas	9
95/C 311/12	E-1689/95 by Jan Sonneveld, Ria Oomen-Ruijten and Marianne Thyssen to the Commission Subject: Cross-border transport of animal manure by farmers to their own agricultural land in Wallonia	9
95/C 311/13	E-1696/95 by Frédéric Striby to the Commission Subject: Recognition of rules on 'accompanied learner drivers'	10
95/C 311/14	E-1706/95 by Mary Banotti to the Commission Subject: Complementary medicines and therapies — their status	11
95/C 311/15	E-1747/95 by Gerfrid Gaigg to the Commission Subject: Discrimination by the European Union against small and medium-sized businesses	12
95/C 311/16	E-1773/95 by Lucio Manisco to the Commission Subject: 1995 European Young Consumer Competition	12
95/C 311/17	E-1792/95 by Philippe De Coene to the Commission Subject: Proceedings for failure to comply with Directive 76/464/EEC	13
95/C 311/18	E-1798/95 by Katerina Daskalaki to the Commission Subject: Unemployment and social problems in the community of Mantoudi in Euboia	13
95/C 311/19	E-1814/95 by Alexandros Alavanos to the Commission Subject: Protection and development of forestry in Greece	14
95/C 311/20	E-1828/95 by Salvador Garriga Polledo to the Commission Subject: Restructuring the shipbuilding sector in Gijón Asturias	14
95/C 311/21	E-1830/95 by Salvador Garriga Polledo to the Commission Subject: The North-West Public Coalmining Company, Ltd (Hunosa)	15
95/C 311/22	E-1831/95 by Salvador Garriga Polledo to the Commission Subject: Single currency and pensions	16
95/C 311/23	E-1843/95 by Mihail Papayannakis to the Commission Subject: Water supply for the town of Ioannina	16
95/C 311/24	E-1845/95 by Fausto Bertinotti to the Commission Subject: Introduction of a Directive setting limit values for dioxin and furan emissions from municipal waste incineration plants	17
95/C 311/25	E-1850/95 by Mark Killilea to the Commission Subject: Over-production of Norwegian farmed salmon	17

Notice No	Contents (continued)	Page
95/C 311/26	E-1851/95 by Mark Killilea to the Commission Subject: Norwegian salmon production	18
95/C 311/27	E-1859/95 by Luciano Vecchi to the Commission Subject: Adverse effects suffered by Community citizens taking out loans in ECU and foreign currencies	18
95/C 311/28	E-1861/95 by Honório Novo to the Commission Subject: Environmental impact assessment in respect of the IP1 motorway between Freixo and Carvalhos	19
95/C 311/29	E-1866/95 by Iñigo Méndez de Vigo to the Commission Subject: Free trade treaty with the USA	19
95/C 311/30	E-1883/95 by Elisabeth Schroedter and Friedrich-Wilhelm Graefe zu Baringdorf to the Commission Subject: Hemp growing	20
95/C 311/31	E-1888/95 by Alexandros Alavanos to the Commission Subject: Completion of the road between Skutari and Kotronas	20
95/C 311/32	E-1938/95 by Graham Mather to the Commission Subject: Discriminatory rules in the sale of property in Spain	21
95/C 311/33	E-1945/95 by James Provan to the Commission Subject: European Union tourism statistics	21
95/C 311/34	E-1947/95 by Christine Crawley to the Commission Subject: Milk	22
95/C 311/35	E-1955/95 by Wolfgang Kreissl-Dörfler to the Commission Subject: EU refunds on exports of agricultural products	23
95/C 311/36	E-1956/95 by Wolfgang Kreissl-Dörfler to the Commission Subject: Subsidy fraud in respect of the mass transport of animals	24
95/C 311/37	E-1969/95 by Karl Schweitzer to the Commission Subject: Environmental impact assessment	24
95/C 311/38	E-1971/95 by Alexandros Alavanos to the Commission Subject: Destruction by earthquakes of public buildings in Lefkopigi	25
95/C 311/39	E-1998/95 by Giulio Fantuzzi to the Commission Subject: Appellation of wine	25
95/C 311/40	E-1999/95 by Sérgio Ribeiro to the Commission Subject: Social and economic situation in Cebolais de Cima/Retaxo, Castelo Branco, Portugal	26
95/C 311/41	E-2005/95 by John Corrie to the Commission Subject: Arable Area Payments scheme	26
95/C 311/42	E-2007/95 by John Corrie to the Commission Subject: Agricultural subsidy payments	27
95/C 311/43	E-2027/95 by Klaus Rehder to the Commission Subject: Removal of obstacles to trade in GATT	27

(Continued overleaf)

Notice No	Contents (continued)	Page
95/C 311/44	E-2030/95 by Gerhard Botz to the Commission Subject: Trans-regional sale of products as a criterion for ERDF support, particularly in rural areas	28
95/C 311/45	E-2031/95 by José Happart to the Commission Subject: Use of hormones in stock-breeding in the USA	28
95/C 311/46	E-2032/95 by José Happart to the Commission Subject: The fight against drugs	29
95/C 311/47	E-2037/95 by Christa Klaß to the Commission Subject: Equivalence between degrees conferred by higher education establishments in the European Union	30
95/C 311/48	E-2043/95 by Hugh Kerr to the Commission Subject: Fundamental rights of EU citizens	30
95/C 311/49	E-2046/95 by Sebastiano Musumeci to the Commission Subject: More effective plant protection measures against citrus fruit parasites	31
95/C 311/50	E-2056/95 by Anna Terrón i Cusí to the Commission Subject: Positive discrimination within the Commission	32
95/C 311/51	E-2066/95 by Jaak Vandemeulebroucke to the Commission Subject: Budget heading A-182	32
95/C 311/52	P-2067/95 by Philippe De Coene to the Commission Subject: Unequal terms of competition for the introduction of teleshopping in Flanders	32
95/C 311/53	E-2091/95 by Odile Leperre-Verrier to the Commission Subject: Equine improvement	33
95/C 311/54	E-2093/95 by Mihail Papayannakis to the Commission Subject: Prices of new pharmaceutical products	33
95/C 311/55	E-2094/95 by Mihail Papayannakis to the Commission Subject: Quality of pharmaceutical products	34
95/C 311/56	E-2097/95 by Giancarlo Ligabue to the Commission Subject: Arrangements applying to trade in cheese between the European Union and Switzerland	35
95/C 311/57	E-2106/95 by Amedeo Amadeo to the Commission Subject: The cost of newsprint	36
95/C 311/58	E-2108/95 by Amedeo Amadeo to the Commission Subject: Recognition of qualifications	36
95/C 311/59	E-2110/95 by Amedeo Amadeo to the Commission Subject: Old-age pensions	37
95/C 311/60	E-2113/95 by Jaak Vandemeulebroucke to the Commission Subject: Budget item 'Subsidies to organizations advancing the idea of Europe'	37
95/C 311/61	E-2114/95 by Jaak Vandemeulebroucke to the Commission Subject: Budget item 'Support for international non-governmental youth organizations'	37

Notice No	Contents (continued)	Page
95/C 311/62	E-2115/95 by Jaak Vandemeulebroucke to the Commission Subject: Budget item 'Other subsidies'	37
	Joint answer to Written Questions E-2113/95, E-2114/95 and E-2115/95	38
95/C 311/63	E-2127/95 by Gerhard Schmid to the Commission Subject: Acquisition of fire engines in Greece	38
95/C 311/64	E-2132/95 by Françoise Grossetête to the Commission Subject: Mutual recognition of professional experience acquired, on the basis of diplomas, successively in several Member States	38
95/C 311/65	E-2137/95 by Alexandros Alavanos to the Commission Subject: Conservators of works of art	39
95/C 311/66	E-2151/95 by Leen van der Waal to the Commission Subject: Impending law on religion in Croatia	40
95/C 311/67	E-2165/95 by Alexandros Alavanos to the Commission Subject: Ro-ro car ferries	40
95/C 311/68	E-2166/95 by Alexandros Alavanos to the Commission Subject: Appropriations for the organization of the 1994 European elections	40
95/C 311/69	E-2347/95 by Nikitas Kaklamanis to the Commission Subject: Election bonus for Greek police officers	41
	Joint answer to Written Questions E-2166/95 and E-2347/95	41
95/C 311/70	E-2216/95 by John Tomlinson to the Commission Subject: Benefit on death of an official	41
95/C 311/71	E-2218/95 by Stephen Hughes to the Commission Subject: Vertical restraints on trade	42
95/C 311/72	E-2223/95 by Raymonde Dury to the Commission Subject: Regulation (EEC) No 3254/91 on leghold traps	42
95/C 311/73	P-2225/95 by Eryl McNally to the Commission Subject: Release of barley by the Intervention Board	43
95/C 311/74	E-2265/95 by Hugh Kerr to the Commission Subject: Fairness and objectivity in the standards making process	43
95/C 311/75	P-2269/95 by Vassilis Ephremidis to the Commission Subject: Effective programmes for the funding of forrest protection in Greece	44
95/C 311/76	P-2276/95 by Sérgio Ribeiro to the Commission Subject: The Alqueva dam in the Alentejo region of Portugal	45
95/C 311/77	E-2282/95 by Fernand Herman to the Commission Subject: Competition for recruitment of administrators	45
95/C 311/78	P-2288/95 by Giulio Fantuzzi to the Commission Subject: Certification of equipment used in amusement parks	46

(Continued overleaf)

Notice No	Contents (continued)	Page
95/C 311/79	E-2292/95 by Karla Peijs to the Commission Subject: Pharmaceuticals: Netherlands pricing proposal	46
95/C 311/80	E-2294/95 by Nicole Fontaine to the Commission Subject: Deferral of taxation on capital gains for taxpayers under the system for profits from non-commercial occupations	47
95/C 311/81	P-2298/95 by Hugh McMahon to the Commission Subject: Problems in the administration of the European Social Fund in the UK	48
95/C 311/82	E-2348/95 by Bill Miller to the Commission Subject: ESF payments to voluntary organizations	48
	Joint answer to Written Questions P-2298/95 and E-2348/95	48
95/C 311/83	E-2316/95 by Jesús Cabezón Alonso and Juan Colino Salamanca to the Commission Subject: Access to the Socrates programme	48
95/C 311/84	E-2405/95 by Antonio Graziani, Giampaolo D'Andrea, Pierluigi Castagnetti and Maria Colombo Svevo to the Commission Subject: The Socrates and Youth for Europe programmes	48
	Joint answer to Written Questions E-2316/95 and E-2405/95	48
95/C 311/85	E-2323/95 by Nana Mouskouri to the Commission Subject: VAT on records	50
95/C 311/86	E-2332/95 by Anita Pollack to the Commission Subject: Home workers	50
95/C 311/87	E-2360/95 by Peter Crampton to the Commission Subject: Maastricht Treaty — voting rights	51
95/C 311/88	E-2367/95 by Brigitte Langenhagen to the Commission Subject: Ship Safety Regulation / 25 nautical miles	51
95/C 311/89	E-2387/95 by Roberta Angelilli to the Commission Subject: Financial irregularities	52
95/C 311/90	E-2390/95 by Leen van der Waal to the Commission Subject: Policy on asylum in Cyprus	52
95/C 311/91	E-2428/95 by Nikitas Kaklamanis to the Commission Subject: Fines on Greek haulage contractors	53
95/C 311/92	E-2434/95 by Maartje van Putten to the Commission Subject: Detained minors in Honduras	53
95/C 311/93	E-2435/95 by Maartje van Putten to the Commission Subject: Funding of workshops in a centre run by the Junta Nacional de Bienestar Social	54
95/C 311/94	E-2443/95 by Peter Crampton to the Commission Subject: Advisory panels used by the Commission	54

EN

(Continued on inside back cover)

Notice No	Contents (continued)	Page
95/C 311/95	E-2459/95 by Carole Tongue to the Commission Subject: Spanish taxation on non-resident property owners	54
95/C 311/96	E-2474/95 by Edward Kellett-Bowman to the Commission Subject: EC package travel Directive	55
95/C 311/97	P-2487/95 by Bernd Lange to the Commission Subject: Budget heading B3-4110 in the Budget of the European Community	55
95/C 311/98	P-2497/95 by Peter Truscott to the Commission Subject: British arms sales to Nigeria	56
95/C 311/99	E-2501/95 by Amedeo Amadeo to the Commission Subject: Environment	56
95/C 311/100	E-2505/95 by Amedeo Amadeo to the Commission Subject: Drug addiction (ecstasy)	57
95/C 311/101	E-2506/95 by Amedeo Amadeo to the Commission Subject: Tuberculosis	57
95/C 311/102	P-2543/95 by Leonie van Bladel to the Commission Subject: Participation by the European Union in the celebrations to mark the 3000th anniversary of the foundation of Jerusalem	58
95/C 311/103	E-2606/95 by Jesús Cabezón Alonso to the Commission Subject: Structural investment in Cantabria	58
	Corrigenda	
95/C 311/104	Corrigendum to Written Question E-1462/95 by José Barros Moura (PSE) to the Commission of 22 May 1995	59

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION E-949/95
by Mihail Papayannakis (GUE/NGL)
to the Commission
(31 March 1995)
(95/C 311/01)

Subject: Construction of a breakwater at the entrance to Chania harbour

At the entrance to the old Venetian harbour of Chania work is going ahead on a project to extend the breakwater by 150 metres in length and to increase its height to 0,80 metres above sea level. The ostensible reason for this project is to protect the Venetian harbour from being battered by the sea.

Given that:

1. The first Community-funded construction above sea level exceeded the specifications set out in the study that had been approved;
2. the study for the extension is incomplete and will inevitably have undesirable consequences (changes in sea currents, the enclosure of more effluents within the harbour area etc.);
3. the Venetian pier has been listed as an historical monument of European importance and it is therefore unacceptable that the surrounding area should be altered or disturbed in any way;
4. the project will have no environmental or economic benefits and is being opposed by local bodies (the municipal authorities, archaeologists, the technical chamber of commerce, the architects association) as well as ordinary citizens.

Will the Commission say whether it intends to make direct representations to the Greek authorities to prevent the implementation of this project which will very likely have irreversible consequences and make an amount equivalent to that set aside for this purpose (which may come from Community funds) available, firstly, for immediate restoration work on those sections of the monument that genuinely need to be repaired and, secondly, for an overall investigation into the overall problems facing the seafront of the old town?

Supplementary answer given by Mrs Wulf-Mathies on behalf of the Commission
(19 September 1995)

Further to its answer of 19 April 1995, the Commission would like to inform the Honourable Member that, according to the Greek national authorities, the work financed in the port of Chania in the context of the Community support framework (CSF) for 1989—1993 was necessary in order to protect the port against the risks from bad weather and floods. Regarding the mole, it appears that it was built 80 centimetres higher than originally planned to offset expected subsidence, which has in fact already occurred.

The Commission is not aware of a study for the extension of the above project. If the regional authorities were to propose further financing of this project by the Structural Funds, the Commission would require that the impact on the environment be studied.

WRITTEN QUESTION E-1386/95
by Nel van Dijk (V)
to the Commission
(12 May 1995)
(95/C 311/02)

Subject: Coordination of cross-border rivers policy

Following the floods affecting the area along the Rhine and the Maas (Meuse) last winter, the Environment Ministers of

France, Germany and the Benelux countries announced an action plan on 4 February in Arles for the flood areas of these rivers. The action plan is intended to provide:

1. an international coordinated water management system;

2. planning measures to permit greater water storage in the entire river area, such as changes in land use, re-afforestation, the return to nature of land along the rivers, the creation of overflow areas and storage basins and the de-canalization of streams;

3. the prevention of further urban development in vulnerable areas along the Maas and the Rhine, possibly by means of a ban on building.

The Ministers of Environment have called on their colleagues responsible for planning to produce an action plan jointly.

In their response on 30 March in Strasbourg, the Ministers of Regional Planning of the five countries in question stated that their intention of setting up a working party to study what measures needed to be taken. Unfortunately, the statement fails to recognise the need to restore the ecology of the river area, which is precisely the point made in the Arles Declaration and in the European Parliament's resolution of 16 February.

In view of the importance of a dynamic cross-border approach to curbing the risk of flooding, can the Commission indicate how the activities of the working party announced by the Ministers of Regional Planning, the Commission's inter-disciplinary committee of officials, the International Rhine Commission, the International Maas Commission and the research bodies in the Delta Research Project are to be coordinated?

Is the Commission prepared to undertake the work of coordination, as called for in Parliament's resolution of 16 February, to asign water and river policy to one commissioner's portfolio and to seek to make water and river policy a Community responsibility?

WRITTEN QUESTION E-1387/95

by Nel van Dijk (V)

to the Commission

(12 May 1995)

(95/C 311/03)

Subject: Support for, and coordination of, cross-border rivers policy

Following the floods affecting the area along the Rhine and the Maas (Meuse) last winter, the Environment Ministers of France, Germany and the Benelux countries announced an action plan on 4 February in Arles for the flood areas of these rivers. The action plan is intended to provide:

1. an international coordinated water management system;

2. planning measures to permit greater water storage in the entire river area, such as changes in land use, re-afforestation, the return to nature of land along the rivers, the creation of overflow areas and storage basins and the de-canalization of streams;

3. the prevention of further urban development in vulnerable areas along the Maas and the Rhine, possibly by means of a ban on building.

The Ministers of Environment have called on their colleagues responsible for planning to produce an action plan jointly.

In their response on 30 March in Strasbourg, the Ministers of Regional Planning of the five countries in question stated their intention of setting up a working party to study what measures needed to be taken. Unfortunately, the statement fails to recognise the need to restore the ecology of the river area, which is precisely the point made in the Arles Declaration and in the European Parliament's resolution of 16 February.

What appropriations, and from what funds, is the Commission prepared to make available in support of measures to curb the risk of flooding of the Rhine and Maas, with particular regard to programmes which also involve restoration of the environment?

Will the Commission encourage public and private organizations with expertise in ecological river management to participate in the action plans for the Rhine and the Maas?

Will the Commission endeavour to integrate existing programmes in the various regions which reflect the Arles Declaration and the Berne Declaration of 8 December 1994 in the action plans for the Rhine and the Maas, and will it provide financial support? Examples are the Integrated Rhine Programme of Baden-Württemberg, the Interrhein Programme of Baden-Württemberg and Alsace, the Grensmaas project in Limburg and the 'Living Rivers' plan developed by the Netherlands branch of the Worldwide Fund for Nature.

Joint answer to Written Questions E-1386/95 and E-1387/95 given by Mrs Bjerregaard on behalf of the Commission

(7 September 1995)

Coordination takes place where and when appropriate depending on the initiatives expected by the Community.

The Commission is actively participating in the following working structures:

— the group 'action programme protection against flooding' of the Rhine Commission;

— the Rhine-Meuse working party as set up following the Strasbourg declaration (first meeting held in The Hague, 9 June 1995);

— the research delta project

and intends to participate as observer to the relevant Meuse working groups.

In support of measures to curb the risk of pollution, financing of any new measures at the Community level should allow for the necessary geographical coverage, and flexibility related to the irregularity and unpredictability of natural disasters. In the assisted areas, existing instruments can play a useful role for reconstruction and prevention purposes, although these have serious limitations in terms of flexibility of eligible actions and programming procedures, as well as resources available. Where such instruments exist, the fact that multi-annual programming has taken place leaves only the possibility that Member States and regions adapt existing programmes. Instruments for a contribution to prevention measures are also available under the accompanying measures to the common agricultural policy reform (the agri-environment and afforestation programmes), although their utility is limited by restrictions on eligible actions and by the fact that allocations to Member States for the period up to and including 1997 has taken place.

There are various options for possible Community actions and measures:

— facilitating and supporting the current efforts undertaken in concerted actions by the Member States and regions, notably in the Rhine and Meuse river basins;

— re-focussing and strengthening of existing instruments which are directly relevant for flood mitigation measures, notably civil protection, research & development (R & D) programmes and environmental protection programmes. The Commission has already taken certain measures in the area of civil protection, and initiatives to ensure a better focus of R & D programmes on concrete projects, particularly for the four Member States most concerned by the recent floods;

— collaboration in re-arranging operational programmes — on the initiative of Member States and regions — to re-focus structural and agri-structural policies towards flood migration;

— use of the possibilities offered by Article 10 in the Council Regulation (EEC) No 2083/93 [1] of 20 July 1993, amending Regulation (EEC) No 4254/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund (ERDF) and Article 8 of the Council Regulation (EEC) No 2085/93 of 20 July 1993 [1], amending Regulation (EEC) No 4256/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Agricultural Guidance and Guarantee Fund (EAGGF) Guidance Section for undertaking pilot projects directed towards flood mitigation. The Commission has recently decided to allocate ECU 2 million from the ERDF in support of projects related to flooding problems.

If the Community were to adopt a specific Community policy for integrated water-flow management, Member States as well as private organizations would be invited to present substantive proposals to deal with areas at risk in an integrated and coordinated manner. Eligible actions would be — for selected river basins at risk — facilitating the drawing up of an integrated plan for sustainable management (e.g. by co-financing such efforts in the relevant international fora such as exist for the Rhine and will be created for the Meuse, and by focusing Community R & D efforts), and supporting financially the implementation of specific measures according to approved plans.

The action to be taken by the Community would cover not only management of river basins, but also other objectives and priorities in spatial planning.

Taking into account the restoration of the environment, the Commission communication 'Europe 2000+' identifies certain possibilities, which could be launched either as pilot projects or other initiatives focusing on strategic planning.

Several of the existing policies and instruments do allow for useful action that could contribute to flood prevention, although there are a number of limitations to their effectiveness. These result from the fact that flood prevention cannot be the sole objective of actions, that the geographical de-limitations are poorly suited for river basin approaches, that resources are programmed on a multiannual basis and that resources are necessarily limited.

In respect of the subsidiarity principle, the Community's response should avoid duplicating efforts currently undertaken by Member States and regions, and give added value, for instance in facilitating concerted actions between Member States.

[1] OJ No L 193, 31. 7. 1993.

WRITTEN QUESTION E-1563/95

by Jesús Cabezón Alonso (PSE) and Juan Colino Salamanca (PSE)

to the Commission

(1 June 1995)

(95/C 311/04)

Subject: Desertification

Prolonged and repeated drought and other factors are causing severe desertification problems in certain regions in the south of the Union.

What degree of priority does the Commission believe should be accorded to desertification in the Union's environmental policies intended to aid the Member States?

Answer given by Mr Fischler on behalf of the Commission

(7 September 1995)

The Commission is aware of the serious risk of desertification affecting certain zones in the Mediterranean region of the Community, particularly in Spain, Portugal, Italy and Greece. Anti-desertification action and soil protection already fall within the scope of a number of Community measures in areas such as protection of the environment, agriculture, rural development, development and protection of forests and scientific research.

The Structural Fund rules allow the European Regional Development Fund (ERDF) to help finance investments in production and infrastructure aimed at protecting the environment if they will contribute to regional development. Thus under the 1994—1999 programmes more than ECU 300 million has been allotted from the ERDF for construction of dams in Spain, Portugal and Greece. The Cohesion Fund will also contribute more than ECU 400 million to construction of dams in these Member States. The Commission is also planning a study of the resources of the river basins of the Iberian Peninsula. In the rural development field (Objectives 1 and 5(b)) the EAGGF makes a significant contribution to forestry and environmental action with a direct positive impact on the fight against desertification. By way of example, EAGGF support for this type of action in Spain was around ECU 70 million per year during the period 1989—1993 and for the period 1994—1999 should be well over ECU 100 million per year.

In the scientific research field important projects such as Medalus and Epeda, devoted to field study of and experimental work on phenomena involved in the desertification process, have been initiated under the Epoch programme (European programme on climatology and natural hazards, 1989—1992). This work has been boosted under the 1991-1994 environment R&D programme and will be pursued and further boosted under the 4th Community R&D framework programme (1994—1998), and more particularly under the 1994—1998 environment and climate programme.

Internationally, significant financial assistance has been provided under bilateral development cooperation programmes, particularly in the Lomé Convention framework. In October 1994 the Community signed the International Convention on Desertification, which includes an annex on its application in the northern Mediterranean region.

In conclusion, the Commission considers that it is not the lack of instruments at Community level that is the real problem. The key to effective combating of desertification lies in sensible use of land compatible with environmental requirements and rational and cautious use of water resources. The responsibility for such an approach lies directly with local, regional and national authorities. The Commission also considers that particular importance attaches to afforestation, re-afforestation and forest protection and to management and sustainable development of forest resources.

As envisaged in the International Convention on Desertification, it is now up to the Member States concerned to draw up and implement national and, as appropriate, regional action programmes to fight desertification.

WRITTEN QUESTION E-1583/95

by Josu Imaz San Miguel (PPE)

to the Commission

(7 June 1995)

(95/C 311/05)

Subject: Aragon-Cazaril high-tension power line

The French and Spanish Governments plan to build a high-tension electricity line between France and Spain through the Chistau Valley, linking the electricity sub-stations of Cazaril and Aragon.

The project has recently been halted by a judgment of a court in Pau once again denying authorization to build the line along the current route because of the environmental impact.

Moreover, the Municipalities of the Chistau Valley on the Spanish side have taken their case to the Supreme Court to stop the line from being built across the port of La Pez, claiming that it would have a serious environmental impact on the as yet untouched valley.

Is the Commission aware of the most recent judgment of the court in Pau prohibiting the construction of the power line along the current route?

Given that there are other possible routes which are more environmentally compatible and which are just as technically feasible, would the Commission be prepared to propose a study into a possible alternative route resulting in less damage to the environment?

Does not the Commission think that an improvement of the existing Vic-Baixas line, making use of the corridor for the existing line instead of opening up a new corridor, would keep the environmental impact to a minimum and would reduce the building costs?

WRITTEN QUESTION E-1585/95

by Josu Imaz San Miguel (PPE)

to the Commission

(7 June 1995)

(95/C 311/06)

Subject: Aragon-Cazaril high-tension power line

In the list of projects contained in its guidelines on trans-European energy networks, the Commission includes the linking of the French and Spanish electricity grids through the linking of the sub-stations of Aragon and Cazaril.

The current planned route goes through a protected zone, the Poset-Maladeta Park.

Given that there are alternative routes which are more environmentally compatible and which are just as technically feasible, does not the Commission think that the building of the power line along the planned route would run counter to the principles of environmental protection established both in the Treaty on European Union and in the White Paper on Growth, Competitiveness and Employment?

Does not the Commission think that the building of a power line with pylons over 50-metres high, requiring the felling of a 150-metre wide corridor, would have a serious visual impact which would jeopardize the future of tourism in the area, which is the principal source of income for the local population?

Joint answer to Written Questions E-1583/95 and E-1585/95 given by Mrs Bjerregaard on behalf of the Commission

(22 September 1995)

The attention of the Commission was brought to this matter through a complaint which is currently under investigation.

In the context of the handling of this complaint, correspondence has been exchanged between the Commission and the Spanish authorities. The Commission still needs further information from the Spanish authorities in order to have the necessary elements for an adequate assessment of this case in the light of Community environmental law.

On the one hand, the ecological importance of the area affected by the project, the Gistain valley in Aragón, deserves all the attention of the Commission and this matter is on the agenda of a special meeting with the Spanish authorities scheduled for October 1995. On the other hand, the interest of the project from an energy point of view seems undeniable as confirmed by the European Council at Essen, which included this project in the list of priority projects for the development of Trans-European Networks. The Commission will seek to reconcile these two legitimate interests; i.e. energy policy and nature conservation.

The Commission will keep the Honourable Member informed of the outcome of its investigations.

WRITTEN QUESTION E-1587/95

by Stefano De Luca (UPE)

to the Commission

(7 June 1995)

(95/C 311/07)

Subject: Regulation of selection criteria for recruitment of trainees (stagiaires) at the Commission

The Commission maintains that stagiaires' contracts are a good way of promoting better understanding of European integration and not an atypical form of temporary employment. The number of applicants and the quality of their curricula are extremely high. The criteria for choosing applicants who have been preselected and entered in the list which circulates among the various Directorates-General are unknown.

Will the Commission undertake to modify the system of choosing among preselected applicants with the best curricula by introducing objective, clear, automatic and transparent selection criteria?

Will the Commission consider automatic and objective selection criteria which place all preselected applicants on the same footing, such as the drawing of lots (the system used in some Member States to select applicants in university faculties with a restricted intake)?

Why does the Commission not introduce a supervision scheme for applicants who are not given contracts?

Answer given by Mr Santer on behalf of the Commission

(19 September 1995)

Under the Commission Rules governing in-service training, applicants must fulfil the following objective conditions before they can be admitted to the selection procedure:

(a) they must be university graduates or holders of diplomas equivalent to university degrees awarded at the end of a full course of study, or

(b) have successively completed at least four years (eight semesters) of university study;

(c) they must be under 30;

(d) they must have a thorough knowledge of one Community language and a satisfactory knowledge of one other.

Applicants are selected on the basis of qualifications and an appropriate geographical distribution is maintained; account is taken of:

— the results they have obtained during their studies,

— completion of (or attendance at) a course on European integration or Community law.

In the course of the selection procedure the Commission may call on the assistance of pre-selection committees drawn up on geographical lines.

In view of all this, the Commission considers that, despite the pressure of numbers (10 000 applications for each training session), the current selection procedure as applied in practice basically meets the objectives referred to by the Honourable Member.

As for the possibility of drawing lots, as suggested by the Honourable Member, the Commission doubts that this practice could be applied to periods of in-service training, which are in any case limited to five months. It would be an extremely laborious undertaking to develop an automatic selection programme geared to university systems, which vary considerably within the 15 Member States of the Community alone, not least in the way that students are assessed.

In any case, for budgetary and logistical reasons the Commission accepts fewer than 10 % of the applications it receives.

It is not surprising, then, that even valid applications have to be turned down.

The Commission is always careful to point out to the applicants concerned that they should not see their failure to be accepted as a value judgment and that they can always submit another application for a later training period.

WRITTEN QUESTION E-1626/95
by Elly Plooij-van Gorsel (ELDR)
to the Commission
(12 June 1995)
(95/C 311/08)

Subject: Progress following the report on the adoption of a specific programme for dissemination and exploitation of the results of research, technological development and demonstration

1. What progress has been made in response to the report on the adoption of a specific programme for dissemination and exploitation of the results of research, technological development and demonstration (A4-67/94) [1]?

2. What action has been taken to date? What results has it had?

3. What specific measures are being taken in relation to small and medium-sized enterprises? What are their results?

---

[1] OJ No C 341, 5. 12. 1994, p. 239.

Answer given by Mrs Cresson on behalf of the Commission

(26 September 1995)

The Council adopted on 15 December Decision 94/917/EC on the specific programme for the dissemination and optimization of the results of activities in the field of research and technological development (RTD) including demonstration (1994—1998) [1].

The Decision incorporates several amendments the Parliament proposed. Some of them, for example amendment 3 on the simplification and acceleration of the candidature and selection procedures, are of a more general

nature and appear also in several other specific programmes of the fourth framework programme. Others pertain only to the specific programme for dissemination and optimization of the results of RTD activities, for example amendment 5 on the building up of a knowledge infrastructure for the dissemination and exploitation of RTD results.

In line with the Parliament's specific amendment referred to above a significant part of the programme concerns the expansion of the infrastructure to disseminate and exploit RTD results, having regard especially to small and medium-sized enterprises (SMEs). The two main elements of this infrastructure are the Community research and development information and dissemination service (Cordis) and the relay centres network.

As regards Cordis, this system, which was launched under the third framework programme, is to evolve further during the next three years by improving the general quality and user interface of the databases, providing additional functionality and multimedia, the use of new information channels and inclusion of gateways to other European RTD information services. A call for tenders [2] for the continuous operation and further development of Cordis along the lines specified above was published in June 1995.

As regards the relay centres, since the beginning of the programme, their mission has been widened with respect to the original Value scheme and re-orientated towards a demand led approach taking into account the needs of the industrial fabric, to include and emphasize exploitation, technology transfer and innovation in addition to the provision of information on Community RTD.

Under this new mission the relay centres will become poles in a region which will provide access to the required expertise to support the exploitation, technology transfer and innovation activities of the SMEs in that region. It is furthermore planned that, following the call for proposals [3] (deadline 15 March), the network of relay centres will be substantially strengthened and consist of 52 such centres compared to 32 at the end of the third framework programme.

In addition to the above a number of other actions have been launched since the beginning of the programme, or are about to be, involving SMEs. An example is the technology transfer and validation projects. A call for proposals for such projects, published on 15 March [4], resulted in the submission of more than 500 proposals out of which approximately 100 have been selected, most of them involving several SMEs. Another example is the audits of infrastructures, at regional level, to support the technology transfer and innovation efforts of SMEs in that region.

Furthermore a green book on the promotion of innovation policies is being prepared, having regard especially to small and medium-sized firms. The objective is to identify the factors that foster or obstruct innovation in the Community and to propose, at all levels of decision making (local, regional, national and Community wide) concrete, short and medium term actions that will strengthen the overall innovation capacity in the Community.

---

[1] OJ No L 361, 31. 12. 1994.
[2] OJ No C 136, 3. 6. 1995.
[3] OJ No C 12, 17. 1. 1995.
[4] OJ No C 64, 15. 3. 1995.

WRITTEN QUESTION E-1639/95

by Amedeo Amadeo (NI)

to the Commission

(15 June 1995)

(95/C 311/09)

Subject: Community eco-management and audit scheme

European Regulation (EEC) No 1836/93 [1] on the eco-management and audit scheme marks a major step forward since voluntary participation by companies in the scheme represents one of the best opportunities for industry to adopt an active strategy aimed at implementing environmental policies and objectives and establishing effective environmental management schemes.

However, does the Commission not consider that the lack of international regulations harmonizing national regulations on eco-management schemes allows Member States to interpret procedures for implementing the Regulation in a variety of ways, thus jeopardizing the efficiency of the system, and can the Commission say whether it considers that a Directive harmonizing the Regulation's implementation should not be adopted instead?

---

[1] OJ No L 168, 10. 7. 1993, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 September 1995)

The eco-management and audit scheme (EMAS), established by Council Regulation (EEC) No 1836/93, entered into application in mid April 1995.

Companies wishing to participate in the scheme have to meet all the requirements of the Regulation. There is no requirement that any national, European or international environmental management system standard is used.

However, companies may choose to implement, and be certified to, national, European or international standards. Article 12 of the Regulation foresees that the certification shall be deemed to meet corresponding requirements of the Regulation provided that certain conditions are met:

— the standard and certification procedures are recognised in accordance with the procedure established in Article 19 of the Regulation;

— the accreditation of the certification body which issues the environmental management system certificate is recognized by the Member State where the site is located.

The recognition process involves a detailed analysis during which the areas of correspondence between the standard and the Regulation are identified. The associated decision clearly sets out the areas where corespondence is recognized and, by implication, those areas where no such correspondence exists. For those elements of the Regulation for which there is no correspondence within the standard, the requirements of the Regulation still need to be met and it is the duty of the EMAS verifier to ensure that this is so. In this way it is hoped to ensure that the burden on industry is minimised whilst still ensuring compliance with all the requirements of the Regulation and thereby a uniform application — regardless of whether or not a standards based approach has been adopted.

Nevertheless the Commission recognizes the benefit of a single European standard in this area. The European standardization body (CEN) has accepted a mandate from the Commission to develop standard(s) in support of the Regulation. The work of CEN should result in a draft European standard by the summer of 1996. As soon as a European standard is adopted, the various national standards within Europe will have to be withdrawn, ensuring that, in time, a single European standard will prevail. In addition the adopted standard will be presented for recognition under Article 12 of the Regulation. Within the mandate from the Commission, CEN is invited to take account of the work currently underway within the international standardization body (ISO). It is hoped that this will ensure the maximum degree of compatibility between environmental management system standards on an international level whilst maintaining the integrity of the EMAS.

WRITTEN QUESTION E-1663/95

by Mark Killilea (UPE)

to the Commission

(15 June 1995)

(95/C 311/10)

Subject: Future of the Eco-label award scheme

In recent weeks the Confederation of European Paper Industries withdrew from the European Eco-label award scheme, citing an inability to arrive at workable solutions with the Commission which would adequately cover paper products.

Given this setback to the application of the Eco-label scheme to the paper industry, and in view of the many other reservations expressed by organizations and Member States over the unwieldy nature of the criteria involved, does the Commission now feel it is time for a review of the scheme and its operation? Would it not agree that in the interests of maintaining industry's long-term credibility and commitment to such a vitally important scheme, that a new approach to assessment of products is now required?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 September 1995)

It is important to distinguish between a general revision to the Regulation (EEC) No 880/92 [1] on a Community eco-label award scheme as a whole and one of the detailed criteria pertaining to a specific product group. With regard to the former, Regulation (EEC) No 880/92 foresees a revision of the working of the scheme after five years. In addition, an individual Commission Decision implementing an eco-label for a given product group, may, once established, be revised every three years.

According to the eco-label Regulation, the Commission has the task of establishing the ecological criteria, against which the applications for the award of an eco-label have to be assessed by the eco-label competent bodies which represent the Member States. These criteria must be established in accordance with principles and procedures set out in the Regulation.

In particular, the criteria must be selective, in order to guide consumers toward those products which have, on a comparative basis, a reduced environmental impact. Moreover, the criteria should be set in a 'cradle-to-grave' perspective, considering all the stages of the life of a product and all the environmental aspects related to those life stages.

As far as the procedures are concerned, industry and the other interest groups are consulted, through a consultation forum, before a final decision is taken. Industry is usually represented at the various stages of preparation by the appropriate sectoral associations.

The process of consultation on the derivation of criteria for an eco-label decision for 'fine paper' (photocopying and non-impact printing paper) has been open to interest parties under the normal procedures established by the Regulation. Given the consultation difficulties on the decisions for tissue paper, particularly for third countries, this process has been strengthened. As a result, industry representatives from third countries have been able to put their views in full to the Commission, the relevant bodies and the consultation forum.

Unfortunately, it appears to have been difficult for the Confederation of European paper industries (CEPI) to participate constructively in a process which is aimed at

identifying the best products from the point of view of the environment. This is disappointing when the Community eco-label scheme is selective and based on the concept of competition between companies as to their products' relative environmental performance. One may well understand there being concerns about possible subsequent changes to the criteria, particularly bearing in mind the long time-scale and highly capital-intensive nature of investments in the pulp and paper industries. However the strategy of harnessing competition is one which industry has been known to support.

The Commission considers it to be very important for industry to participate constructively in this scheme, and it deeply regrets the non-participation of the main Community paper industry representative. The preparatory work concerning copying paper is not yet completed and the Commission is carefully examining several outstanding issues. Dialogue with the paper industry at this stage would certainly be useful, and the Commission hopes that, given the very flexible position taken recently on the draft criteria, CEPI may re-examine its position. The Commission for its part will soon offer again to CEPI the appropriate opportunities for such dialogue.

(1) OJ No L 99, 11. 4. 1992.

WRITTEN QUESTION E-1688/95

by Katerina Daskalaki (UPE)

to the Commission

(15 June 1995)

(95/C 311/11)

Subject: Maintaining economic activities in the immediate vicinity of special protection areas

Since 1984, a number of Community rules have been drawn up, implementing Directive 79/409/EEC (1), and, contributing to nature conservation policy, the most recent being Council Regulation (EEC) No 1973/92 (2), establishing a financial instrument for the environment (LIFE).

1. In addition to this financial instrument (LIFE), what other instruments are currently available to dovetail nature conservation policy with measures to maintain and develop the economic activities of rural communities situated in the immediate vicinity of special protection areas, a situation which both affects them and redounds to their credit?

2. Do these financial instruments make it possible to contribute fully to the implementation of Directive 92/43/EEC (3) on the conservation of natural habitats, which has been in force since June 1994?

(1) OJ No L 103, 25. 4. 1979, p. 1.
(2) OJ No L 206, 22. 7. 1992, p. 1.
(3) OJ No L 206, 22. 7. 1992, p. 7.

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 October 1995)

1. A number of instruments can be used to support nature protection activities, at the same time supporting the economic activities of rural communities situated within or just outside the protected sites.

Amongst these the most important are the agri-environmental Regulation (EEC) No 2078/92 (1), the Structural Funds (Objective 1 and 5b regions) and the Community initiatives (i.e. Interreg, Leader, Pesca). Other important means can be found under the Cohesion Fund.

2. The use of the financial resources mentioned above contributes to the implementation of Directive 92/43/EEC only as a by-product of the different projects they finance. Only rarely is it an explicit objective of the project. However Life has often supported actions that have served as a catalyst for the synergic use of financial means (e.g., a Life project targeted at a specific site served as a starter for an agri-environmental project in the surrounding area).

The Commission is aware of the fact that all these important resources have a strategic role to play in supporting the Member States in the implementation of the habitats Directive. It is also making a special effort to increase the level of coordination among the different services managing these lines. At the same time a discussion is taking place with the representatives of the Member States in the habitats committee in order to secure increased cooperation and understanding among the interested parties at national and local level.

(1) OJ No L 215, 30. 7. 1992.

WRITTEN QUESTION E-1689/95

by Jan Sonneveld (PPE), Ria Oomen-Ruijten (PPE) and Marianne Thyssen (PPE)

to the Commission

(15 June 1995)

(95/C 311/12)

Subject: Cross-border transport of animal manure by farmers to their own agricultural land in Wallonia

The Belgian region of Wallonia is refusing to grant to foreign and Flemish livestock farmers who have agricultural land in Wallonia authorization for the transport of untreated manure for their own use. In so doing, it is invoking the provisions of Council Regulation (EEC) No 259/93 (1), as it regards manure as waste. The Netherlands, however, has not classified animal manure intended for the fertilization of agricultural land as waste within the meaning of that Regulation.

This is causing problems for a Dutch dairy farmer who owns agricultural land in Wallonia, a short distance from his farm. The manure to be carted is produced by the farmer's own livestock. He has requested authorization and satisfies the requirements concerning the legally permitted maximum amount of fertilizer to be applied. The fodder grown on the land in question is for the farm's own use. The farmer should be allowed to employ what is a standard agricultural practice.

1. Is the Commission aware of the above case, and does it consider the situation to be compatible with European rules?

2. Does it not take the view that, when a farmer has agricultural land on both sides of a border, standard farming practice must be possible and that the border must not constitute an obstacle to such practices?

3. Is it prepared to bring pressure to bear on the regional authorities of Wallonia to remove the restrictions on the cross-border transport of animal manure for own use?

(1) OJ No L 30, 6. 2. 1993, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 September 1995)

1. The Commission was not aware of this case.

The Regulation invoked by Wallonia (Regulation (EEC) No 259/93 on shipments of waste) establishes a notification and control system for shipments of waste and states that authorities can object to imports of waste on certain grounds.

Before examining the application of this Regulation, however, one should consider on the basis of the definition of waste (Directive 75/442/EEC (1)) whether the case concerns a waste. According to this definition a waste is 'any substance or object [. . .] which the holder discards or intends to discard or is required to discard'. It therefore depends on the intention of the holder of a substance or object whether it is a waste or not. In case of doubt or dispute regarding the interpretation of the definition in a specific case, only a court, and ultimately the European Court of Justice can give a binding judgment.

When it is established that the substance or object is a waste, the competent authority of destination can object against import depending on what will be done with the manure (disposal or recovery). Since spreading of manure on land can be classified as an operation which may lead to recovery (cf. Annex IIB, Directive 75/442/EEC), the authority of Wallonia can object to the import of manure in its condition as waste on the basis of Article 7.4 of Regulation (EEC) No 259/93. Such an objection has to be motivated. If a person concerned is of the opinion that the objection is without ground, here too only a court can give a binding opinion.

Notwithstanding the above, the Commission points out that shipments of untreated manure are more specifically regulated by Council Directive 92/118/EEC (2) as regards animal health requirements. Pursuant to Chapter 14 of Annex I of this Directive, only untreated manure from horses and birds is allowed to be shipped to another Member State, if certain health conditions are complied with. Shipments of other kinds of untreated manure, including manure from cattle, are prohibited.

2. The Commission however agrees with the Honourable Member that, when a farmer has farming land on both sides of a border, it is desirable that normal practice can continue if it does not entail risks for the environment and human and animal health. It is for this reason that the Commission is envisaging the possibility to modify Annex I (Chapter 14) of Directive 92/118/EEC, in accordance with the competences delegated to it by the Council, with a view to allowing, under certain conditions, certain shipments of manure, and in particular in the case of land of an agricultural company which is located on both sides of a border between two Member States.

3. The Commission requests the Honourable Member to provide further details on the specific application for authorization, in particular concerning the motivation for the refusal, to assess the appropriate follow-up on the basis of that information.

(1) OJ No L 194, 25. 7. 1975.
(2) OJ No L 62, 15. 3. 1993.

WRITTEN QUESTION E-1696/95

by Frédéric Striby (EDN)

to the Commission

(15 June 1995)

(95/C 311/13)

Subject: Recognition of rules on 'accompanied learner drivers'

French nationals aged 16 and over are authorized to drive anywhere in France if accompanied by a designated qualified driver, but are not allowed to cross national borders under this 'accompanied learner driver' scheme.

In view of the Schengen Agreements and the established principle of freedom of movement of persons, this situation should be reviewed, since it constitutes an obstacle to the free movement of persons resident in border areas.

Does the Commission intend to encourage the other Member States to recognize these arrangements?

Answer given by Mr Kinnock on behalf of the Commission

(7 September 1995)

Council Directives 80/1263/EEC [1] and 91/439/EEC [2] on driving licences provided for the reciprocal recognition of driving licences. This does not cover learner-driver licences whatever the system of instruction followed by the applicant. The same applies to the international conventions on road traffic, which only accept holders of (full) driving licences in international travel.

'Driving on probation' or 'accompanied learner driving' is a device introduced some years ago in France and more recently in Belgium. The first results are encouraging and the Commission is following this type of instruction with interest. However, the Directives on driving licences referred to above leave it to the Member States to develop the training systems which to them seem best suited to their specific national requirements, provided that the minimum standards laid down in those same Directives, and more particularly the standards set by the theoretical and practical tests, are achieved by applicants for licences. The Commission's task at this level is to make it easier from Member States to exchange experience rather than to impose a given learner-driver system.

[1] OJ No L 375, 31. 12. 1980.
[2] OJ No L 237, 24. 8. 1991.

WRITTEN QUESTION E-1706/95
by Mary Banotti (PPE)
to the Commission
(21 June 1995)
(95/C 311/14)

Subject: Complementary medicines and therapies — their status

In April 1994 a report by the European Parliament on the status of complementary medicine was discussed by the EP Committee [1]. Unfortunately in the lead up to the European elections the report was not adopted by the EP. It is believed that the rapporteur will re-submit this report for debate in the near future.

What is the Commission's current position on the subject of alternative medicines and alternative therapies and what measures, if any, have been taken to regulate or propose a legal status for such?

Has the Commission funded any studies or projects to research areas such as professional practice and working methods, a system of registration and basic teaching standards?

[1] Doc. A 3-291/94.

Answer given by Mr Flynn on behalf of the Commission

(2 October 1995)

The Commission is aware of the draft report prepared by Mr Lannoye on the subject of so-called 'alternative' medicines and therapies, and the debates that have taken place in the committee on environment, public health and consumer protection of the Parliament.

As regards the drugs used in alternative and complementary medicine, it should be noted that all products presented as having curative or preventive properties in respect of human or animal diseases are regarded as drugs, and are therefore subject to Community legislation on pharmaceutical products. As regards certain products used in the practice of complementary medicine, such as homeopathic and plant-based drugs, specific provisions have already been adopted at Community level, which either provide derogations from or supplement general Community law on pharmaceutical products, taking account of the specific properties of these drugs.

The placing on the market of products other than those mentioned above, for which health claims are made, is a matter for the authorities of the Member States, and the Commission has no intention to bring forward proposals to harmonise any relevant provisions.

Research on the properties of homeopathic products has been undertaken in the context of the research and technological development programme. The focus has been on the development of methodological tools in order to assess their efficacy and safety.

With reference to the mutual recognition of professional qualifications in respect of the practice of alternative medicine, the Commission does not intend to make any proposals at present.

In this connection, the Commission would refer the Honourable Member to it answer to Written Question No 317/94 by Mr Kostopoulos [1] which sets out the viewpoint of the Commission regarding the coordination of training in respect of a particular profession.

Nevertheless if the practice of complementary medicine is regulated in a host Member State, the general system for the recognition of diplomas Council Directive 89/48/EEC [2] and Council Directive 92/51/EEC [3] may be relevant. If the

practice of complementary medicine is reserved to doctors, then Directive 93/16/EEC (4) applies.

(1) OJ No C 376, 30. 12. 1994.
(2) OJ No L 19, 24. 1. 1989.
(3) OJ No L 209, 24. 7. 1992.
(4) OJ No L 165, 7. 7. 1993.

WRITTEN QUESTION E-1747/95
by Gerfrid Gaigg (PPE)
to the Commission
(21 June 1995)
(95/C 311/15)

Subject: Discrimination by the European Union against small and medium-sized businesses

In its communication of 12 April 1995 on a medium-term social action programme, the Commission announced *inter alia* the establishment of a European training centre for industrial relations to promote dialogue between the two sides of industry.

Why have the associations representing trades and small and medium-sized businesses not so far been involved in the preparations for this centre?

Answer given by Mr Flynn
on behalf of the Commission
(31 July 1995)

The Commission informs the Honourable Member that the body to which he is referring is a private initiative of three European organizations: the Centre of Enterprises with Public Participation (CEEP), the Union of Industrial and Employers' Confederations of Europe (UNICE) and the European Trade Union Confederation (ETUC). These three organizations have signed an agreement setting up an association known as the 'European Centre for Industrial Relations'.

WRITTEN QUESTION E-1773/95
by Lucio Manisco (GUE/NGL)
to the Commission
(28 June 1995)
(95/C 311/16)

Subject: 1995 European Young Consumer Competition

On Tuesday, 30 May 1995 the European Young Consumer Competition prize was awarded at the Exhibition Park in Brussels with the participation of Emma Bonino, the Commissioner responsible for consumer policy.

No notice of competition was published in the *Official Journal of the European Communities* for this initiative, which appears to have been accorded a very high percentage of co-financing.

The invitation to take part in this initiative was advertised using the internationally recognized logo of a young man with a shield in his left hand with a pattern of 12 stars and a sword in his right hand, both of which are symbols of armed violence.

1. Can the Commission explain why no notice of competition was published for this initiative?

2. Can the Commission confirm that the initiative was co-financed with a proportion of funding far in excess of 50 % of the total cost, and can it give details of both the percentage of funding granted and the total amount?

3. Did the Commission grant co-financing on the basis of any specific criteria and, if so, which?

4. Does the Commission not agree that, as far as such criteria are concerned, it would be more in keeping with the spirit of the Union to use symbols that do not involve weapons as a means of depicting young European consumers?

Answer given by Mrs Bonino
on behalf of the Commission
(20 July 1995)

The Commission fully shares the Honourable Member's concern both for transparency in the award of public funding and for the image of the young consumer in Europe. With regard to the specific questions raised, the following should be noted:

1. The European Young Consumer Competition, being a pilot project supported by the Commission, was not the subject of a public tendering procedure and was therefore not published in the Official Journal. Once the Commission decides to set up its own projects, it will then initiate tendering procedures. Publication of a notice to this effect is, moreover, in the pipeline for 1997.

2. The amount or percentage of any funding granted by the Commission is determined on a case-by-case basis, according to criteria aimed at ensuring fair distribution of the available appropriations.

3. The criteria whereby funding was granted to the organizing body had to do with professional ability, experience in the field and solvency. The fact that the Institute in question has a network of assistants in all the Member States was decisive.

4. As far as the symbol for the competition devised by the organizer is concerned, it was deemed important to

convey clearly the concepts inherent in the defence of young consumers' interests, i.e. learning how to protect oneself (hence the shield) and, where appropriate, taking the necessary action (the sword). The sword is, moreover, the symbol of justice throughout the world.

WRITTEN QUESTION E-1792/95
by Philippe De Coene (PSE)
to the Commission
(28 June 1995)
(95/C 311/17)

Subject: Proceedings for failure to comply with Directive 76/464/EEC

In its answer of 11 May 1992 to Written Question No 1496/91 by Mrs van Hemeldonck [1] the Commission stated that up to July 1991, taking all the Member States together, around 40 separate sets of proceedings had been initiated for failure to comply with Directive 76/464/EEC [2] and related Directives.

To the best of my knowledge none of these proceedings has yet led to a judgment of the Court of Justice.

What stage have the various sets of proceedings referred to in the Commission's answer to Written Question No 1496/91 now reached, and when does the Commission think that the Court of Justice will be given the opportunity to rule on these very numerous contraventions of Treaty obligations?

If it is true that the Commission has not as yet brought any of these cases before the Court, why — nearly four years after July 1991 — has it not done so? Does the Commission no longer consider compliance with Directive 76/464/EEC a priority, or have all the Member States in question since complied with their obligations?

---

[1] OJ No C 202, 10. 8. 1992, p. 7.
[2] OJ No L 129, 18. 5. 1976, p. 23.

Answer given by Mrs Bjerregaard
on behalf of the Commission
(15 September 1995)

One of the Commission's duties under Article 155 of the EC Treaty is to verify that Member States comply with Community legislation, and this includes checking that Community Directives are implemented. Should Member States fail to meet the obligations incumbent upon them, the Commission may decide to institute the proceedings under Article 169 of the EC Treaty.

Hence, in the case of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community and its implementing Directives, the Commission decided to bring proceedings against a number of Member States for failure to communicate national measures, for non-compliance or for incorrect implementation of the provisions.

Some of these proceedings concern failure to communicate programmes to reduce water pollution by the substances listed in the Annex to the Directive; others refer to failure to comply with the Directive's provisions in general and finally, yet others concern infringements of provisions in the implementing Directives, which concern specific substances such as cadmium, mercury or hexachlorocyclohexane.

In reply to the question regarding exactly how many infringement proceedings are in progress, it is necessary to point out that, for reasons of efficiency, several proceedings mentioned in the Commission's reply to Mrs Van Hemeldonck's Written Question No 1496/91 have been grouped together, while some proceedings have been terminated following the satisfactory outcome of the cases concerned.

It is true that, so far, none of the proceedings under way has resulted in a judgment by the Court. The Commission had brought an action before the Court concerning the non-communication by Greece of its national measures to transpose Directive 90/415/EEC of 27 July 1990, amending Annex II to Directive 86/280/EEC concerning limit values and quality objectives for the discharges of certain dangerous substances contained in list I of the Annex to the Directive 76/464/EEC, but it withdrew its action when the Greek authorities communicated these measures (Case No C-94/180). In a few other cases, the Commission has decided to bring an action before the Court and its decision will be implemented as soon as possible. Other proceedings are still at the 'reasoned opinion' stage. With respect to new proceedings, some formal notices were delivered as recently as June 1995.

WRITTEN QUESTION E-1798/95
by Katerina Daskalaki (UPE)
to the Commission
(28 June 1995)
(95/C 311/18)

Subject: Unemployment and social problems in the community of Mantoudi in Euboia

The closure of the magnesite mines after half a century of intensive mining operations in the Mantoudi region in northern Euboia means that 78 % of the population is unemployed, one of the highest rates of local unemployment in the European Union.

This explosive situation is aggravated by the fact that the health of the inhabitants has suffered owing to exposure to unhealthy working conditions over a long period of time and their inability to find new employment, owing to a total lack of professional training.

Does the Commission intend to take any special development measures in favour of the inhabitants of this region within the framework of the CSF for Greece or to approve loans and subsidies as part of the structural programmes?

In particular, will it reveal the findings of a special study commissioned on the region of Mantoudi as part of the operational programme on industry and services?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(7 September 1995)

Under the Community support framework for 1989—1993, the Commission has already financed various schemes on training and upgrading of occupational qualifications and funded aid towards self-employed activities for workers made redundant by the closure of businesses in the region of Mantoudi.

These measures do not seem to have been sufficient and for this reason the Commission has also part-financed a study leading to an integrated redevelopment project for the north of Euboea within the framework of the programme on industry and services.

The results of this study suggest the action needed from the point of view of basic infrastructure, productive investment, vocational training and employment policy if the economy of the north of the island is to be revitalized and provided with new and lasting jobs.

The Commission is ready to provide financial assistance for schemes under the Community support framework for Greece if the Greek authorities make appropriate proposals.

WRITTEN QUESTION E-1814/95
by Alexandros Alavanos (GUE/NGL)
to the Commission
(28 June 1995)
(95/C 311/19)

Subject: Protection and development of forestry in Greece

Through the Community Support Frameworks, the LIFE programme and other Community programmes the European Union has promoted and subsidized measures to protect and develop forestry in Greece; however, these measures cannot be implemented without a sufficient number of experienced forestry experts.

Will the Commission:

1. Provide comparative data concerning the number of forestry experts in the five southern countries of the European Union which continue to face the threat of forest fires every summer?

2. Say whether, under the relevant Community programmes, there has been an increase in the number of forestry experts in Greece over the last five years and if so, to what extent?

3. Say, whether, in view of the large number of forest fires which occur in Greece every year and its great re-afforestation requirements, it considers that Greece's state forestry services employ a sufficient number of forestry experts?

Answer given by Mr Fischler on behalf of the Commission

(7 September 1995)

1. The Commission cannot know the manpower employed in the public service of a Member State. Only the Member States can provide the answer the Honourable Member seeks.

2. The number of national officials depends on the policy of recruitment in the civil service of the Member State rather than on the volume of Community funding.

3. It is not for the Commission to judge if the number of forestry officials is adequate.

WRITTEN QUESTION E-1828/95
by Salvador Garriga Polledo (PPE)
to the Commission
(28 June 1995)
(95/C 311/20)

Subject: Restructuring the shipbuilding sector in Gijón Asturias

Can the Commission specify what projects linked with the restructuring of the shipbuilding sector in Gijón, Asturias were in receipt of Community aid between 1991 and 1995, and the Community programme under which they did so?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(7 September 1995)

The European Regional Development Fund's assistance to the region of Asturias, implementing the intentions set out in the Community support frameworks (CSFs) for the periods 1989—1993 and 1994—1999 for the structural development and adjustment of the Spanish regions coming under Objective 1, does not include specific aid for the conversion of the shipbuilding sector. Furthermore, the region of the Asturias has not received any aid under the Community programme 'Renaval', which provides assistance for areas most affected by the problems connected with the conversion of the shipbuilding sector.

However, the goal of promoting the economic diversification of the region by making it less dependent on sectors affected by conversion processes (coalmining, steelmaking, shipbuilding) while at the same time contributing to improving the attraction of the region for new activities is clearly set out in the CSF covering the region. For example, in the local authority area of Gijón, the ERDF has part-financed several projects to attain the goal referred to above, among them the rehabilitation of the old fishing port and improvement of the free port of Gijón-Musel, a railway museum, the restoration of industrial wasteland, a camp-site, a general facelift for the eastern part of the area and the construction of various road transport infrastructures.

WRITTEN QUESTION E-1830/95
by Salvador Garriga Polledo (PPE)
to the Commission
(28 June 1995)
(95/C 311/21)

Subject: The North-West Public Coalmining Company, Ltd (Hunosa)

Can the Commission provide details of which projects involving the North-West Public Coalmining Company (Hunosa) received Community aid between 1991 and 1995, and state under which programme they did so?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(7 September 1995)

Over the period 1989—1993, in line with the intentions set out in the Community support framework for the development and structural adjustment of the Spanish regions coming under Objective 1, the company Hunosa received assistance from the European Regional Development Fund for carrying out two major single projects concerning energy diversification as well as protection and improvement of the environment.

The first project, a thermo-electric power station to be built in the local authority area of Mieres, was approved in 1989 and mobilized ERDF aid of Pta 4 934 million, the total estimated cost of the investment being Pta 13 238 million. This major project involves the use of material from spoil heaps as a fuel, making it possible to improve the environment in the mining areas. In addition, an advanced non-polluting technology is to be used, so that emissions will be approximately half of the levels fixed as a maximum in the relevant Community Directives.

This project has also received assistance under the Thermie programme, as a demonstration and innovative project (as regards the proposed combustion system, which uses difficult materials), as well as an ECSC conversion loan of Pta 5 000 million, accompanied by a maximum interest rebate of ECU 288 000.

The second project, approved in 1990, involves the treatment of waste produced by the coal-scrubbing plant of Hunosa. Aid from the ERDF for this project was ECU 7,6 million (at 1990 prices), the total estimated cost for the investment amounting to ECU 16,9 million (at 1990 prices).

This project is being coordinated with schemes to clean up the river basins in the central part of Asturias which were included in the national programme of Community interest (NPCI) for Asturias approved in 1987. The aim is to ensure that the flow coming from the coal-scrubbing plant meets the levels of quality required for the proper operation of the treatment system implemented under that programme.

In the operational programme for Asturias (1994—1999) approved in 1994, a number of projects are included that are to be carried out by Hunosa. These projects, which are still not fully defined, will involve the recycling waste for use in new activities as well as the rehabilitation and re-use of spoil heaps. The total estimated cost for this work amounts to ECU 41 million, aid from the ERDF being put at ECU 20 million.

The above schemes form part of the measure for protection and improvement of the environment in the region and also contribute to the objective of promoting economic diversification of regional public-sector companies faced with conversion processes, so they do not constitute Community aid for Spanish coalmining.

WRITTEN QUESTION E-1831/95
by Salvador Garriga Polledo (PPE)
to the Commission
(28 June 1995)
(95/C 311/22)

Subject: Single currency and pensions

Does the Commission believe that the final steps to establishing a single currency can be taken without achieving convergence between the national systems for funding pensions?

Answer given by Mr De Silguy on behalf of the Commission
(20 September 1995)

The Commission takes the view that the final steps to establishing a single currency can be taken without modifying in advance the allocation of responsibilities for funding pensions.

Acting on a proposal from the Commission and after receiving Parliament's opinion, the Council adopted on 27 July 1992 recommendation 92/442/EEC on the convergence of social protection objectives and policies [1], in which it acknowledged that each Member State retained the right to devise, organize and finance its own system of social protection and set out common objectives to guide national policies.

The arrangements for funding pensions may differ between Member States, e.g. as regards the link-up between basic and supplementary pensions.

Admittedly, these differing arrangements may pose difficulties for individuals living in one Member State and working in another. As it pointed out in its medium-term social action programme 1995—1997 (point 6.1.3) [2], the Commission will shortly be presenting a communication on this matter.

However, the differing arrangements for funding pensions have no implications for the transition to the single currency.

(1) OJ No L 245, 26. 8. 1992.
(2) COM(95) 134.

WRITTEN QUESTION E-1843/95
by Mihail Papayannakis (GUE/NGL)
to the Commission
(3 July 1995)
(95/C 311/23)

Subject: Water supply for the town of Ioannina

The Ministry for the Environment, Regional Planning and Public Works has approved the project 'Water supply for the town of Ioannina and 200 villages and upgrading of Ioannina Lake and irrigation of the entire Basin' and commissioned various firms with the task of drawing up a study on the 'supplementary water supply for the remaining dwellings in the Basin of Ioannina and upgrading of Pamvotido Lake' as well as an environmental impact study.

Since, however, the solution put forward by these firms for upgrading Lake Ioannina:

— is very expensive (the cost will exceed Drs 15 to 20 billion),

— is time-consuming (the construction work will take five to seven years or longer),

— is expected to have an adverse effect on the regional environment, since 80 ha. of land will be flooded by the waters of Gotista Reservoir (deforestation),

— fails to address the major problem of the water supply of the town of Ioannina and the 200 villages in the Basin as a whole which account for 80 % of the total workforce in the Prefecture of Ioannina,

— involves a risk that the silt carried down into the lake will turn the latter into a marshland and,

— means that the waters of the reservoir planned by the hydroelectric power authorities will flood and destroy the Greek Electricity Board's installations on the River Arachthos which are being funded by the Community,

Will the Commission say:

1. Is it aware of these plans and what role has Community funding played in the implementation of this project?

2. Since the project is being funded as a single unit under the title referred to above, why has the water supply of the prefecture of Ioannina been treated separately?

3. Why did the relevant Greek authorities hastily put this project out to tender without the environmental impact study being published in good time and without local citizens being notified in accordance with Directive 85/337/EEC [1]?

4. How does it explain the fact that, although both projects are being financed by the same Community fund, one project will destroy the other?

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

Answer given by Mr Fischler on behalf of the Commission

(8 September 1995)

As the Commission has already stated in its reply to Written Question E-1622/95 from Mr Kaklamanis on the same subject (1), it sent a questionnaire to the Greek authorities following Mr Kalogiannis's complaint which outlined the points which might be relevant to Community legislation as well as the technical and economic justification for the project. The Commission is now examining the Greek authorities' answer, which it has only recently received, in order to decide on its position.

(1) OJ No C 270, 16. 10. 1995.

WRITTEN QUESTION E-1845/95

by Fausto Bertinotti (GUE/NGL)

to the Commission

(3 July 1995)

(95/C 311/24)

Subject: Introduction of a Directive setting limit values for dioxin and furan emissions from municipal waste incineration plants

Recital 8 of Directive 89/369/EEC (1) on the prevention of air pollution from new municipal waste incineration plants stipulates that 'Community limit values for dioxins and furans should be fixed as soon as possible'.

Article 3(4) of the Directive provides for the adoption of 'a Community Directive concerning this specific question'.

In its reply to an earlier question which I submitted to it, the Commission stated that dioxin emissions came principally from municipal waste incineration plants and motor vehicle exhaust systems.

Will the Commission state when it will be in a position to set limit values for dioxin and furan emissions from municipal waste incineration plants, in accordance with Directive 89/369/EEC and the objectives of the fifth environmental programme?

(1) OJ No L 163, 14. 6. 1989, p. 32.

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 September 1995)

After the adoption of the common position for a Directive on integrated pollution prevention and control (IPPC) the Commission will continue to work as a high priority towards the second reading in Parliament and the final adoption by the Council. Since IPPC is a framework Directive, which also covers the incineration of municipal waste, the standards for incineration will be adopted later. Despite this the Commission will carry out the work on incineration as fast as possible so as to meet the targets set in the fifth Community action programme in relation to the environment and sustainable development.

WRITTEN QUESTION E-1850/95

by Mark Killilea (UPE)

to the Commission

(3 July 1995)

(95/C 311/25)

Subject: Over-production of Norwegian farmed salmon

Recent figures produced by the Norwegian market research company, Kontali, have indicated that export of Norwegian salmon to the European market this year has increased by 32 %. It is estimated that by the end of 1995, production of farmed salmon will rise by 50 %, from 200 000 tonnes to 300 000 tonnes.

Up until now, the Commission has stated that it sees no evidence that this increased Norwegian production is disrupting the European market. However, the statistics provided by Kontali show that for April this year, compared with the same month last year, export of fresh salmon to the EU increased by 46 %. This increase has already had serious implications for Irish and Scottish producers, however, the most serious blow by far is yet to be felt, when the bulk of this tonnage comes on line and floods the market later this year, around September or October. By that time, it will have reached crisis proportions, and will already be too late to prevent the collapse of the European market and save many European producers.

Will the Commission comment on these figures, and state whether it now feels emergency action must be taken to prevent a total market collapse in the very near future?

Answer given by Mrs Bonino on behalf of the Commission

(14 September 1995)

The size of the projected increase in production of Norwegian salmon has been discussed at a meeting between the Fisheries Committee of the Parliament and the Norwegian authorities. The Commission would also refer the Honourable Member to its answer to his Written Question E-1851/95 [1].

Norway's production forecast was for 260—280 000 tons in 1995, and 320—350 000 in 1996. The European salmon producers feel that these figures may turn out to be under-estimates. At all events, it is likely that Norwegian deliveries to the Community market will shortly increase. The Commission is monitoring developments and has reminded certain Member States of the need to send in rapid statistics in order to have a complete picture. The Commission's own monitoring indicates a continued slow fall in the price of salmon.

The information at present available to the Commission does not indicate serious injury to the Community market yet. The Commission will continue to monitor the situation closely, and, if the predicted major increase in imports materializes, will examine the situation to see if the increased imports are causing serious injury. The Commission would then consider making proposals accordingly.

[1] See page 18 of this Official Journal.

WRITTEN QUESTION E-1851/95

by Mark Killilea (UPE)

to the Commission

(3 July 1995)

(95/C 311/26)

Subject: Norwegian salmon production

Will the Commission give details on the meeting which took place on 19 May between Norwegian authorities and the Member States, concerning the increased production of Norwegian salmon which is arriving onto the European market?

Answer given by Mrs Bonino on behalf of the Commission

(14 September 1995)

On Tuesday 20 June 1995, the Norwegian authorities, at the invitation of the Parliament's Committee on Fisheries, addressed, and were questioned by, the Honourable Members, and by representatives of the Community salmon producers. The message delivered by the Norwegian authorities on 19 May was exactly the same as that given by them on 20 June.

They predicted a continued rise in their production and in their exports to the Community, and in the size of the market for salmon. These figures were queried by the Community salmon producers. Norway briefly described the situation on State support for the industry; some queries were raised on this and the Commission is pursuing enquiries. Norway also described the major marketing campaign undertaken to increase the market further.

WRITTEN QUESTION E-1859/95

by Luciano Vecchi (PSE)

to the Commission

(3 July 1995)

(95/C 311/27)

Subject: Adverse effects suffered by Community citizens taking out loans in ECU and foreign currencies

Given that turbulence on the currency markets over the last three years (together with the withdrawal of certain EU Member States' currencies from the European Monetary System) has resulted in considerable fluctuations in exchange rates for European currencies and in the value of the ECU, and in view of the fact that these developments have had harmful effects on private citizens and small businesses in some countries that took out loans in ECU or in foreign currencies which were then re-valued against their own currency,

what measures will the Commission take

1. to help those worst affected (interest subsidies, re-scheduling of loans, etc.)?

2. to ensure that banks provide borrowers with accurate information regarding foreign currency loans?

3. to encourage cooperation between the Member States on this problem?

Answer given by Mr De Silguy
on behalf of the Commission
(20 September 1995)

As the Commission has already stated in its answers to Written Questions No 2859/93 by Mr Mattina [1], No 1/95 by Mrs Stirbois [2], and No 1785/95 by Mr Cellai [3], and with reference to the petition to the Parliament No 25/94 presented by Mrs Stabile and others and discussed by the relevant committee of the Parliament on 4 November 1994, there is no legal basis for altering through Community instruments existing mortgage, credit or similar contracts in ECU and in other foreign currencies.

However, contracts signed with banks must respect the principles of comprehensive and fair information on the exchange rate risk contained in the Community legislation on advertising (Directive 84/450/EEC [4]).

(1) OJ No C 300, 27. 10. 1994.
(2) OJ No C 152, 19. 6. 1995.
(3) OJ No C 273, 18. 10. 1995.
(4) OJ No L 250. 19. 9. 1984.

WRITTEN QUESTION E-1861/95
by Honório Novo (GUE/NGL)
to the Commission
(3 July 1995)
(95/C 311/28)

Subject: Environmental impact assessment in respect of the IP1 motorway between Freixo and Carvalhos

In reply to my Written Question E-2804/94 [1], in which I stated that public consultation for the environmental impact assessment in respect of the IP1 motorway between Freixo and Carvalhos had been held after work had begun, Commissioner Bjerregaard informed me that the Commission would 'approach the Portuguese authorities for details of the matter'. She also stated that, were my claims to prove accurate, 'this would constitute an infringement of Directive 85/337/EEC [2]'.

Three months have now passed since that reply: can the Commission inform me of the explanations given by the Portuguese authorities? What measures will the Commission ask the Portuguese Government to take in the event of failure to apply Directive 85/337/EEC?

(1) OJ No C 139, 5. 6. 1995, p. 32.
(2) OJ No L 175, 5. 7. 1985, p. 40.

Answer given by Mrs Bjerregaard
on behalf of the Commission
(21 September 1995)

The Portuguese authorities recently sent their observations on this question to the Commission in response to its request for information.

The Commission examined the reply it received and felt that additional information was required.

Consequently, it has requested further information from the Portuguese authorities.

WRITTEN QUESTION E-1866/95
by Iñigo Méndez de Vigo (PPE)
to the Commission
(3 July 1995)
(95/C 311/29)

Subject: Free trade treaty with the USA

Sir Leon Brittan recently said he was in favour of a free trade agreement with the USA.

Has the Commission assessed the economic impact of such an agreement on the Community's agricultural sector, taking account of the fact that the WTO rules forbid the conclusion of free trade treaties which do not cover all economic sectors?

Answer given by Sir Leon Brittan
on behalf of the Commission
(7 September 1995)

Sir Leon Brittan has never said he was in favour of a free trade area with the USA. Neither he nor the Commission is committed to proposing the conclusion of a free trade area with the United States. It is at present examining the political and economic implications of various concepts for the medium and long-term revitalization of transatlantic economic relations, one of which is a free trade agreement.

WRITTEN QUESTION E-1883/95

by Elisabeth Schroedter (V) and Friedrich-Wilhelm Graefe zu Baringdorf (V)

to the Commission

(3 July 1995)

(95/C 311/30)

Subject: Hemp growing

Will the Commission state:

— How many hectares of land were under hemp in individual EU Member States in 1994?

— What proportion of that area was cultivated in accordance with Regulation (EEC) No 1558/93 [1]?

— How much aid per hectare it gives to individual Member States and the total amount of such aid?

— How many checks have been carried out in relation to hemp growing in accordance with Regulation (EEC) No 1164/89 [2]?

— What the results of such checks were?

Does it intend to create the same competitive conditions for hemp growing throughout the EU (EU standard for THC: 0,3 %; German standard for THC: 0,1 %)?

Does it also, in view of the crop's labour-intensiveness and the variety of hemp products, intend to provide special encouragement for hemp growing in structurally disadvantaged regions?

Is it considering the provision of aid for infrastructure measures to support regional hemp processing and marketing structures in Objective 1 areas, pursuant to Regulation (EEC) No 2078/92 [3] and Leader II?

Does it intend to provide particular encouragement for the growing of hemp in less-favoured areas in the context of compulsory set-aside pursuant to Regulation (EEC) No 1765/92 [4]?

---

[1] OJ No L 154, 25. 6. 1993, p. 28.
[2] OJ No L 121, 29. 4. 1989, p. 4.
[3] OJ No L 215, 30. 7. 1992, p. 85.
[4] OJ No L 181, 1. 7. 1992, p. 12.

Answer given by Mr Fischler on behalf of the Commission

(7 September 1995)

Hemp is grown on some 11 000 hectares of Community territory. Under the common organization of the markets in flax fibre and hemp, the area is eligible for flat-rate aid per hectare for 1995/96 totalling ECU 774,74 and overall aid amounts to approximately ECU 9 million per year. As a result of a rise in prices, the area under hemp, which had previously decreased sharply, increased in 1994 and 1995. France, with some 7 000 hectares is by far the biggest Community hemp producer, followed by Spain (1 300 hectares), the United Kingdom (1 000 hectares), the Netherlands (900 hectares) and Austria (700 hectares).

Aid is granted only where the content of psychotropic substances does not exceed 0,3 %. The Commission does not envisage any change in the rate at present. The Member States monitor the varieties used and if anomalies are detected they are notified to the Commission. No specific problems in this field have been brought to the attention of the Commission. Nevertheless, to prevent any abuses, the Commission has taken measures to step up controls.

Under the Commission Decision of 22 March 1994 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products, investment subsidies in the flax and hemp sector are permitted pursuant to Council Regulation (EEC) No 866/90, provided that they relate to innovative investments in the non-food sector. Otherwise, aid to investment is restricted to modernization measures which do not result in an increase of capacity in the region concerned.

Within the Objective 1 regions and under Leader II, it is possible to promote innovative pilot projects for new non-food uses.

No applications for assistance are currently lodged with the Commission to promote raw hemp in this sector.

WRITTEN QUESTION E-1888/95

by Alexandros Alavanos (GUE/NGL)

to the Commission

(3 July 1995)

(95/C 311/31)

Subject: Completion of the road between Skutari and Kotronas

The completion of the road between Skutari and Kotronas in the prefecture of Lakonia, a project covered by the first CSF, would facilitate communications between all the regions of the eastern Mani which are more or less cut off from the major urban centres and the main road axes. Since this project was not completed before the expiry of the first CSF, it was incorporated in the second CSF, on condition that it must be completed by 30 September 1995.

What measures has the Commission taken to ensure that the road will be completed and in use by the stipulated date?

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(11 September 1995)

In order to make operational and functional the projects financed under the 1989—1993 Community support framework (CSF) which were not completed during the programming period, such projects may, under certain conditions, receive assistance from the European Regional Development Fund (ERDF) under the 1994—1999 CSF. The project to which the Honourable Member refers was approved under the 1994—1999 operational programme for the Peloponnese, after being considered by the Monitoring Committee for that programme, on condition that the physical and economic aims are achieved by 30 September 1995.

The regional authorities argued that the work required to link two villages should be financed from this programme. Out of a total of 11 km, 1,6 km of road have still to be built, surfaced and asphalted. It is up to those authorities to take the measures needed to ensure that the work is completed and operational by the date stated above.

WRITTEN QUESTION E-1938/95

by Graham Mather (PPE)

to the Commission

(6 July 1995)

(95/C 311/32)

Subject: Discriminatory rules in the sale of property in Spain

Since January 1992 Spanish legislation has required the non-resident sellers of property in Spain to deposit 10 % of the sale proceeds with a local authority to cover any taxes which may be owing.

This requirement discriminates against non-residents, as a similar provision does not apply to Spanish residents.

Is such a proposal in accordance with the Treaties and does the Commission plan to take any steps to correct what may be a distortion of intra-Union property sales?

Answer given by Mr Monti on behalf of the Commission

(11 September 1995)

The Commission would first like to remark that the 10 % retention applied by Spain to sales of real estate by non-resident taxpayers constitutes a security against the non-resident's potential capital gains tax liability. This payment can be deducted when filing the capital gains tax return. If the amount withheld exceeds the tax payment shown by the return, the non-resident is entitled to a reimbursement of the difference.

As the Honourable Member mentions, this retention does not apply to Spanish residents. It takes account of the difficulty or impossibility for the tax authorities otherwise to collect this kind of tax once the seller of a property has left the country.

On the question of whether such a tax treatment is in accordance with the provisions of the Treaty, the Commission must point out that in the present state of Community law, Member States are free to determine their own income tax rules as they see fit, provided these are consistent with general Community provisions.

The Commission cannot see that the 10 % retention could constitute any infringement of these general provisions and therefore does not intend to take any measures in this regard.

WRITTEN QUESTION E-1945/95

by James Provan (PPE)

to the Commission

(6 July 1995)

(95/C 311/33)

Subject: European Union tourism statistics

Can the Commission provide statistics for the period 1989—1994 relating to:

(a) the numbers employed;

(b) the profitability and

(c) the turnover

in the following sectors of the European Union tourism sector:

1. Accommodation (e.g. hotels, bed and breakfast);
2. Catering and hospitality;
3. Entertainment and education;
4. Travel and tourism (e.g. transport by aeroplane etc.);
5. Sport and recreation?

Answer given by Mr De Silguy on behalf of the Commission

(9 October 1995)

Although an enormous amount of data on the tourism economy in Europe is available, it is very difficult to give valid answers to the questions asked. The principal reason is the problem of defining tourism as such. Tourism as an economic activity is defined by a demand-side concept. This implies for example that turnover in an entertainment facility is almost never clearly tourism turnover. The essential question is, who the clients in this entertainment facility are. Touristic turnover is created by tourists. An entertainment facility may be frequented 45 % by local residents and 55 % by tourists. These figures may however vary immensely according to the season.

The overall implication of these methodological problems is that it is extremely difficult to provide any kind of global data on travel and tourism. Furthermore, looking at certain potential tourism — subsectors one has to be aware that only a part (sometimes even a minor part) of these subsectors can be understood as touristic.

The situation may improve in the medium term future, as the Commission is currently preparing a proposal for a Council recommendation on a comprehensive methodology on tourism statistics. Pilot surveys currently being initiated in the hotel, restaurant and catering sectors (Member States in cooperation with Eurostat) will also lead to improved comparability of data.

It is difficult to supply the data on the five activity groups as the groups requested do not match the principal nomenclature (NACE Rev. 1) used (e.g. entertainment and education, catering and hospitality). A further difficulty in providing the desired data arises from the fact that the activity groups overlap to a very large extent or one group is fully part of another group.

As far as the indicators (a), (b) and (c) are concerned it should be pointed out that the number of persons employed is a standard indicator, that figures for turnover are often available, but that data on profitability do not exist.

Data in terms of employment and turnover in tourism are sent direct to the Honourable Member and to the Secretariat-General of the Parliament.

A new publication 'Tourism in Europe' containing data on the recent trends in the tourism economy in Europe and an analysis of the tourism industry in each of the Member States of the Community and EFTA is also sent for general information.

The Commission will be glad to respond to any further questions.

WRITTEN QUESTION E-1947/95

by Christine Crawley (PSE)

to the Commission

(6 July 1995)

(95/C 311/34)

Subject: Milk

I am receiving letters from constituents concerned that the Commission may be about to restrict the use of the English word 'milk' so that it may be applied only to animal products. This would mean that products such as coconut milk and soya milk could no longer be described as such. Since we are all completely clear that coconut milk and soya milk for instance, are vegetable products and not animal products, would the Commission state what its intentions are?

Answer given by Mr Fischler on behalf of the Commission

(31 July 1995)

Council Regulation (EEC) No 1898/87 on the protection of designations used in marketing milk and milk products [1] reserves the right to use the word milk to the product obtained from milking cows or other dairy animals. Articles 3 and 4 of the Regulation did however provide a means whereby dairy designations of certain non-dairy products could be exempted from the requirements of the Regulation if applied to products the exact nature of which is clear from traditional usage or when the designations are clearly used to describe a characteristic quality of the product.

The Commission, following the management committee procedure, adopted Decision 88/566/EEC on 28 October 1988 [2] setting out the list of exempted designations. Coconut milk was included on the list but soya milk was not.

Following a further request from the United Kingdom concerning the designation soya milk the management committee met on 16 June 1994 to reconsider the question. The committee confirmed that soya milk should not be added to the list of products which are permitted to use designations associated with dairy products whilst not being dairy products themselves. All Member State representatives in the committee, with the exception of the United Kingdom representative, voted against the inclusion of soya milk in the list of exempted products. It is therefore clear that even if this matter was re-examined at Council level it would be highly unlikely that approval for use of the designation soya milk would be granted.

The Commission has opened infringement proceedings under Article 169 of the EC Treaty against the United Kingdom in respect of this matter. The Commission issued a

reasoned opinion in 1993 and will bring the matter before the Court of Justice unless the infringement ceases.

The United Kingdom Government has indicated that it will be taking steps to comply with its obligations.

The Commission believes that those already familiar with the product in the United Kingdom will have no difficulty in recognising it when sold in packaging on which the word milk no longer appears. Furthermore, those consumers who may not be familiar with the product will be protected from the risk of confusion which could result from the continuing use of a dairy product designation.

(1) OJ No L 182, 3. 7. 1987.
(2) OJ No L 310, 16. 11. 1988.

WRITTEN QUESTION E-1955/95
by Wolfgang Kreissl-Dörfler (V)
to the Commission
(6 July 1995)
(95/C 311/35)

Subject: EU refunds on exports of agricultural products

1. To which countries and groups of countries has the export of agricultural products been encouraged with refunds in the past ten years?

2. How high were the export refunds in the same period related to

— 1 tonne of the various products concerned per importing country and group of countries,

— the various importing countries and groups of countries,

— the quantity of the various products exported to the various importing countries and groups of countries,

— the total, worldwide quantity of the various products concerned?

3. What criteria are applied to determine the level of export refund for each product and country?

4. Does the EU carry out studies of the importing countries' agricultural markets before granting export refunds?

5. How does the EU evaluate the effects of export refunds on the domestic agricultural markets of the importing countries and groups of countries?

Answer given by Mr Fischler
on behalf of the Commission
(21 September 1995)

To answer the detailed questions raised by the Honourable Member, the Commission would have to carry out long and arduous research that it is not in a position to undertake at the moment. What is required is a full documentary and economic study covering the bulk of the Community's agricultural products. However, some information can be provided to help the Honourable Member:

1. As regards the non-member countries or groups of countries towards which Community agricultural products have been exported using refunds, the general data appear in the statistical annex to the Report on the Agricultural Situation in the Community published each year.

2. The level of refunds reflects in principle the difference at the time of export between the internal price and the world price. This varies therefore according to product and, in some cases, can be differentiated according to destination.

3. The criteria for fixing refunds depend on the product concerned and on the method of granting the refund, either by 'normal right' or by invitation to tender.

4. The Commission is constantly monitoring the state of agricultural markets in the Community, using information provided on a regular basis by the Member States as well as from specialized trade sources. It also follows the status of world markets. All this information is essential for defining the measures needed to manage markets, which are then submitted to the management committees for opinion. The fixing of refunds is one kind of such measure.

5. The state of markets in non-member countries can lead to the Community modifying its general export policy. The result is generally to set refunds differentiated according to destination. For example, it was recently possible to reduce by 25 % the level of export refunds on beef and veal exported to West Africa.

WRITTEN QUESTION E-1956/95
by Wolfgang Kreissl-Dörfler (V)
to the Commission
(6 July 1995)
(95/C 311/36)

Subject: Subsidy fraud in respect of the mass transport of animals

In reply to my Written Question E-761/95 [1] Mrs Gradin stated on the Commission's behalf that, on the basis of the reports sent in by the Member States, the Commission estimates that since 1990 the amount of export refunds unduly paid has been about ECU 45 million.

By which Member States have these unlawful export refunds been paid, and what amount is involved in each case?

Have the wrongly paid export refunds been recovered by the Community? What has been the rate of repayment by Member State and year since 1990?

What consequences (including prosecution) for the recipients of unlawfully paid export refunds has their fraud to the Community's disadvantage had?

[1] OJ No C 196, 31. 7. 1995, p. 46.

Answer given by Mrs Gradin on behalf of the Commission
(14 September 1995)

In its reply to the Honourable Member's Written Question E-761/95, and on the basis of communications from the Member States, the Commission estimated at ECU 45 million the amount of unduly received export refunds for live animals. This amount concerns primarily Germany (± ECU 44 million) and, to a significant lesser degree, Spain, France and Ireland. Ireland is, so far, the only Member State that has recovered all the unduly paid amounts.

The Commission points out that the recipients of the unduly paid refunds may, in addition to administrative sanctions, be liable to penal sanctions. Five cases are the subject of penal proceedings, according to the information available to the Commission at this stage (four in Germany and one in France).

Lastly, the Commission would observe that a financial correction of more than DM 54 million was decided in the EAGGF-Guarantee (European Agriculture Guidance and Guarantee Fund — Guarantee Section) clearance of accounts Decision for the 1991 accounting period [1] on the basis of the results of its inquiries. This correction stems from issues relating to the export of live cattle to Poland. The Commission is aware that Germany has brought this case before the Court of Justice (C-54/95) [2].

[1] OJ No L 352, 31. 12. 1994.
[2] OJ No C 137, 3. 6. 1995.

WRITTEN QUESTION E-1969/95
by Karl Schweitzer (NI)
to the Commission
(8 July 1995)
(95/C 311/37)

Subject: Environmental impact assessment

In its answer of 16 June 1995 to Question E-1226/95 [1], the Commission states that Austria's application of a six-month transitional period constituted a failure to comply with the provisions of Directive 85/337/EEC [2].

How many projects were submitted within this period, and which were they?

When does the Commission expect to issue the results of its consideration of the complaint?

[1] OJ No C 222, 28. 8. 1995, p. 57.
[2] OJ No L 175, 5. 7. 1995, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission
(15 September 1995)

The Commission does not have the information requested by the Honourable Member since, in accordance with Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, applications for the authorization of projects are submitted to the national authorities only. It should also be pointed out that the Directive does not require Member States to send the Commission information about these applications.

The Commission is continuing to investigate the complaints it has received from the EFTA Surveillance Authority. However, it is not able to specify the date on which these investigations will be completed. The investigation of complaints depends not only on the complexity of the individual case but also on factors beyond the Commission's control such as the time it takes Member States or the complainants to reply to the Commission's request for information and the accuracy and relevance of the information provided.

WRITTEN QUESTION E-1971/95
by Alexandros Alavanos (GUE/NGL)
to the Commission
(8 July 1995)
(95/C 311/38)

Subject: Destruction by earthquakes of public buildings in Lefkopigi

The earthquake measuring 6.6 on the Richter scale which devastated the region of Grevena-Kozani also destroyed the public buildings in Lefkopigi.

Could the reconstruction of Lefkopigi's public buildings be incorporated into the revised regional operational programme and receive Community assistance?

Answer given by Mrs Wulf-Mathies
on behalf of the Commission
(7 September 1995)

The financing of public buildings for administrative use is not eligible for assistance from the Structural Funds of the Community.

The restoration of public buildings of a historical character to provide support for economic development activities in the region (museums, exhibition halls for craft products, etc.) may however be considered for possible financing by these Funds.

WRITTEN QUESTION E-1998/95
by Giulio Fantuzzi (PSE)
to the Commission
(8 July 1995)
(95/C 311/39)

Subject: Appellation of wine

Given the difficulties in understanding the laws on the marketing of wine, the mutual recognition in the Member States of the rules on presentation and labelling and the provisions governing quality wines psr:

1. Can an appellation, or part of an appellation, recognized in one Member State under the implementing rules of Regulation (EEC) No 823/87 [1] for quality wines produced in specified regions, be used for wines or wine-based products made and bottled outside the specified region?

2. Is it possible to indicate a region or Member State of production different from the actual place of production?

3. Which are the Community and national bodies competent to check on the correct application of the rules in this area?

4. Which are the Community bodies able to take action in the event of infringement of such provisions by commercial operators?

---

[1] OJ No L 84, 27. 3. 1987, p. 59.

Answer given by Mr Fischler
on behalf of the Commission
(7 September 1995)

Under the Regulation cited by the Honourable Member, quality wines produced in a specified region (quality wines psr) are to be made only from grapes collected, processed and vinified inside that region. The name of the region or of a more restricted geographical unit than a specified region that is connected with quality wines psr cannot be used for the designation of products of the wine sector which do not come from the region and to which the name has not been assigned in accordance with the relevant national and Community rules. The Council may, in certain cases only, authorize the use of the names of specified regions for the designation of table wines.

As for the possibiliy of using the name applied to a quality wine psr for a drink other than wine, current rules allows this provided that any risk of confusion as to the nature, origin or source and composition of this drink is excluded. Amendments to the Community legislation are in hand to introduce stricter rules on this.

There is no Community Regulation laying down that quality wines psr must be bottled in the region of production.

Regarding controls, Community legislation on quality wines psr requires that each Member State must ensure monitoring and protection of quality wines psr; however, Regulation (EEC) No 2048/89 on controls in the wine sector [1] provides that each Member State must designate a contact authority for the application of such controls and in particular for monitoring the designation and presentation of products of the wine sector.

The list of these contact bodies in the Member States and for the Commission is published in the Official Journal [2] and periodically updated.

[1] OJ No L 202, 14. 7. 1989.
[2] OJ No C 61, 10. 3. 1992 and OJ No C 203, 27. 7. 1993.

WRITTEN QUESTION E-1999/95
by Sérgio Ribeiro (GUE/NGL)
to the Commission
(8 July 1995)
(95/C 311/40)

Subject: Social and economic situation in Cebolais de Cima/Retaxo, Castelo Branco, Portugal

The social and economic situation in Cebolais de Cima/Retaxo, in the district of Castelo Branco, Portugal, exemplifies a widespread problem. As a minor textile centre specializing in wool, with traditions dating back to the end of the 19th century, this sector represents the sole industrial activity in the area, providing nearly 1 000 jobs. It is currently experiencing serious problems which may threaten the survival of 15 firms.

The problems appear to stem from a drop in orders due to economic stagnation and competition on dumping terms, excessive stocks, bank loans — at extremely high interest rates and without any concessions for SMEs — to meet commitments on which others have defaulted, a lack of support due to insufficient information and, in addition, management methods which may be outdated but which preserve values such as the 'good name' of the firm and social harmony.

Despite the entrepreneurs' conviction that the situation is part of a cycle and may be overcome through prompt action such as lay-off laws, structural problems and financial deterioration could lead to the disappearance of a traditional and viable industrial activity, resulting in serious social repercussions and the de-population of yet another area of the country.

Given that this case exemplifies the situation of the textile industry — recognized by Retex, GATT and the specific programme to support the Portuguese textile industry —, the difficulties of small and medium-sized enterprises, the regional question and economic and social cohesion, delays in the allocation of funds and the scant information available to SMEs, does the Commission not consider that it would be highly desirable to look into the situation and endeavour, through the regional authorities and the Portuguese Government, to promote exemplary action?

Answer given by Mrs Wulf-Mathies
on behalf of the Commission
(11 September 1995)

The information provided by the Honourable Member concerning the socio-economic situation of the Cebolais de Cima district of Castelo Branco appears to demonstrate that this region is suffering from certain problems of precisely the type with which the Retex Community Initiative and the textile initiative for Portugal are intended to cope.

Under the regulations governing assistance from the Community Structural Funds, and in accordance with the rules governing partnership, the first step is for the national authorities to define the individual projects which deserve Community support. However, the Commission will draw the attention of the Portuguese authorities to the circumstances of this area so that the problems encountered may be considered in the light of the general situation.

WRITTEN QUESTION E-2005/95
by John Corrie (PPE)
to the Commission
(8 July 1995)
(95/C 311/41)

Subject: Arable Area Payments scheme

Is the Commission aware of work going on within Member States to establish whether or not it is necessary or appropriate to attach environmental conditions to land within the Arable Area Payments scheme? Would the Commission identify the Member States concerned?

Answer given by Mr Fischler
on behalf of the Commission
(7 September 1995)

Council Regulation (EEC) No 1765/92 on the arable support system [1] only requires Member States to apply environmental measures to set-aside land. It neither requires nor permits Member States to attach environmental conditions to the payment of compensatory payments.

The Commission is not aware of any work in the Member States towards environmental conditions on land under the arable area payments scheme.

[1] OJ No L 181, 1. 7. 1992.

WRITTEN QUESTION E-2007/95
by John Corrie (PPE)
to the Commission
(8 July 1995)
(95/C 311/42)

Subject: Agricultural subsidy payments

Does the Commission see implications in relation to the recent GATT agreement if Member States decide unilaterally to place environmental conditions on agricultural subsidy payments?

Answer given by Mr Fischler
on behalf of the Commission
(7 September 1995)

The Commission is of the opinion that Member States cannot decide unilaterally to place environmental conditions on subsidies provided by the Community under the common agricultural policy. Such conditions can only be imposed on the basis of an authorization granted under Community law. Authorizations have been granted in several Council Regulations establishing common market organizations. (See, e.g., Article 5d of Regulation (EEC) No 3013/89 [1] (sheepmeat and goatmeat), Article 4g, paragraph 4a of Regulation (EEC) No 804/68 [2] (milk) and Article 7, paragraph 3 of Regulation (EEC) No 1765/92 [3] (compensatory payments for arable crops)).

The Community institutions decide whether Member States should be allowed to impose environmental conditions on Community premia. In the final instance it is for the Commission to ensure that Member States do not attach unauthorized conditions to premium payments. It is also for the Commission to ensure that the commitments undertaken by the Community under the GATT agreement are respected, but there is no direct relationship between the two issues.

(1) OJ No L 289, 7. 10. 1989.
(2) OJ No L 148, 28. 6. 1968.
(3) OJ No L 181, 1. 7. 1992.

WRITTEN QUESTION E-2027/95
by Klaus Rehder (PSE)
to the Commission
(12 July 1995)
(95/C 311/43)

Subject: Removal of obstacles to trade in GATT

Under the GATT Treaty, the export of non-Annex II goods to third countries involves applying for licences not only for the final product (e.g. fruit yoghurt) but also for its individual inputs (e.g. refined sugar, fruit, milk). Given that every product of this kind is based on its own recipe, a great deal of calculation is required. Should the amount sold differ from the original plans, the corresponding amounts for which a licence was requested also change.

What possibilities does the Commission see for trimming this bureaucratic procedure, which obstructs trade?

Answer given by Mr Bangemann
on behalf of the Commission
(12 September 1995)

The agreement reached in the Uruguay Round does not foresee any quantitative restrictions on exports of processed agricultural goods not covered by Annex II to the EC Treaty.

Because of the very composite nature of these goods it would have been impossible to manage quantitative restrictions relating to agricultural products exported in the form of such goods. The fact that many of these goods incorporate several basic agricultural products would have given rise to the risk of double counting. For this reason the Community took a commitment in the form of a budgetary outlay only. This means that the total export refunds expenditure paid for agricultural products exported in the form of non-Annex II goods must not exceed a fixed amount within a budgetary year.

For the period of 16 October 1995 to 15 October 1996, i.e. the first budgetary year to which the binding applies, the total expenditure allowed under the WTO (World Trade Organization) agreement is ECU 646 million, falling to ECU 366 million in the year 2000.

There are at present no export licences or certificates required for export of non-Annex II goods.

WRITTEN QUESTION E-2030/95
by Gerhard Botz (PSE)
to the Commission
(12 July 1995)
(95/C 311/44)

Subject: Trans-regional sale of products as a criterion for ERDF support, particularly in rural areas

The trans-regional sale of products is a key pre-condition for SMEs to be eligible for support under the ERDF. Particularly in rural areas, however, there are many very small and often craft-based firms which are able to sell their products only within their own region. This applies in particular to Objective 1 areas.

In such cases the above criterion is counter-productive, since it prevents vital funds from being used to promote diversification in rural areas.

Is the Commission aware of this problem, and what is being done to change the situation?

Answer given by Mrs Wulf-Mathies on behalf of the Commission
(20 September 1995)

The Commission is aware of the problems which the practical application by the German authorities of the 'primary effect' criterion (export of products beyond the region of location as criterion of eligibility for productive investment) may cause in particular for small and medium-sized enterprises (SMEs) and craft industries. This issue was the subject of discussion with the German authorities when the Community support framework (CSF) 1994—1999 was negotiated.

The regulatory framework for operations of the European Regional Development Fund (ERDF) does not provide for such a criterion of eligibility, nor is it a strategy generally pursued by the Community's regional policy. However, to the extent that the ERDF co-finances the common task for regional policy (Gemeinschaftsaufgabe Verbesserung der regionalen Wirtschaftsstruktur) in the new Länder, the criterion does affect ERDF funding for SMEs and craft industries.

With regard to the situation in rural areas, the following can be said:

— The ERDF complements the European Agricultural Guidance and Guarantee Fund (EAGGF) in the diversification effort in rural areas. This effort is in the first instance the task of the EAGGF. In the case of the EAGGF the 'primary effect' criterion does not apply.

— The flexibility clause inserted in the CSF for the new Länder allows the Länder to dissociate ERDF funding from the common task. Some of the new Länder have already done so; one is about to do so, in particular with a view to supporting those very small-scale activities which would not respect the 'primary effect' criterion.

— The new framework plan of the common task for the period 1995—1999 has mitigated the 'primary effect' criterion considerably, so that a large number of small firms or craft industries will become eligible which would not have been eligible in the past.

Overall, it can be said that the 'primary effect' criterion is less a problem now than it was in the first programming period 1991—1993.

WRITTEN QUESTION E-2031/95
by José Happart (PSE)
to the Commission
(12 July 1995)
(95/C 311/45)

Subject: Use of hormones in stock-breeding in the USA

New health regulations concerning the use of hormones in stock-breeding will come into force on 1 July 1995. The USA has exerted considerable pressure on this issue, arguing from the 'scientific viewpoint'.

Is the Commission aware of its responsibility in this matter?

1. What about respecting the views of EU and US citizens?

2. What about protecting public health and animal welfare?

3. What about the loss of earnings of EU producers, in particular Belgian stock-breeders, whose reputation has been blackened by the way in which the media have indiscriminately portrayed stock-breeders in a negative light, while the USA continues to export meat containing hormones?

4. What reprisal measures will be taken against the USA, which has already started to question the new rules, as laid down in the new GATT agreements?

Answer given by Mr Fischler on behalf of the Commission

(7 September 1995)

Following the entry into force of the WTO agreements concluded as part of the Uruguay Round on technical barriers to trade and health and plant health, the Community still has full responsibility for drawing up measures to protect the health of consumers and livestock farming as well as for animal welfare; it is still required to take account of the views of consumers, in particular when forwarding its proposals for Council [1] Regulations to considerably tighten the bans and controls on the use of hormones in livestock farming.

The Commission has welcomed favourably the reinforcement of their inspection system by the Belgian authorities, particularly during the last few months. Only on approach which combines controls of this kind with efforts by the producers themselves can uphold the image of Belgian meat. With regard to imports from third countries, Council Directive 88/146/EEC [2] prohibits the import of animals that have received hormones for anabolic purposes as well as of their meat.

A scientific conference in this field is to be held at the end of November 1995 in Brussels and is currently being prepared by the Commission. This conference will provide an opportunity to make a detailed examination of all the scientific aspects of the use of growth promoters in livestock-farming. As it is aware of the interest in Parliament with regard to this subject, the Commission will be inviting representatives of Parliament to attend the conference.

As and if necessary the Commission will be defending the interests of the Community, in particular within the framework of the WTO.

---

[1] COM(93) 441 final.
[2] OJ No L 70, 16. 3. 1988.

WRITTEN QUESTION E-2032/95
by José Happart (PSE)
to the Commission
(12 July 1995)
(95/C 311/46)

Subject: The fight against drugs

The illegal traffic in 'ecstasy' drugs, targeted principally at adolescents, is an urgent problem.

1. Does the Commission have details of the origin and composition of the 'ecstasy' drug?

2. How is it possible for this drug to be freely sold in dance halls, fitness centres, schools, etc.?

3. What steps has the European Monitoring Centre for Drugs and Drug Addiction taken to cooperate with Europol in monitoring, intercepting and preventing illegal sales of the substance?

4. What is being done to dismantle the network?

5. What measures will be taken to prevent the problem from spreading?

6. Has a survey been conducted into existing measures to combat drugs in each of the Member States of the European Union?

Answer given by Mrs Gradin on behalf of the Commission

(19 September 1995)

The Commission does not have any information on the origin and composition of the drug 'ecstasy'. Measures to combat the production, trafficking and sale of illegal drugs are the responsibility of the Member States. The sale of this drug is in any event illegal in all Member States.

The role of the European Monitoring Centre for Drugs and Drug Addiction is confined to providing information in this field and it has no powers to combat unlawful drug-trafficking. This is more a matter for the Drugs Unit (the EDU) and for the future Europol itself. The Drugs Monitoring Centre is nevertheless required to cooperate with Europol in accordance with its basic Regulation, within the limits of their respective powers.

The Commission has no powers over the policing or prevention aspects of the fight against drugs, these being governed by Article K.1(9) of the Treaty on European Union, which does not give the Commission any right of initiative. Its powers are limited to coordinating preventive measures in accordance with Article 129 of the EC Treaty which deals with public health.

WRITTEN QUESTION E-2037/95

by Christa Klaß (PPE)

to the Commission

(12 July 1995)

(95/C 311/47)

Subject: Equivalence between degrees conferred by higher education establishments in the European Union

Degrees from certain European higher education establishments are not yet recognized as being equivalent to their German counterparts. For instance, the French academic title of doctor can only be used in the original form in Germany: the German abbreviation 'Dr.' is inadmissible. This means that German scientists and scholars who have been awarded their degree in other European countries suffer considerable discrimination. This also militates against the mobility of young students and is prejudicial to the idea of European integration in the worlds of research and professional life.

Does the Commission intend to include the mutual recognition of degrees conferred by higher education establishments in the European Union as one of the activities set out in its communication on recognition of qualifications for academic and professional purposes [1]?

[1] COM(94) 596.

Answer given by Mr Monti on behalf of the Commission

(11 September 1995)

The Commission has recently been informed of the difficulties encountered by German nationals wishing to make use, in Germany, of a postgraduate university degree awarded in another Member State. All Community nationals who have obtained in another Member State a university degree which they wish to use in Germany may be faced with similar obstacles. While German legislation provides for the possibility of using titles issued in another Member State, this is subject to special conditions. Firstly, a prior application for authorization must be formally submitted to the appropriate authorities. Secondly, once such authorization is obtained, the rules on using the title make an explicit distinction between German titles and those obtained in another Member State.

The Court of Justice of the European Communities has already delivered a judgment in such a case [1]. It involved assessing whether a Member State's legislation requiring prior authorization for the use by one of its own nationals on its territory of a post-graduate university degree obtained in another Member State was compatible with Community law. The Court considered that this situation fell within the scope of Community law. In principle, a Member State was free to determine the rules to be applied to the use of a title within its territory. It could, for example, lay down a procedure for the issuing of administrative authorization prior to the use of a title. However, Community law imposed limits on such powers; there could under no circumstances be a barrier to the exercise of a fundamental freedom, such as the freedom of movement of workers or the freedom of establishment. Any national measure relating to the conditions governing the use of a postgraduate university degree obtained in another Member State was prohibited if liable to hinder the exercise by Community nationals of the fundamental freedoms guaranteed by the Treaty, irrespective of whether it were applied without discrimination based on nationality.

It would appear, therefore, that the German authorities accept the use of a title obtained in another Member State, but the abbreviation authorized in such cases differs from that which may be used by holders of a title issued by a German university. A distinction is made, therefore, between persons who have obtained their degree in Germany and others. The former could thus derive some advantage on the employment market, with practical effects for persons seeking to enter or succeed in a profession. For that reason, the Commission intends to contact the German authorities and ask for their views.

As regards the communication on the recognition of titles for academic and professional purposes, the Commission is awaiting the reactions of the different Community institutions and of the persons concerned before deciding on what action to take. The consultation phase is under way.

[1] OJEC 31 March 1993, Case C-19/92 Dieter Kraus v. Land Baden-Württemberg.

WRITTEN QUESTION E-2043/95

by Hugh Kerr (PSE)

to the Commission

(12 July 1995)

(95/C 311/48)

Subject: Fundamental rights of EU citizens

Given that all national governments, MPs and MEPs within the EU are democratically elected after a vote taken by the citizens they are there to represent — not by commercial interests — will the Commission:

confirm that the EU was created for the benefit of its citizens, and that therefore their fundamental rights must take precedence over those of commercial vested interest;

give examples to substantiate its answer;

explain where this legal point is confirmed/written/implied in either the Treaty of Rome or the Maastricht Treaty;

confirm that if such provision does not currently exist within the text of either of these treaties, it will be clearly included in any treaty resulting from the IGC in 1996?

Answer given by Mr Santer on behalf of the Commission

(20 September 1995)

The task of building Europe is centred on democracy and fundamental rights. The preamble to the Treaty on European Union (TEU) stresses the Member States' attachment to the principles of liberty, democracy and respect for human rights, fundamental freedoms and of the rule of law. It added a new Article F.2 which states:

> 'The Union shall respect fundamental rights, as guaranteed by the European Convention for the protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law.'

Another direct reference to human rights in the TEU lies in the requirement that the justice and home affairs matters enumerated in Article K.1 be dealt with in compliance with the European Convention on Human Rights 1950 and the Refugee Convention of 1951.

Many of the provisions in the EC Treaty are concerned with the rights of the individual (e.g. Articles 2, 6, 48, 51, 52, 57, 117, 118, 119, 123). The citizen's rights, set out in Articles 8 to 8e of the TEU, combine freedoms that have long been the foundation of the EC Treaty (freedom of movement and residence) with new rights (right to vote in and stand for municipal and European Parliament elections, diplomatic and consular protection).

Moreover, the jurisprudence of the Court of Justice has long established firstly that fundamental rights are part of the general principles of law which the Court has to uphold in accordance with Article 164 of the EC Treaty and secondly, that in case of conflict between rules of secondary legislation and the general principles of law, the latter prevail.

All these provisions demonstrate that fundamental rights represent basic common values and norms in the Community legal order which the Treaty provisions and legislation adopted under the Treaty have to observe.

WRITTEN QUESTION E-2046/95
by Sebastiano Musumeci (NI)
to the Commission
(12 July 1995)
(95/C 311/49)

Subject: More effective plant protection measures against citrus fruit parasites

A new citrus fruit parasite *(Phyllocnistis citrella)* has been introduced into Italy through citrus fruit imports from Spain. Specimens have already been reported, mostly in Sardinia. This parasite is one of the organisms listed in the annexes to the Community Directives on the introduction of organisms harmful to plants and represents one of the most difficult pest control problems yet encountered.

Will the Commission call on the Member States — in this specific case, Spain — to step up checks on their own national products and, at the borders, on products imported from non-Community countries, to ensure compliance with plant protection standards.

Answer given by Mr Fischler on behalf of the Commission

(12 September 1995)

The Commission is aware of the damage caused by *Phyllocnistis citrella* (citrus leaf miner) in certain citrus-growing regions of the Community.

This leaf miner, which is widely found in the Mediterranean basin, is spread by the wind, among other things. The recommended plant health measures are insecticides, parcel hygiene and appropriate anti-pest measures. Organizing such measures is the responsibility of the local plant health services. Thus, contrary to what is written in the Honourable Member's question, the leaf miner is not regarded as a harmful organism requiring quarantine and is not mentioned in Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products and against their spread within the Community [1].

Nevertheless, the Commission is willing to increase Member States' awareness of the problem, so as to improve the existing measures.

---

[1] OJ No L 26, 31. 1. 1977.

WRITTEN QUESTION E-2056/95
by Anna Terrón i Cusí (PSE)
to the Commission
(12 July 1995)
(95/C 311/50)

Subject: Positive discrimination within the Commission

In his reply to Questions Nos P-1338 and P-1339/95 [1] Mr Van den Broek, Commissioner, stated that, in the 1995 rotation, only two women applied for the 33 posts of head of delegation in the Commission's delegations to third countries.

Can the Commission now say whether either of the two woman in question actually obtained a post of head of delegation, and whether it practises positive discrimination in the case of candidates with equal merits?

---

[1] OJ No C 213, 17. 8. 1995, p. 52.

Answer given by Mr Van den Broek
on behalf of the Commission
(21 September 1995)

In the 1995 rotation of delegation heads, 34 officials from Brussels, 2 of whom were women, applied for 33 management posts in the delegations.

Of these 33 posts, 29 were filled by moving heads of other delegations. Only four posts were filled by officials from Brussels. The two female candidates were not appointed, preference being given to applicants with previous delegation experience or relevant operational experience.

The Commission particularly welcomes applications from women.

WRITTEN QUESTION E-2066/95
by Jaak Vandemeulebroucke (ARE)
to the Commission
(12 July 1995)
(95/C 311/51)

Subject: Budget heading A-182

Article A-182 of the European Union's 1995 budget includes an amount for social contacts between staff.

What is this budget heading used for and what has it been used for in the past? I should appreciate a detailed answer for expenditure in the financial year 1994 or, if this is impossible, for the most recent year for which information is available.

Answer given by Mr Liikanen
on behalf of the Commission
(20 September 1995)

Budgetary heading A-182 ('Social contacts between staff') covers part of the cost of running the recreation centre (Foyer), subsidies to staff clubs, management and extra equipment for inter-institutional sporting facilities, and initiatives to encourage social contacts between staff from different cultures and language groups, again on an inter-institutional basis.

The purposes for which these appropriations are used and the amounts allocated have remained stable over the last few years. A detailed list of initiatives financed under budgetary heading A-182 has been sent to the Honourable Member and to the Parliament's Secretariat.

WRITTEN QUESTION P-2067/95
by Philippe De Coene (PSE)
to the Commission
(7 July 1995)
(95/C 311/52)

Subject: Unequal terms of competition for the introduction of teleshopping in Flanders

The TV station VT4 has announced that it will provide a teleshopping service for its viewers in Flanders from 21 August 1995. As VT4 is a TV station established under British law which is permitted to transmit its programmes by cable in Flanders in accordance with the Directive on 'Television without Frontiers', British regulations apply, and teleshopping is permitted as part of the advertising package.

Flemish legislation does not permit TV stations based in Flanders to provide teleshopping services, which makes VTM and BRTN victims of unfair competition.

Would it be acceptable to the Commission for the Flemish authorities to impose a temporary moratorium on the provision of teleshopping services with the aim of preventing unfair competition and with a view to amending their own legislation in accordance with the Directive on 'Television without Frontiers' and making it possible for TV stations based in Flanders to provide teleshopping services?

Answer given by Mr Oreja
on behalf of the Commission
(4 August 1995)

Article 18 of the 'Television without frontiers' Directive (89/552/EEC [1]) permits teleshopping programmes, on condition that they do not exceed one hour per day. Article 20 allows Member States to lay down more flexible conditions in respect of teleshopping programmes intended solely for the national territory which cannot be received directly or indirectly in one or more other Member States. Article 20 applies, for instance, to VTM.

The Commission's information is that VT4, which comes under the jurisdiction of the United Kingdom since it is established there, is planning to broadcoast a teleshopping programme lasting no more than 20 minutes per day. In the absence of information to the contrary, this is compatible with the provisions of Directive 89/552/EEC.

Article 2 of the Directive lays down that broadcasts from another Member State may not be suspended, temporarily or otherwise, except as allowed by the provisions for the protection of minors (Article 22 in conjunction with Article 2(2)).

In the light of these facts, it would be unacceptable if the Flemish authorities declared a moratorium on teleshopping services which do not come under their jurisdiction pending changes to their own legislation.

A situation of unfair competition cannot be pleaded under Community law to support such a measure, especially as the ban on broadcasting teleshopping programmes on channels established in Flanders is imposed by the Flemish community itself. There is no apparent reason for believing that Community law might be the source of the unfair competition referred to by the Honourable Member. VTM could freely broadcast teleshopping programmes for more than an hour a day under Article 20 of Directive 89/552/EEC. Since BRTN is on the Dutch cable, it would have to confine itself to one hour per day in accordance with the provisions of the Directive, but since it is financed from licence fees and carries no advertising, competition should not be a problem.

The Commission recalls that its proposal for a Directive amending Directive 89/552/EEC [2] would raise the upper limit from one hour to three hours per day for channels which are not devoted exclusively to teleshopping and would abolish all hourly limits for channels devoted exclusively to teleshopping. This proposal is currently being studied by Parliament and the Council.

[1] OJ No L 298, 17. 10. 1989.
[2] COM(95) 86 final.

WRITTEN QUESTION E-2091/95
by Odile Leperre-Verrier (ARE)
to the Commission
(18 July 1995)
(95/C 311/53)

Subject: Equine improvement

What assistance does the Commission provide towards equine improvement, and does it grant subsidies for the organization of relevant European events (races, competitions, horse shows, etc.)?

Answer given by Mr Fischler
on behalf of the Commission
(7 September 1995)

Aid for the improvement of horse breeding can be provided by the European Agricultural Guidance and Guarantee Fund (Guidance Section) in the context of developing alternative enterprises on farms. No precise information exists on the amount of such aid. In the case of Ireland, the Commission has approved a number of measures for improving the breeding and marketing of non-thoroughbred horses (not including race horses) in an operational programme for agriculture, rural development and forestry 1994—1999.

WRITTEN QUESTION E-2093/95
by Mihail Papayannakis (GUE/NGL)
to the Commission
(18 July 1995)
(95/C 311/54)

Subject: Prices of new pharmaceutical products

During the 1664th meeting of the Council of Health Ministers (in Brussels on 27 May 1993), they held an exchange of views, on the basis of a memorandum submitted by the Danish Presidency [1] on the excessively high prices of pharmaceutical products, and in particular innovative products of this kind, and expressed their satisfaction at the Commission's plans to look into the matter in detail.

Given that:

— these innovative pharmaceutical products often enjoy a near monopoly on the market,

— if new pharmaceutical products continue to be marketed at excessively high prices, this is likely to pose a severe threat to the development of a policy in the health sector,

will the Commission say what measures it has taken so far to study this problem in detail and what results have been obtained so far?

(1) Doc. 6451/1/93.

Answer given by Mr Bangemann on behalf of the Commission

(27 September 1995)

The high prices of new pharmaceutical products are a source of concern to the departments responsible for health service budgets in the Member States. While only a relatively small part of these budgets goes towards paying for such products, which provide a number of benefits to patients and good value for money compared with other forms of treatment such as going into hospital, the Member States nevertheless have a legitimate interest in containing this expenditure.

On the other hand, pharmaceutical research is becoming an increasingly long and costly process. It takes 10 to 12 years for a new product to be released and the average cost of the research and development needed for a completely new product is put at ECU 200 million. A company can only make such an investment if it is able to generate the funding needed during the period of exclusivity conferred by the patent. The survival of pharmaceutical companies depends on the profitability of a small number of products but also on the renewal of their stock of patents on new pharmaceutical products.

Early on in 1993, the Danish authorities drew the attention of the European institutions to the fact that some companies set very high pan-European prices for pharmaceutical products which represent major innovations in terms of treatment. While recognizing the need to guarantee that research and development into new products continue to be encouraged in order to maintain a high level of care throughout the Community, the Danish authorities have called for discussions at Community level to ensure that Member States are not forced to accept unusually high prices for highly innovative products.

The Committee set up under Directive 89/105/EEC (1) has confirmed its interest in this subject and has instructed a working party to investigate it. The working party's mandate is to clarify certain concepts such as those of 'innovative pharmaceutical products' and 'excessive prices', to assess the national measures taken in this sector and, where appropriate, to propose a common strategy. The working party has initially been carrying out a case study. The initial findings indicate that, whatever system of control has been set up at national level, the pharmaceutical product concerned has been placed on the market in the Member States at similar prices. The measures introduced by the national authorities are concerned more with levels of reimbursement. This confirms the Commission's own conclusions that action on reimbursements is more effective and has less of a distorting effect on the market than action on prices.

(1) OJ No L 40, 11. 2. 1989.

WRITTEN QUESTION E-2094/95
by Mihail Papayannakis (GUE/NGL)
to the Commission
(18 July 1995)
(95/C 311/55)

Subject: Quality of pharmaceutical products

According to an article in the periodical 'Scrip' (No 2012 of 31 March 1995, p. 5), published in the United Kingdom by PJB Publications, one of the managers of a well known pharmaceuticals company has complained to the relevant authorities in Denmark that a product of that company which had been imported as a 'parallel import' by the Paranova Company from a country in southern Europe was of an inferior quality compared to the same product manufactured in northern Europe. According to the same publication, the matter has been referred to DGIII's Committee for Proprietary Medicinal Products.

Will the Commission say:

1. How can it explain the fact that there are variations in the quality of pharmaceutical products, given that the conditions under which the various Member States authorize the marketing of a pharmaceutical product have been harmonized by a number of Directives concerning the quality, safety and effectiveness of such products;

2. Whether it could guarantee that the quality of pharmaceutical products manufactured in different locations is identical, so as to maintain high public health standards in all the Member States and, if so, how;

3. What conclusions has the Committee of proprietary Medicinal Products reached in this matter?

Answer given by Mr Bangemann on behalf of the Commission

(27 September 1995)

It is true that the criteria of effectiveness, safety and quality of medicinal products, on the basis of which national authorities grant marketing authorizations, have been harmonized, mainly by Directive 75/318/EEC [1] and its subsequent amendments. Information on this subject can also be obtained by consulting the explanatory notes published by the Commission [2].

It is possible that medicinal products which are identical but which have been manufactured or checked according to slightly different operating methods receive marketing authorizations granted by the authorities of different Member States.

This is not a matter, therefore, of different quality criteria, but of variants in manufacture or in the methods of checking the same medicinal product. Normally, such variants do not have any therapeutic effect but, as stipulated in the Commission's communication on parallel imports of proprietary medicinal products for which marketing authorizations have already been granted [3], if the differences between these variants were sufficiently great to have such an effect, it would be justified to treat them as different medicinal preparations.

The Honourable Member's question has not been officially raised with the Committee on Proprietary Medicinal Products, which has issued no opinion on any possible differences of quality in the medicinal product concerned.

(1) OJ No L 147, 9. 6. 1975.
(2) Volume III 'Guidelines on the quality, safety and efficacy of medicinal products for human use', ref. CB-55-89-843-EN-C and its three addenda.
(3) OJ No C 115, 6. 5. 1982.

WRITTEN QUESTION E-2097/95

by Giancarlo Ligabue (UPE)

to the Commission

(18 July 1995)

(95/C 311/56)

Subject: Arrangements applying to trade in cheese between the European Union and Switzerland

Commission Regulation (EC) No 527/95 [1] of 9 March 1995 amending Commission Regulation (EEC) No 1767/82 laying down detailed rules for applying specific import levies on certain milk products [2], stipulates that the agricultural levy, ECU 10,95 per 100 kg, is payable on both whole cheeses and on pieces or portions.

On 23 April 1975 the Swiss Government, taking a diametrically opposed line to the provisions of the Regulation mentioned above, decided that a customs duty of SF 25 should be levied on whole cheeses, whereas goods apart from whole cheeses (falling under the heading of 'Other products') would incur an additional charge of as much as SF 375 per 100 kg.

There is no such difference in charges affecting Swiss cheese imports into Italy or the rest of the Community, and customs duty accordingly does not vary, whether the cheese is supplied whole or in packaged form.

In view of the current position, does the Commission not believe that it should take steps to ensure that Swiss goods in the 'Other products' category are subject to the same rates of duty as the equivalent Community goods?

(1) OJ No L 54, 10. 3. 1995, p. 4.
(2) OJ No L 196, 5. 7. 1982, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(15 September 1995)

Commission Regulation (EEC) No 1767/82 fixes a reduced levy of ECU 10,95 per 100 kg (see Regulation (EC) No 527/95, supplemented by Regulation (EC) No 1351/95 [1]) applicable to cheeses imported from Switzerland, provided that they fall within certain Combined Nomenclature codes and comply with the descriptions for the classifications concerned. The reduced levy applies to both whole cheeses and packed pieces.

In accordance with the Agreement concluded during the Uruguay Round, with effect from 1 July 1995, Regulation (EEC) No 1767/82 was replaced by Regulation (EC) No 1600/95 [2] and the levy of ECU 10,95 per 100 kg was replaced by an import duty of ECU 9,66 per 100 kg. No change was made, however, to the product descriptions. Products which do not fulfil the requirements laid down by the Regulation for eligibility for reduced duties are subject to the full import duty.

Given that, on the entry into force of the said Agreement, all existing duties were consolidated under GATT, the Commission does not see how it can unilaterally amend them. It will, however, take account of the Honourable Member's comments in its negotiations with the Swiss authorities on the revision of the existing bilateral agreements.

(1) OJ No L 131, 15. 6. 1995, p. 12.
(2) OJ No L 151, 1. 7. 1995, p. 12.

WRITTEN QUESTION E-2106/95
by Amedeo Amadeo (NI)
to the Commission
(18 July 1995)
(95/C 311/57)

Subject: The cost of newsprint

Almost every day over the last few months daily newspapers and weeklies have published articles trying to promote awareness of the unsustainable increase in the cost of newsprint.

The substantial increase in the cost of newsprint is leading to serious problems in certain firms and is threatening employment in the sector.

The Commissioner for Competition, Mr Van Miert, promptly announced that detailed research would be carried out into the problem, which demonstrates the Commission's concern.

Can the Commission say, recognizing the value of the research study, what steps it intends to take to tackle the urgent problem of the uncontrolled increase in the cost of newsprint, which is jeopardizing the publication of many daily newspapers and hence the very freedom of the press and, therefore, the free movement of ideas and the workings of democracy in the Member States of the EU?

Answer given by Mr Van Miert
on behalf of the Commission
(11 September 1995)

At present, the Commission can simply confirm that a detailed investigation into paper for printing, and in particular newsprint, has been launched with a view to examining the production and marketing conditions in that sector in the light of the rules of competition laid down in the Treaty. It cannot, however, prejudge the outcome of the investigation. If it transpires that the increase in the cost of newsprint referred to by the Honourable Member is the result of an infringement of the rules of competition, the Commission will be certain to take the measures necessary to bring that infringement to an end.

WRITTEN QUESTION E-2108/95
by Amedeo Amadeo (NI)
to the Commission
(18 July 1995)
(95/C 311/58)

Subject: Recognition of qualifications

The Commission communication on recognition of qualifications for academic and professional purposes does not seem to deal in sufficient depth with the current situation regarding mobility and reciprocal recognition [1], for example for workers with professional and specialized qualifications.

Can the Commission say whether it does not consider it restrictive to confine the scope of the document to the academic and professional sectors and whether, in order to make governments more motivated, professional and specialized qualifications and university courses should match employment requirements and thereby offer better job and career prospects?

[1] COM(94) 596.

Answer given by Mrs Cresson
on behalf of the Commission
(11 October 1995)

In the introduction to and conclusions of its communication on recognition of qualifications for academic and professional purposes, the Commission stressed that:

— to streamline the debate, deliberations were initially restricted to higher education qualifications and those professions requiring qualifications at this level;

— the Commission intends to extend the debate in the future to all levels of training, including vocational training, and that higher education is therefore merely the first step. Particular attention will be given to this question in the White Paper on Education and Information, which will be submitted by the Commission in November.

As regards matching the requirements of the labour market, the spirit of the communication is in keeping with this approach, and the proposed measures, taken as a whole, pay particular attention to this aspect.

WRITTEN QUESTION E-2110/95
by Amedeo Amadeo (NI)
to the Commission
(18 July 1995)
(95/C 311/59)

Subject: Old-age pensions

One of the most difficult and partially unsolved problems of society in the Member States of the Union is the future of old-age pensions. The ageing of the population leads to the worrying thought that, if zero growth continues, in a few years there will not be enough resources to pay for old-age pensions.

Can the Commission say whether it does not consider that this issue be tackled decisively so as to assess, with the aid of tangible data, the situation in the Union, and then make recommendations and practical proposals to the Member States which will give pensioners more peace of mind?

Answer given by Mr Flynn
on behalf of the Commission
(8 September 1995)

In its Medium-Term Social Action Programme (1995—1997) [1], the Commission announced its proposal to launch a framework initiative on the future of social protection without delay (point 6.1.1.). It will very shortly be presenting a communication to the Council and Parliament setting out the aims and means of this initiative.

Joint reflection under this initiative will cover, among other things, the question of the impact of the ageing of the population on pension schemes in the Member States. The way in which these schemes must adapt to this ageing process is a question which concerns the whole Community. A number of Member States have already introduced reforms designed to raise gradually the age of retirement, either directly or indirectly by increasing the number of years of contributions required to receive a full pension. The question which must be asked is whether or not it is necessary to go further and to promote the development of funded supplementary pension schemes. If the Member States decide to develop such funded schemes on a large scale, it will be necessary to study the resulting macro-economic effects on consumption, growth and employment, and the extent to which the funds accumulated in this way will actually be able to provide the requisite resources to finance pensions when the ageing of the population is at its peak.

[1] COM(95) 134 final.

WRITTEN QUESTION E-2113/95
by Jaak Vandemeulebroucke (ARE)
to the Commission
(19 July 1995)
(95/C 311/60)

Subject: Budget item 'Subsidies to organizations advancing the idea of Europe'

Budget item A-3 0 4 provides for an appropriation for organizations advancing the idea of Europe. The remarks contain a non-exhaustive list of such organizations.

What organizations have received subsidies under this heading? What criteria are used in granting them?

WRITTEN QUESTION E-2114/95
by Jaak Vandemeulebroucke (ARE)
to the Commission
(19 July 1995)
(95/C 311/61)

Subject: Budget item 'Support for international non-governmental youth organizations'

Budget item A-3 2 2 provides for support for international youth organizations to help cover organizational costs to prepare and implement programmes within a European framework.

Who, or what organizations, have received subsidies under this heading? What criteria are used in granting subsidies under it, and how can organizations apply for them?

WRITTEN QUESTION E-2115/95
by Jaak Vandemeulebroucke (ARE)
to the Commission
(19 July 1995)
(95/C 311/62)

Subject: Budget item 'Other subsidies'

Budget item A-3 0 90 provides for 'other subsidies'.

Who, or what organizations, have received subsidies under this budget heading? What criteria are used in granting subsidies under it?

Joint answer to Written Questions E-2113/95, E-2114/95 and E-2115/95 given by Mr Santer on behalf of the Commission

(21 September 1995)

The Honourable Member is referred to the 'report on beneficiaries of Community grants' which is transmitted annually in May to the Budget Control Committee of Parliament. This report contains a full list of organizations which receive funding under the budget lines in question as well as the criteria and procedures governing such grants.

A similar, albeit more concise, list was transmitted by the Commission to the Secretary General of the Parliament on 20 February 1995.

WRITTEN QUESTION E-2127/95
by Gerhard Schmid (PSE)
to the Commission
(19 July 1995)
(95/C 311/63)

Subject: Acquisition of fire engines in Greece

In connection with the answer to my Written Question E-333/95 [1]:

1. Has the Greek Government now forwarded to the Commission the two new invitations to tender?

2. Have the invitations to tender been published throughout the Community?

3. If not, why not?

4. Does the Greek Government's new invitation to tender conform to Community law?

---

[1] OJ No C 175, 10. 7. 1995, p. 34.

Answer given by Mrs Wulf-Mathies on behalf of the Commission

(15 September 1995)

The Greek authorities notified the publication references for both calls for tenders in the *Official Journal of the European Communities*. The Commission found nothing untoward in these calls for tenders when it checked them against the Community rules, in particular those on public contracts.

With regard to the choice of the tenders submitted, the Greek authorities have stated that the first call for tenders is at the preselection stage, while the second will have to be republished because the tenders did not conform to the rules on public contracts nor to the terms of publication.

WRITTEN QUESTION E-2132/95
by Françoise Grossetête (PPE)
to the Commission
(19 July 1995)
(95/C 311/64)

Subject: Mutual recognition of professional experience acquired, on the basis of diplomas, successively in several Member States

Directive 89/48/EEC [1] of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration, which has wholly or partly been transposed by the Member States of the European Union, is a contribution to the free movement of persons and constitutes a significant step in this direction.

However, it does not provide for mutual recognition of other aspects associated with the diplomas, such as professional experience acquired on the basis of these diplomas successively in several Member States.

The public services of Member States generally refuse to recognize seniority acquired in the public services of other Member States. This means that holders of diplomas covered by Articles 48 *et seq.* are open to indirect discrimination on grounds of nationality, contrary to the principle laid down by Article 7 of the EC Treaty.

In its ruling of 23 February 1994 on the 'Integraut Scholz v Opera Universitaria di Cagliari and Cinzia Porcedda' case [2], the Court of Justice removed the legal vacuum on the matter by ruling that Article 48 must be interpreted as meaning that, where a public body of a Member State, in recruiting staff for posts which do not fall within the scope of Article 48 (4) of the EC Treaty, provides for account to be taken of candidates' previous employment in the public service, that body may not, in relation to Community nationals, make a distinction according to whether such employment was in the public service of that particular State or in the public service of another Member State.

However, the Court's reply applies only to cases relating to recruitment to the public service by open competition and does not deal with recruitment by internal procedures or employment in the private sector.

Does the Commission intend to remedy this situation, which is an obstacle to the free movement of persons, by adopting binding Community legislation on the matter?

(1) OJ No L 19, 24. 1. 1989, p. 16.
(2) ECR 1994, I pp. 505 *et seq.*

Answer given by Mr Flynn on behalf of the Commission

(11 September 1995)

The Commission is well aware of this particular, complex problem, which is not explicitly dealt with by the rules of Community law now in force regarding free movement of workers.

For these reasons and since the situation and the rules applicable in the various Member States can vary widely, the Commission has announced, in its Medium-Term Social Action Programme 1995—1997 (1) its intention of launching a series of studies, pilot measures and debates in order to test new ways of recognizing the prior learning and experience of workers, with a view to eliminating this serious obstacle to free movement.

The same programme also announces that all the remaining obstacles to the free movement of persons and workers will be examined by the high-level panel on free movement, established by the Commission for this purpose.

On the basis of the panel's reports, the Commission will present a White Paper setting out an integrated strategy including specific proposals aimed at tackling the outstanding problems.

(1) COM(95) 134 final.

WRITTEN QUESTION E-2137/95
by Alexandros Alavanos (GUE/NGL)
to the Commission
(19 July 1995)
(95/C 311/65)

Subject: Conservators of works of art

The European Union attaches great importance to the conservation and development of our cultural heritage. However, no attempt whatsoever has been made to safeguard the profession which specialises in this field — that of conservator of works of art — which is subject to widely differing arrangements in each Member State of the Union and has no charter of rights and obligations. This has many adverse consequences for conservation, the mobility of employees in this field etc.

The ECCO (European Federation of Associations of Conservators of Works of Art) has submitted proposals concerning 'general professional principles, the profession and code of conduct'.

Will the Commission, as part of the initiatives aimed at maintaining the cultural heritage of the European Union, draw up, in cooperation with the ECCO and other relevant bodies of the Member States, a Directive on the profession of conservator of works of art and antiquities?

Answer given by Mr Monti on behalf of the Commission

(18 September 1995)

Community instruments on the mutual recognition of professional diplomas have been enacted which facilitate the effective exercise of the freedoms of movement laid down by the Treaty. Depending on the level of education and training leading to a diploma, either Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (1) or Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (2) will apply. The basic principle behind these Directives is that the host Member State may not prevent a Community national holding the diploma required to exercise the same profession in another Member State from taking up or pursuing a regulated profession on its territory.

The Directives apply only to regulated professions, i.e. professions where access is subject, by virtue of laws, regulations or administrative provisions, to the possession of a diploma. The general system for the recognition of diplomas applies to professions that are not covered by a sectoral directive, and so its scope extends to the profession of conservator of works of art, provided that the profession is a regulated profession in the Member State in question.

Member States retain discretion with regard to teaching and still have the option of laying down conditions for the pursuit of a profession and the use of the professional title. The above Directives constitute only a benchmark setting out the necessary and sufficient conditions to be met by the training followed by the migrant so that he can benefit from professional recognition in the other Member States.

The Commission has no plans to introduce a specific Directive on the profession of curator of works of art since the freedoms of movement of professionals in that sector are guaranteed by the general system for the recognition of diplomas.

(1) OJ No L 19, 24. 1. 1989.
(2) OJ No L 209, 24. 7. 1992.

WRITTEN QUESTION E-2151/95
by Leen van der Waal (EDN)
to the Commission
(19 July 1995)
(95/C 311/66)

Subject: Impending law on religion in Croatia

According to the Netherlands Dagblad of 26 June 1995, the protestant minority in Croatia is concerned at a new draft law on religion which apparently stipulates that in future religious communities with fewer than 30 000 adherents will be deemed to be 'sects'. This represents a considerable restriction on the freedom of, for example, all the protestant churches with fewer than 10 000 members.

Can the Commission confirm that this is what the Croatian Government is planning to do? What action does the Commission intend to take in the light of these proposals which are a threat to freedom of religion?

Answer given by Mr Van den Broek
on behalf of the Commission
(27 September 1995)

After Croatia had agreed that United Nations troops could remain in the country, the Council gave the go-ahead for negotiations on the conclusion of a cooperation agreement while reserving the right at any time up to the actual conclusion of the accord to bear in mind Croatia's attitude to implementing UN resolutions and furthering the peace process. The cooperation agreement will make it plain that upholding democratic principles and human rights is an essential element of the accord and that if Croatia fails to adhere to this requirement, the European Union may suspend application.

When fighting broke out again in Croatia, the European Union decided, on 4 August, to suspend with immediate effect the talks under way on the conclusion of the agreement and the implementation of the Phare programme in that country.

The Union is therefore keeping a close eye on the human rights situation in Croatia and will be particularly alert to any deterioration. Respect for human rights embraces freedom of thought, conscience and religion as set out in Article 18 of the International Covenant on Civil and Political Rights, which Croatia ratified in 1992.

Any measure taken by Croatia that militates against freedom of religion would run counter to the criteria set out in the agreement. The Commission is closely observing the progress of the draft law cited by the Honourable Member.

WRITTEN QUESTION E-2165/95
by Alexandros Alavanos (GUE/NGL)
to the Commission
(28 July 1995)
(95/C 311/67)

Subject: Ro-ro car ferries

The European Union is in the process of adopting measures on ro-ro car ferry safety. Are similar measures to be adopted to cover the other types of car ferry? Has any research been conducted into safety levels on car ferries in the various Member States and if so what were its findings?

Answer given by Mr Kinnock
on behalf of the Commission
(29 September 1995)

In addition to the measures to tighten up ro-ro passenger ferry safety, the Commission is preparing a proposal for a Council Directive on the safety regulations (design standards) for passenger vessels used for shipping links within the Community. This measure is included in the 1995—2000 action programme for the common transport policy [1].

As regards the research conducted into safety levels in certain Member States, the Honourable Member is referred to the contributions submitted by the Member States to the International Maritime Organization (IMO) for its current review of the legislation on ro-ro ferries.

---

[1] COM(95) 302.

WRITTEN QUESTION E-2166/95
by Alexandros Alavanos (GUE/NGL)
to the Commission
(28 July 1995)
(95/C 311/68)

Subject: Appropriations for the organization of the 1994 European elections

The European Union made appropriations available for the organization of the 1994 European elections. What sums

were paid to Greece and how were they apportioned? What categories of national and local government officials were reimbursed for the performance of services in this connection? In which Member States was part of these appropriations paid to officials entrusted with public order tasks (police etc.)?

WRITTEN QUESTION E-2347/95
by Nikitas Kaklamanis (UPE)
to the Commission
(1 September 1995)
(95/C 311/69)

Subject: Election bonus for Greek police officers

In June 1994, Greece, together with the rest of the Member States of the EU, received a certain sum to cover expenditure incurred in holding the elections. This sum included compensatory overtime payments (election bonuses) for police officers on duty on the day of the elections.

However, the bonuses have still to be paid to the officers concerned which, in my opinion, is unlawful.

Is the Commission aware of this situation and will it urge the Greek Government to take action?

Joint answer to Written Questions E-2166/95 and E-2347/95
given by Mr Santer
on behalf of the Commission
(14 September 1995)

The Commission did not make any payment to Greece for the organization of the 1994 European elections and has no information to suggest that other European institutions made special payments to Greek police officers.

WRITTEN QUESTION E-2216/95
by John Tomlinson (PSE)
to the Commission
(28 July 1995)
(95/C 311/70)

Subject: Benefit on death of an official

Under Article 73 of the Staff Regulations for the European institutions, officials are insured against the risk of occupational disease and of accident. Officials make a compulsory contribution to the cost of insuring against non-occupational risks, of 0,1 % of their basic salary. The benefit payable to the official's heirs, in the event of accidental death of an official, is a lump sum equal to five times the deceased's annual basic salary.

Could the Commission please publish:

1. The number of officials dying in service in the last five years (or such longer period as may be necessary to avoid the release of data that could be attributed to individuals);

2. The number of officials in (1) above dying from accidents as defined in the International Classification of Diseases;

3. The number of cases in which the lump sum entitlement referred to above and in Article 73 § 2 (a) has been paid during this period;

4. In the event that (2) and (3) above are not equal, a summary of the grounds on which the lump sum was not paid.

More generally, is the Commission satisfied that the compulsory contributions referred to above are being used in the best interests of staff suffering from accidents or occupational diseases?

Answer given by Mr Liikanen
on behalf of the Commission
(14 September 1995)

1. During the period 1990—1994 a total of 95 officials in the employ of the Commission died, while still in activity.

2. Under Article 73 § 1 of the Staff Regulations, an official is insured against the risk of occupational disease and of accident, subject to rules drawn up by common agreement between the institutions of the Communities. The capital, as foreseen in Article 73 § 2 (a) is therefore only paid out to the official's heirs, if the death results from an accident or occupational disease, as defined and covered by the rules on the insurance of officials of the European Communities against the risk of accident and of occupational disease. Of the 95 officials who died during the period of reference, 22 died of an accident as defined in the rules, whereas up until now no case of an official having died of a professional illness has been recognised.

3. Between 1990 and 1994 the Commission has paid out the lump sum of five times the annual salary, as foreseen in Article 73 § 2 (a), in 14 accident cases.

4. The difference between the numbers mentioned under (2) and under (3) is that certain risks, for example, dangerous sporting activities or suicide, are expressly excluded from cover by the rules.

In conclusion it should be noted that the compulsory contribution by officials of 0,1 % of salary is counterbalanced by a per capita contribution by the Commission of 0,77 % and there seems no reason to believe these monies are not used in the best interests of officials.

WRITTEN QUESTION E-2218/95
by Stephen Hughes (PSE)
to the Commission
(28 July 1995)
(95/C 311/71)

Subject: Vertical restraints on trade

Can the Commission confirm that its services are currently undertaking a factual study on vertical restraints on trade to cover *inter alia* the operation of Commission Regulations on exclusive distribution ((EEC) No 1983/83) [1], exclusive purchasing ((EEC) No 1984/83) [2] and franchising ((EEC) No 4087/88) [3] and which is intended to lead to the publication of a Green Paper? Can the Commission inform Parliament of the timetable for this process?

Given that Regulation (EEC) No 1984/83 in particular provides for the operation of the 'tied house' system throughout the EU, will the Commission invite representatives of the brewing industry to participate in both the factual study and the consultation period following the publication of a Green Paper?

---

[1] OJ No L 173, 30. 6. 1983, p. 1.
[2] OJ No L 173, 30. 6. 1983, p. 5.
[3] OJ No L 359, 28. 12. 1988, p. 46.

Answer given by Mr Van Miert
on behalf of the Commission
(11 September 1995)

1. Yes.

2. The publication of the green paper is planned for spring 1996.

3. Yes.

WRITTEN QUESTION E-2223/95
by Raymonde Dury (PSE)
to the Commission
(28 July 1995)
(95/C 311/72)

Subject: Regulation (EEC) No 3254/91 on leghold traps

The entry into force of Regulation (EEC) No 3254/91 [1] on leghold traps has already been postponed from 1 January 1995 to 1 January 1996 without consultation of Parliament. According to various reports in the press, the Commission has been requested by Canada and the USA to examine new ways of preventing the Regulation being applied. As the International Standardization Organization (ISO) has not been able to set humane standards, there is now talk of a special 'working party', although there is no provision for such a body in the Regulation. Can the Commission confirm that such a working party exists and say who gave it a mandate for this fundamental revision of the Regulation?

---

[1] OJ No L 308, 9. 11. 1991, p. 1.

Answer given by Sir Leon Brittan
on behalf of the Commission
(4 October 1995)

Regulation (EEC) No 3254/91 requires for the species listed in its Annex I, that third countries ensure there are administrative or legislative provisions in force to prohibit the use of the leghold trap, or that they use trapping methods which meet internationally agreed humane standards.

In the absence of results from the International Standardization Organization process, the Commission informally started exploratory discussions with Canadian and United States authorities with a view to examining the possibility of establishing an independant working group charged with the development of interim humane trapping standards that would meet the requirements of the Regulation. This is by no means intended to prevent the implementation of the Regulation, nor does it imply a revision thereof. This group is not a negotiating group.

A mandate from the Council will be requested, if and when the results of the working group are such as to provide a basis for formal negotiations.

WRITTEN QUESTION P-2225/95
by Eryl McNally (PSE)
to the Commission
(18 July 1995)
(95/C 311/73)

Subject: Release of barley by the Intervention Board

Following the recent announcement that the Intervention Board has released barley from its stores to Spanish farmers and processors at £30 below market price, due to drought conditions in Spain, the farmers in my constituency are very concerned that this will reduce the spanish farmers' production costs thus making their products more competitive than those of UK farmers, as this will reduce the base costs of meat production from pigs and poultry by between 12 %—15 %.

As the pig and poultry industry has been going through very poor trading over the last two years, can the Commission examine ways of ensuring a level playing field for UK farmers and investigate my constituents strong protest?

Answer given by Mr Fischler
on behalf of the Commission
(7 September 1995)

As previously set out in the answer given by the Commission to Written Question No 1937/95 by Mr White [1], Spain has suffered severe drought conditions during the last three years. This has resulted in a serious grain supply shortage in Spain. To alleviate these exceptional circumstances Community intervention grain, including that stored in the United Kingdom, is being made available for exclusive supply to the Spanish market. The sales are being carried out at a price level which, taking into account the transport costs between the United Kingdom and Spain, allows the resale of the grain on the Spanish market at the local price level. Consequently the supplying of the Spanish market is not being carried out at more favourable conditions than those on the United Kingdom market.

Regarding the pig and poultry sectors, it is true that animal feed is an important cost factor in intensive livestock production. The Commission would, however, give it a lower priority than the farmers seem to. In fact, the cost of animal feed is important when the costing is limited to farm level only. When the pig and poultry sectors are considered as a whole, it is more relevant to examine the cost of labour, housing, the presence of infrastructure and also the availability of land and skilled managers. Since many grain deficit areas have considerably increased their production over the last ten years, one should bear in mind that the feed cost element plays a more modest role than is generally believed.

[1] OJ No C 277, 23. 10. 1995, p. 37.

WRITTEN QUESTION E-2265/95
by Hugh Kerr (PSE)
to the Commission
(31 July 1995)
(95/C 311/74)

Subject: Fairness and objectivity in the standards making process

Will the Commission please answer in full, without delay, Question P-722/95 [1], which it completely failed to do in its deliberately evasive response of 27 March 1995?

Given the disastrous Cenelec vote on the harmonized plug and socket issue, the ridiculous comments put forward as justification for a negative vote by several national committees, that voting on such issues within CEN/Cenelec is by QMV, that companies and bodies represented on the technical committees responsible for formulating the position of national committees often have significant cross-border links, will the Commission:

1. Confirm that it is vital that the composition of such technical committees should be fair, balanced, open and transparent, and that they should have a sensible workload which allows members adequate time to read and consider the papers and documentation, and to enable full and proper understanding, discussion and examination of all the issues;

2. State whether it believes that the BSI PEL/23 committee, responsible for the UK position on this issue, with its massive number of members who directly represent, or are connected to, UK electrical accessory manufacturers, meets these criteria;

3. State if it believes that similar situations may exist in the relevant technical committees of other National Standards Bodies within the EU?

Given the fax (ref: AG/1308/4917) sent out by Cenelec on 12 April 1995, the comments of a Cenelec official reported in the highly respected Swiss newspaper 'Tages Anzeiger' on

21 April; the connections of certain Cenelec Board members and senior staff with BSI and manufacturers of electrical accessories; the actions of the Cenelec Belgian Board member at the recent meeting of Cecapi; that most of the people responsible for the discredited 'Live with the Differences' document still hold key positions within Cenelec; that after three years of work it has still failed to find an acceptable solution; will the Commission state if it believes that Cenelec can continue to be entrusted with such important and vital European initiatives, with their massive global consequences?

(1) OJ No C 175, 10. 7. 1995, p. 56.

Answer given by Mr Bangemann on behalf of the Commission

(27 September 1995)

As the Honourable Member is certainly aware, following the negative vote in Cenelec (European committee for electrotechnical standardization) on the harmonized plug and socket issue it was decided at the most recent Cenelec general assembly in June 1995 to create a task force to consider the issue further. A range of interest parties were invited to participate in the task force, whose composition was decided by the most recent meeting of the Cenelec technical board.

1. The Commission would refer the Honourable Member to its answer to Written Question No 1883/94 by Sir Jack Stewart-Clark (1) in which it stated that standardization is a process by which interested parties agree on a voluntary basis, in an open and transparent procedure, on common specifications, which are adopted after a public enquiry on the basis of consensus. This is confirmed in the Council resolution of 18 June 1992 on the role of European standardization in the European economy (2) which reiterates 'the importance of a cohesive system of European standards, organized by and for the parties concerned, based on transparency, openness, consensus, independence of vested interests, efficiency and decision-taking on the basis of national representations'.

2. and 3. It is not within the competence of the Commission to consider the composition of, or participation in, the national standards committees that participate in the work of the independent standards bodies. However, if there were clear evidence that the criteria set out in the aforementioned Council resolution were not met, the Commission would examine the situation in the light of the Treaty and of secondary Community law.

(1) OJ No C 24, 30. 1. 1995.
(2) OJ No C 173, 9. 7. 1992.

WRITTEN QUESTION P-2269/95
by Vassilis Ephremidis (GUE/NGL)
to the Commission
(18 July 1995)
(95/C 311/75)

Subject: Effective programmes for the funding of forrest protection in Greece

Each year large areas of forest are destroyed by fires, particularly in the Mediterranean area, because of the climate. Although the EU has recognized the major importance of forests in economic, social, environmental and regional planning terms, this has not been accompanied by specific measures or an effective policy for the protection of forests, while the existing regulatory framework falls short of requirements in this respect.

Greece in particular has only limited areas of forest, two-thirds of which cannot be economically exploited, and the amount destroyed by fire is steadily increasing.

What measures will the Commission take to conserve and protect the forest to increase the area of forested land and provide funding for that purpose, to set up fire-fighting facilities, conserve and replenish forest resources and provide specialist training and further training for forest rangers in Greece?

Answer given by Mr Fischler on behalf of the Commission

(19 September 1995)

The forestry action programme adopted in 1989 and expanded in 1992, in particular as part of the accompanying measures in the context of the reform of the common agricultural policy, provides for various schemes of afforestation, re-afforestation and fire protection:

— The afforestation of agricultural land and the improvement of on-farm woodland is covered by Regulation (EEC) No 2080/92 instituting a Community aid scheme for forestry measures in agriculture (1), under which the Commission in 1994 approved a Greek programme of forestry measures in agriculture worth a total of ECU 43,5 million provided by the European Agricultural Guidance and Guarantee Fund (EAGGF) (1994—1997).

— The development and improvement of forests under regional development programmes. The Community support framework for Greece includes forestry schemes (afforestation, nurseries, woodland melioration, fire protection, channeling of fast mountain streams, forestry roads, etc.) worth a total of ECU 94,68 million provided by the EAGGF (1994—1999).

— The specific measure for the prevention of forest fires set out in Regulation (EEC) No 2158/92 [2]. An amount of ECU 9 million has been granted to 26 Greek fire-prevention projects. Some of the projects concern training courses for specialized personnel.

— The Cohesion Fund: the Commission has approved three programmes for Greece comprising forestry schemes (protection against erosion, re-afforestation and prevention of forest fires) worth a total of ECU 6,4 million.

(1) OJ No L 215, 30. 7. 1992.
(2) OJ No L 217, 31. 7. 1992.

WRITTEN QUESTION P-2276/95
by Sérgio Ribeiro (GUE/NGL)
to the Commission
(20 July 1995)
(95/C 311/76)

Subject: The Alqueva dam in the Alentejo region of Portugal

Following the Commission's Decisions, as recently made public, concerning regional funding, with reference to Interreg (Germany; Germany-Switzerland-Netherlands) and Rechar (UK, north), doubts and speculations have arisen concerning the projects not mentioned in the texts concerned.

These speculations and doubts, and the contradictory 'information', have been given a high profile in the Portuguese media, in relation to the project, already under way, for the Alqueva dam in the Alentejo region. This is perfectly comprehensible in view of the major importance of the project, its key role in combating the onslaughts of desertification, and the fact that it has suffered successive postponements on various pretexts.

Can the Commission state, as a matter of urgency, whether there is any truth in the version of the facts currently circulating to the effect that the preceding Commission's position on the matter has now been revised? Can the Commission also specify its current official position?

Answer given by Mrs Wulf-Mathies
on behalf of the Commission
(15 September 1995)

The Alqueva dam project is contained in the second Community support framework for Portugal for the period 1994—1999, where reference is made to possible part-financing by the European Regional Development Fund, the European Agricultural Guidance and Guarantee Fund, and, if relevant, the Cohesion Fund. In fact, the Portuguese authorities have sent the Commission a request for part-financing of this project by the Cohesion Fund.

The project is currently being examined by the Commission which, at this stage, has not yet adopted a final position on it.

WRITTEN QUESTION E-2282/95
by Fernand Herman (PPE)
to the Commission
(31 July 1995)
(95/C 311/77)

Subject: Competition for recruitment of administrators

In the competitions to recruit senior administrators (COM/A/764) and administrators (COM/A/770) the Commission selection boards called for interview 600 candidates for COM/A/764 and 300 candidates for COM/A/770.

At the end of the selection procedure the boards drew up a list of 300 successful candidates for COM/A/764 and 150 for COM/A/770.

Could we be told the breakdown by nationality of the 900 candidates asked to interview and the 450 who were successful?

Answer given by Mr Liikanen
on behalf of the Commission
(28 September 1995)

In answer to the Honourable Member's question, it should first of all be pointed out that a corrigendum was published in *the Official Journal of the European Communities* [1] increasing the number to be placed on the list of suitable candidates for competition COM/A/770 to 300, the same as for COM/A/764, and that the candidates admitted to the oral test for each competition were the 600 with the highest marks in the written tests.

With the exception of documents or reports relating to the budget or the Staff Regulations, which the Commission is required to publish, it is not customary for the Commission to give statistics on internal matters, such as the intermediate stages of a competition, to avoid undermining the principle of independence of the selection board.

However, the Commission is sending the Honourable Member an annex giving a breakdown by nationality of the final results of the two competitions in question, a total of 300 successful candidates in the case of COM/A/770

and 301 (including two *ex aequo)* in the case of COM/A/764.

(1) OJ No C 335, 10. 12. 1993.

WRITTEN QUESTION P-2288/95

by Giulio Fantuzzi (PSE)

to the Commission

(20 July 1995)

(95/C 311/78)

Subject: Certification of equipment used in amusement parks

1. Can the Commission give details of the Community provisions guaranteeing the safety of users of machinery and equipment in amusement parks?

2. In the Commission's reply to Question E-942/91 (1) it was stated that a proposal for a Directive was in the process of being drawn up. Has this proposal been completed?

3. Are any figures available for accidents which have occured in the Member States in connection with the use of equipment in amusement parks?

(1) OJ No C 89, 9. 4. 1992, p. 5.

Answer given by Mr Bangemann on behalf of the Commission

(8 September 1995)

No Community requirement deals directly with the safety of persons using equipment in amusement parks since that safety is guaranteed by the national provisions in force in the Member States.

Since there are not Community requirements concerning amusement-park safety, the manufacturers of that type of product may become liable under Directive 85/374/EEC (1) on liability for defective products.

In its answer to Written Question No 942/91 by Mr Collins the Commission had stated that a proposal for a Council Directive was being prepared in order to deal with the free movement of equipment for fairgrounds and amusement parks. That proposal, which was based on Article 100a of the Treaty, would have ensured a high level of safety.

The European Council held in Edinburgh in December 1992 decided that this point should be covered by the subsidiarity principle and that it was inappropriate to cover this matter at Community level. The work in progress was thus halted.

The Commission does not have full, reliable information on accidents which can be attributed to amusement-park and fairground equipment.

The Commission has provided financial support to a consumer organization (International Consumer Research and Testing Ltd) in order to conduct a number of surveys on amusement-park and fairground safety in nine Member States (Belgium, Denmark, Spain, France, Ireland, Italy, Netherlands, Portugal and Finland).

The results of that survey, which will be finalized in October 1995, should appear in the publication produced by the consumer organizations belonging to International Consumer Research and Testing Ltd.

(1) OJ No L 210, 7. 8. 1985.

WRITTEN QUESTION E-2292/95

by Karla Peijs (PPE)

to the Commission

(31 July 1995)

(95/C 311/79)

Subject: Pharmaceuticals: Netherlands pricing proposal

The Ministry of National Health and Welfare of the Netherlands is preparing a price law regulating maximum prices for prescription pharmaceuticals. This law is based on a hypothetical European price per product. The price is to be based on a basket of national averages per product forms which are then averaged again to arrive at the arithmetic European price. In the current proposal, the basket is made up of the following countries: Belgium, Denmark, the United Kingdom and France, each of which has very different healthcare systems (cultural bias, consumption habits etc.).

The current Netherlands approach is expected to lead to price cuts of an average of 20 per cent. If implemented, the proposed cuts will dramatically affect the profitability of companies operating in the Netherlands, leading to a loss of employment and scaling down of substantial investment in research and development.

National healthcare systems are often compared or imitiated. If the Netherlands proposal as it currently stands enters into force, the danger is that it will be taken over by other countries (at least in part). Should this mechanism be widely applied in Europe the innovative research-based pharmaceutical industry will be deprived of substantial revenues which are essential to maintain the outstanding

competitiveness of Europe in terms of pharmaceutical research.

What does the Commission intend to do to secure the long-term viability of innovative pharmaceutical research in Europe, so as to maintain the substantial number of positions for highly qualified people in Europe and therefore to prevent a 'brain drain'?

Answer given by Mr Bangemann on behalf of the Commission

(15 September 1995)

In its communication to the Council and Parliament on the outlines of an industrial policy for the pharmaceutical sector in the European Community [1], the Commission explains what action is needed to ensure the long-term competitiveness of the European pharmaceutical industry and to enable it to maintain its ability to create highly-skilled jobs which will guarantee its innovative capacity.

The Table in Annex VIII to the communication shows that the average prices of medicinal products is much higher in the Netherlands than in the other Member States. It is therefore speculative to predict that changes in the prices charged in the Netherlands will inevitably lead to job losses and cuts in research and development.

The Dutch authorities have informed the Commission of their proposed measures which must, at the appropriate time, be notified to the Commission in accordance with Council Directive 89/105/EEC [2].

[1] COM(93) 718 final.
[2] OJ No L 40, 11. 2. 1989.

WRITTEN QUESTION E-2294/95

by Nicole Fontaine (PPE)

to the Commission

(31 July 1995)

(95/C 311/80)

Subject: Deferral of taxation on capital gains for taxpayers under the system for profits from non-commercial occupations

1. Does Directive 90/434/EEC [1] of 23 July 1990 on the common system of taxation applicable to mergers, divisions, transfers of assets and exchanges of shares concerning companies of different Member States envisage a principle of strict, generally-applicable tax neutrality for all shareholders in companies involved in this kind of restructuring, including companies in the same Member State?

2. Consequently, should each Member State's internal legislation respect the above principle and provide a system for deferring or waiving tax for taxpayers under the tax system for profits from non-commercial occupations?

3. If so, should the French authorities adjust their legislation concerning this category of taxpayer by adding a paragraph IIa to Article 93 (c) of the French general tax code, to the effect that taxation of the capital gains resulting from the transfer or exchange of shares, if they are required for the exercise of a trade or profession or simply useful for the purposes of entry in the Register of Professional Assets, be deferred until the shares received in exchange are sold or transferred again?

[1] OJ No L 225, 20. 8. 1990, p. 1.

Answer given by Mr Monti on behalf of the Commission

(8 September 1995)

1. Directive 90/443/EEC of 23 July 1990 on the common system of taxation applicable to mergers, divisions, transfers of assets and exchanges of shares concerning companies of different Member States stipulates in Article 8 that the allotment of securities of the receiving or acquiring company to shareholders of the transferring or acquired company must not give rise to any taxation in the hands of those shareholders. The Directive is applicable where at least two companies of different Member States are involved in the restructuring operation.

2. Each Member State's legislation must comply with this principle also in the case of taxpayers covered by the tax scheme for profits from non-commercial occupations where they are shareholders of companies involved in a restructuring operation falling within the scope of the Directive.

3. French legislation must comply with the principles laid down in the Directive only where the parties involved satisfy the conditions of the Directive. In particular, in accordance with Article 3, the company whose securities are actively transferred or exchanged must take one of the forms listed in the Annex to the Directive and must be subject to corporation tax.

WRITTEN QUESTION P-2298/95
by Hugh McMahon (PSE)
to the Commission
(25 July 1995)
(95/C 311/81)

Subject: Problems in the administration of the European Social Fund in the UK

Can the Commission inform Parliament what action it proposes to take to resolve the dispute between the Commission and the UK Government over problems in paying the ESF for the years 1993 and 1994?

Can the Commission explain how this situation has come about and what advice it would give to voluntary organizations who are experiencing cash flow problems and long term unemployed who are being denied the opportunity for training as a result of this dispute?

WRITTEN QUESTION E-2348/95
by Bill Miller (PSE)
to the Commission
(1 September 1995)
(95/C 311/82)

Subject: ESF payments to voluntary organizations

What efforts have been made by the Commission to speed up the payment of ESF funding to voluntary organizations, and what further initiatives are planned to reduce the unacceptable delays experienced by small voluntary organizations in receiving funding which is critical to these organizations which operate with very limited financing?

Joint answer to Written Questions P-2298/95 and E-2348/95 given by Mr Flynn on behalf of the Commission
(9 October 1995)

The Honourable Members are referred to the reply given during Question Time at the Plenary Session of the Parliament on 20 September 1995 to Oral Question Nos H-566, 584, 605 and 634 to 637/95.

WRITTEN QUESTION E-2316/95
by Jesús Cabezón Alonso (PSE) and Juan Colino Salamanca (PSE)
to the Commission
(1 September 1995)
(95/C 311/83)

Subject: Access to the Socrates programme

What steps does the Commission intend to take, together with the Member States, to provide more information to possible beneficiaries on how they can gain access to funding under the various sections of the Socrates programme?

WRITTEN QUESTION E-2405/95
by Antonio Graziani (PPE), Giampaolo D'Andrea (PPE), Pierluigi Castagnetti (PPE) and Maria Colombo Svevo (PPE)
to the Commission
(1 September 1995)
(95/C 311/84)

Subject: The Socrates and Youth for Europe programmes

On 14 March 1995 the European Parliament and the Council adopted Decision 819/95/EC [1] establishing the Community action programme Socrates. On the same date the two institutions also adopted the third phase of the programme Youth for Europe by Decision 818/95/EC [2].

In view of the considerable delay in the implementation of these programmes, can the Commission say:

1. What publicity measures have been taken?

2. Whether it has taken all the measures necessary to ensure that the disadvantaged categories, in accordance with Parliament's wishes and Article 4 of the abovementioned Decision, have full access to the measures provided for in the Youth for Europe programme?

[1] OJ No L 87, 20. 4. 1995, p. 10.
[2] OJ No L 87, 20. 4. 1995, p. 1.

Joint answer to Written Questions E-2316/95 and E-2405/95 given by Mrs Cresson on behalf of the Commission
(5 October 1995)

Measures to inform potential applicants and others about the Socrates and Youth for Europe programmes, and in

particular the grants available, consist of documentation, information meetings and campaigns, and electronic means of providing information, including:

(a) Socrates

— An announcement in the Official Journal [1] concerning grants available within the programme.

— A vademecum describing the programme, together with guidelines for applicants and applications forms, is available in all working languages from the beginning of the academic year 1995/96.

— A set of information brochures is being produced for wider circulation, one relating to the Socrates programme in general, and one to each of the six main action areas of the programme.

— Specific documentation is also being provided on particular parts of the programme, such as a manual of good practice on the introduction of institutional contracts by higher education institutions, a user's guide to the European credit transfer system, and a compendium of the joint educational programmes developed within Lingua.

— The Commission has encouraged Member States to organise national and regional information campaigns suited to the needs of the educational community in each Member State. These will include information measures related to specific actions within the Community programme where a particular information need has been identified. The Commission is providing financial support for these campaigns, on the basis of the provisions of Chapter III, Action 3.5.B of the annex to the Decision establishing the programme.

— The Commission is also in the process of making available information on Socrates by electronic means. At first this is likely to include the use of facilities provided by the Europa server linked to the Internet. In the longer term, a fully integrated system for information exchange is being developed to link the Commission, the national agencies and the education community in all Member States.

(b) Youth for Europe

— Announcement in the Official Journal [2] concerning the implementation of the programme, in particular on all grants available under the programme.

— A vademecum describing the programme, together with guidelines for the applicants and application forms is available in all the working languages of the Community in every national agency (including Iceland, Lichtenstein and Norway), at the Socrates & Youth bureau and at the Youth Forum in Brussels. The vademecum has been prepared in close cooperation with the national agencies which are developing their own accompanying information material.

— An information brochure will be produced for wider information.

— A meeting of national youth agencies and youth councils was organized in Finland in April 1995 to discuss the implementation of the programme.

— Urgent information of youth organizations networks through the Youth forum of European youth organization (Community platform) and two other European youth platforms: the European coordination bureau for international youth organizations (ECB) and the Council of European national youth committees (CENYC) (Council of Europe platforms).

— Continuous information and information activities of Member States' Youth for Europe national agencies (including Iceland, Lichtenstein and Norway) ensured continuity at national and regional levels and with national networks of youth organizations.

— Member States have organised national launching meetings or media events, with the help of the national agencies.

— User friendly electronic information on the programme and grants is already available on the basis of the up-to-date and easily adaptable Eurodesk network. It is the intention of the Commission to extend this system to all the Member States and link it with other youth information networks on a local level and general networks on European matters. A link is also being established with the Europa server in order to develop a more specific information service for young people.

Special attention has been given to the effective transmission to disadvantaged young people of information about the Youth for Europe programme, since they are a priority target group under the programme.

The Commission is open to all suggestions the Parliament may make to help inform young people, especially disadvantaged young people who often feel excluded from European initiatives.

[1] OJ No C 200, 4. 8. 1995.
[2] OJ No C 149, 16. 6. 1995.

WRITTEN QUESTION E-2323/95
by Nana Mouskouri (PPE)
to the Commission
(1 September 1995)
(95/C 311/85)

Subject: VAT on records

Records are the only cultural medium in Europe not to enjoy a reduced rate of VAT. The rate applicable to records is 20 %, while books and films are subject to an average rate of 5 % and in some countries 0 %.

How does the Commission justify this differential and does it plan to rectify the situation?

Answer given by Mr Monti
on behalf of the Commission
(21 September 1995)

The Commission shares the view that audio-visual media (records, CD-ROMs, audio and video cassettes, etc.) are important vehicles for disseminating culture, on a par with books, films and live performances.

The difference between the VAT treatment of books and entrance tickets for films, concerts, etc., which qualify for a reduced rate, and that of audio-visual media does not stem from a failure to recognize their cultural dimension but is the reflection in Community legislation of a fundamental aspect of Member States' tax policies. VAT, as a general consumption tax, is levied on a very broad base and special rules providing for exemptions or reduced rates are kept to the minimum.

Any extension of these special rules would be liable to reduce the tax yield and multiply the practical difficulties involved in distinguishing between categories of goods or services subject to differing tax arrangements. That is why those Member States which apply reduced rates under their national rules not agreed to extend the special treatment already granted in this area.

Nevertheless, the Community rules on VAT rates (including reduced rates) will be examined in detail by the Commission when it draws up the guidelines for the definitive system. The arguments put forward by the Honourable Member will be taken into account.

WRITTEN QUESTION E-2332/95
by Anita Pollack (PSE)
to the Commission
(1 September 1995)
(95/C 311/86)

Subject: Home workers

In view of the problems associated with women home workers and low pay, has the Commission taken any action or does it have any plans to

1. develop and apply methods to collect statistical and analytical material on home workers;

2. increase provisions for home workers in training, childcare and job opportunities programmes aimed at ensuring equal opportunities for women;

3. examine legislative measures to identify inequitable treatment of home workers with a view to developing minimum protection?

Answer given by Mr Flynn
on behalf of the Commission
(3 October 1995)

The Commission is well aware of the problems of homeworkers, the vast majority of whom are women. It has already taken certain steps in this field, including a report on homeworking (published as Supplement 2/95 of the 'Social Europe' magazine) and organization of a European seminar in March 1994. Homeworking is identified as one of the areas for social action in the White Paper on Social Policy.

Turning more specifically to the questions raised by the Honourable Member:

— Eurostat's annual labour force survey began to include questions related to homeworking in 1992. The first results are now available and have been analysed in the 1994 Report on employment in Europe.

— In its fourth Equal Opportunities Action Programme, the Commission has undertaken to initiate and promote studies, exchange of information, economic and social research and employment initiatives concentrating specifically on the informal sector and non-standard forms of work, including homeworking.

  Homeworkers are also eligible to benefit from the European Social Fund's vocational training and job creation programmes. Care of dependants, including children, is classed as eligible expenditure for all participants in activities co-financed by the Fund.

Women working at home also have access to the women-only programmes, such as the NOW project within the Community employment initiative.

— In its medium-term social action programme (1995—1997, point 4.1.4) the Commission undertook to adopt a recommendation on homeworking with a view to encouraging Member States and the social partners to develop and implement measures to improve the working conditions of homeworkers, covering such matters as working time and health and safety issues (4.1.4). Equal treatment for homeworkers is one of the Commission's objectives under this initiative.

WRITTEN QUESTION E-2360/95

by Peter Crampton (PSE)

to the Commission

(1 September 1995)

(95/C 311/87)

Subject: Maastricht Treaty — voting rights

The Maastricht Treaty provides for the right to stand and vote at European and local elections, provided that the citizen enjoys electoral rights in his/her own country.

United Kingdom law withdraws the right to vote from citizens of the UK who have been resident outside the UK for more than 20 years and thus do not enjoy voting rights in their country of origin.

What steps can the Commission take to ensure that disenfranchized Britons who are long-term residents of other EU countries are enabled to participate in European and local elections in their country of residence?

Answer given by Mr Monti
on behalf of the Commission

(14 September 1995)

Article 8b of the EC Treaty provides for every citizen of the Union residing in a Member State of which he is not a national the right to vote and to stand as a candidate at municipal elections and at elections for the European Parliament in the Member State in which he resides. The exercise of these rights was however subject to the detailed arrangements to be adopted by the Council.

In fulfilment of this obligation the Council adopted on 6 December 1993 Directive 93/109/EC [1] laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in elections to the European Parliament, and on 9 December 1994 Directive 94/80/EC [2] laying down the detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections.

Subject to these provisions, United Kingdom citizens are able to vote in European Parliament elections and municipal elections in their Member State of residence under the same conditions as nationals of that Member State. For the 1994 European Parliament elections several thousand Britons opted to vote in their Member State of residence.

As the application of Article 8b does not presuppose complete harmonization of Member States' electoral systems, the requirements that each Member State imposes on its citizens in order to allow them to vote in its own territory are a matter of national competence.

---

[1] OJ No L 329, 30. 12. 1993.
[2] OJ No L 368, 31. 12. 1994.

WRITTEN QUESTION E-2367/95

by Brigitte Langenhagen (PPE)

to the Commission

(1 September 1995)

(95/C 311/88)

Subject: Ship Safety Regulation / 25 nautical miles

On 1 June 1984 paragraph 52 (1) of the Ship Safety Regulation entered into force in Germany.

This paragraph states that passenger ships and recreational angling vessels which do not comply with the provisions of Chapter II-1 of the Annex to Agreement 1974/88 and relevant paragraph of the above Regulation are not authorized to sail beyond 10 nautical miles from the coastline at mean high water.

As a result of this restriction, commercial vessels are no longer able to operate on an economically sound basis.

No comparable restrictions exist in other Member States, whose vessels are authorized to travel at a distance of 25 nautical miles from the coast in the North Sea, resulting in distortions of competition.

1. Is the Ship Safety Regulation and, in particular, paragraph 52 thereof, compatible with European Union law?

2. What steps will the Commission take in response to the resulting distortions of competition?

Answer given by Mr Kinnock
on behalf of the Commission

(27 September 1995)

The application of an operational range of 10 nautical miles from the coast for the vessels in question does not conflict with Community law.

As there is no Community legislation on this matter, Member States may impose operational limitation on these particular categories of ship which are operating in specific areas within their territory.

The Commission considers that the German regulation does not create a distortion of competition.

WRITTEN QUESTION E-2387/95
by Roberta Angelilli (NI)
to the Commission
(1 September 1995)
(95/C 311/89)

Subject: Financial irregularities

It seems that between 9 and 13 January 1995 an inspection was carried out by the Directorate-General for Financial Control (DG XX) at the offices of Filas (the financial authority of the Region of Lazio) and that irregularities were discovered in connection with the financing procedures for Objective 2, with reference to the accounts presented in October 1994.

Can the Commission say whether it is possible to know the outcome of the inspection and the contents of DG XX's report?

Answer given by Mrs Gradin
on behalf of the Commission
(25 September 1995)

On-the-spot checks by the Commission in respect of the Structural Funds are carried out in accordance with Article 23 of Council Regulation (EEC) No 4253/88 as amended by Council Regulation (EEC) No 2082/93.

The results of such checks are the subject of a confidential Commission report, a copy of which is sent to the Court of Auditors. The findings of the checks are followed up by the Commission with the implementing body in the Member State to regularise any errors, discrepancies or irregularities.

WRITTEN QUESTION E-2390/95
by Leen van der Waal (EDN)
to the Commission
(1 September 1995)
(95/C 311/90)

Subject: Policy on asylum in Cyprus

From time to time I receive complaints about the Cypriot authorities' treatment of asylum applications:

1. The most recent case concerns Elias Salami, an Iranian who converted to the Christian faith while studying at the Intercollege in Larnaca, Cyprus. As he did not have a work permit, he was arrested on 16 June 1995 and detained at the Larnaca police headquarters. He was told to leave Cyprus. In fear of his life as a lapsed Muslim, he chose not to return to Iran but to travel to Turkey via Athens. However, the 'immigration police' forced him to go on to Iran on 21 June 1995. Nothing has been heard of him since.

2. Several Christians who fled Iraq and Iran during the Gulf war with the aim of reaching Canada via Cyprus have been obstructed by UNHCR officials.

Can the Commission confirm these reports and determine whether such conduct complies with the Cypriot Government's policy? What action does the Commission intend taking to change this situation in view of Cyprus's possible accession to the European Union?

Answer given by Mr Van den Broek
on behalf of the Commission
(5 October 1995)

The Commission was not aware of the specific case raised by the Honourable Member but further to his question the Commission has contacted the Cyprus authorities on the case of Mr Salami. The Commission has not yet received the necessary information from them.

The Commission has also contacted the Cypriot authorities concerning their asylum policy and they have underlined their full compliance with legal instruments setting out internationally accepted human rights standards including the protection of refugees. The Cypriot Government recalls that it is an Contracting Party to the 1951 Convention relating to the status of refugees and its Protocol of 1967. The Cypriot Government has ensured the full application in its national legislation of the Convention protocols in conformity with Article 169 of the Constitution of the Republic of Cyprus.

The last decision of the Community-Cyprus Association council to start a 'structured dialogue' led to the establishment of a specific framework to discuss matters of common interest regarding *inter alia* home and internal

affairs such as asylum policy. It is the Commission's intention to follow this matter closely.

WRITTEN QUESTION E-2428/95

by Nikitas Kaklamanis (UPE)

to the Commission

(1 September 1995)

(95/C 311/91)

Subject: Fines on Greek haulage contractors

The Rotterdam customs in the Netherlands have levied exorbitant fines, duties and taxes on Greek haulage contractors delivering cigarettes from well-known Rotterdam companies to other countries, with TIR dispatch notes, on the grounds that the stamps of the customs of destination on the TIR forms are forgeries and that, therefore, the cigarettes were not being taken out of the Netherlands but being disposed of inside the country.

Since the Rotterdam customs know from the record sheets the identity of the Dutch traders, vendors and exporters, why do they not ascertain from the Dutch dispatchers the identity of the cosignee and the place of unloading and attempt to find out from them who is responsible for the alleged smuggling instead of covering up offences committed by the responsible customs officials and imposing penalties solely on the Greek haulage contractor who bears no responsibility and is transporting the goods in good faith?

Is the Commission aware of this problem and how does it intend to resolve the matter?

Answer given by Mr Monti
on behalf of the Commission

(3 October 1995)

The Commission had not been informed of the facts reported by the Honourable Member.

It would point out, however, that as a rule carriers are required to present goods moving under cover of a TIR carnet to the customs office of destination. Failure to do so entails liability for payment of duties and other charges owing. In any event, falsifying the stamp on a TIR carnet to obtain discharge of the operation is a serious offence.

The Commission has contacted the customs authorities in the Netherlands so that the situation can be clarified.

WRITTEN QUESTION E-2434/95

by Maartje van Putten (PSE)

to the Commission

(1 September 1995)

(95/C 311/92)

Subject: Detained minors in Honduras

1. Is the Commission aware of reports

— that in Honduras, dozens of minors are being detained together with adults in the same cell?

— that these children have not been tried and that they are being held on suspicion alone?

— that these children have complained of being raped by the adult prisoners?

2. Is the Commission also aware that this situation is contrary to the provisions of Article 37 of the UN Convention on the Rights of the Child (1990) of which the Honduran Government is also a co-signatory, and also in breach of Article 122 of the Honduran Constitution which lays down that persons under the age of 18 may not be held in prison?

3. Given that it provides aid to Honduras, is the Commission prepared to ask the Honduran authorities for clarification on this matter and to notify Parliament of the results of its enquiries?

Answer given by Mr Marín
on behalf of the Commission

(29 September 1995)

Having been informed by Parliament that minors were being detained in the same cells as adults in Honduras, the Commission contacted the Honduran authorities to find out if this was indeed the case and to express its concern at the situation.

The Honduran authorities told the Commission that the country's Supreme Court had been compelled to have young offenders held in adult prisons as an exceptional measure as there was nowhere else to detain them.

Faced with these problems, the Honduran authorities sought the Commission's support to help them improve conditions for these young offenders. The Commission is currently looking into what can be done to improve the situation.

Meanwhile, this unfortunate, exceptional state of affairs has come to an end and the young detainees have been transferred to a newly-opened young offenders' institution. This was confirmed by Casa Alianza in an open letter to the Honduran population on 7 July this year.

More generally, the Commission is already backing a project in support of street children, one of the objectives of which is to promote the rights of the child and to denounce violations. It is being implemented by three non-governmental organizations, Casa Alianza, Compartir and Coipriden, all of which have wide experience in dealing with the problems of minors.

As happens with other projects, the Delegation in Central America and the Commission in Brussels are keeping a close eye on the project's progress.

WRITTEN QUESTION E-2435/95

by Maartje van Putten (PSE)

to the Commission

(1 September 1995)

(95/C 311/93)

Subject: Funding of workshops in a centre run by the Junta Nacional de Bienestar Social

1. Is it true that the Supreme Court of Honduras received ECU 200 000 from the European Union in June 1993 for workshops at a children's centre run by the 'Junta Nacional de Bienestar Social'?

2. Can the Commission indicate precisely what this money has been spent on?

3. Can the Commission confirm the reports which claim that part of the money has been spent, though what on is not clear, and that the remainder is still in a bank account?

4. Is the Commission prepared to review, together with the competent Honduran authorities, the way in which the money is to be spent so that it can be used to improve the situation of detained minors in Honduras?

Answer given by Mr Marín
on behalf of the Commission

(26 September 1995)

Aware as it is of the need to support programmes for children in Honduras, the Commission approved a project to help them in 1993.

However, in the wake of the changes that have taken place in the country and a request from the Honduran authorities for special aid to help delinquent children, the Commission has had to review that project in order better to tailor it to the country's new priorities.

Against this background, a team of specialists has gone out to Honduras to discuss with the authorities how to gear the project more towards the needs of young delinquents in order to improve the conditions under which they are detained.

WRITTEN QUESTION E-2443/95

by Peter Crampton (PSE)

to the Commission

(1 September 1995)

(95/C 311/94)

Subject: Advisory panels used by the Commission

Can the Commission please list all the current advisory panels, expert committees and other similar bodies which report to EU institutions?

If possible, can the Commission list these panels/committees in relation to each of the Directorates-General and/or Commissioners they report to?

Answer given by Mr Santer
on behalf of the Commission

(18 September 1995)

The Commission would refer the Honourable Member to the list of committees in the Annex to Part I of Section III of the general budget of the European Union for 1995 [1]. At present the Commission has no list giving more details about the committees in question.

[1] OJ No L 369, 31. 12. 1994.

WRITTEN QUESTION E-2459/95

by Carole Tongue (PSE)

to the Commission

(1 September 1995)

(95/C 311/95)

Subject: Spanish taxation on non-resident property owners

UK residents, who own a property in Spain, have been asked this year to pay in addition to a Wealth tax on the value of the property (which they have paid for several years) a new form of income tax, which appears to be based on a notional

rental income, which they do not in fact enjoy. Is the Commission aware of this form of double taxation and in the Commission's opinion is this appropriate in these circumstances?

Answer given by Mr Monti on behalf of the Commission

(13 September 1995)

The Commission is aware of the existence of the Spanish tax regime in question, which has already been in force for many years but which has been applied more stringently by the Spanish authorities since 1992.

Tax legislation in Spain stipulates that taxable income in the case of property occupied by the owner himself is put at 2 % of its adjusted rateable value. This rule applies in identical fashion to persons resident in Spain and to non-residents alike.

The tax is levied at a flat rate of 25 % in the case of non-residents. For residents, the rate of taxation is the marginal rate of personal income tax applied to total taxable income.

Such differential tax treatment is attributable to the tax concept internationally recognized and applied by most Member States whereby resident taxpayers are taxed on their world income while non-residents are taxed only on the income generated in the country. The rates of personal income tax in Spain range from 18 % to 56 %, depending on the level of income. The flat rate of 25 % applied to non-residents does not, therefore, seem excessive.

With regard to the Honourable Member's argument that the income accruing to the taxpayer is notional, the Commission would point out that income tax is a matter for Member States. As a result, they are free to determine the detailed rules. A further point to be made in this connection is that other Member States (e.g. Belgium, Italy and the Netherlands) also take the view that occupation of property by the owner himself gives rise to taxable income.

On the matter of whether the tax regime in question could constitute an infringement, the Commission considers that this is not the case under Community law as it stands. Moreover, double taxation of such income should not take place since, under the tax conventions in force between Member States, income accruing from property is always taxable solely in the Member State where the property is located.

WRITTEN QUESTION E-2474/95
by Edward Kellett-Bowman (PPE)
to the Commission
(1 September 1995)
(95/C 311/96)

Subject: EC package travel Directive

What action is the Commission taking against the governments of Greece, Spain and Italy for their non-implementation of the EC package travel Directive, and when does it expect these governments to implement the Directive in full?

Answer given by Mrs Bonino on behalf of the Commission

(2 October 1995)

After expiry of the deadline for transposing Directive 90/314/EEC, the Commission has initiated an infringement procedure as provided for in Article 169 of the EC Treaty against the Member States that have failed to give notification of their transposition measures (Greece, Spain, Ireland, Italy).

Spain and Italy have in the meantime informed the Commission of the transposition measures they have taken. The Commission is currently looking at these.

Greece and Ireland have still not given any notification of implementation measures. The infringement procedure is at the stage of a reasoned opinion being delivered.

WRITTEN QUESTION P-2487/95
by Bernd Lange (PSE)
to the Commission
(6 September 1995)
(95/C 311/97)

Subject: Budget heading B3-4110 in the Budget of the European Community

In the budget, the term 'migrant' comprises all persons who have left the territory of a State whose nationality they possess in order to settle temporarily or permanently in the territory of a Member State of the European Community (this excludes tourists, students, etc.); persons of foreign origin belonging to population groups sometimes referred to as 'ethnic minorities'; persons who have entered a country as immigrants and subsequently acquired the nationality of

the Member State where they live and their children, who are sometimes referred to as 'second-generation immigrants', and persons described as 'refugees' and 'Roma' and 'Sinti'.

Does this definition of 'migrant' include ethnic Germans whom the German Government has permitted to settle in the Federal Republic of Germany? If not, why not?

Answer given by Mr Flynn on behalf of the Commission

(3 October 1995)

The Commission has, until recently, applied the principle that measures to assist ethnic German migrants returning to Germany ('Aussiedler' und 'Spätaussiedler') could not be given financial support under budget heading B3-4110. With the introduction of the Community's Horizon initiative in 1990 [1], aimed at promoting the socio-economic integration of such groups (the 'Ponti' in Greece as well as the 'Aussiedler' and 'Spätaussiedler' in Germany), there was a need to avoid duplication.

However, two factors have induced the Commission to review the situation. Firstly, the target groups and eligibility criteria for the Horizon element of the Community's new Employment initiative [2] have changed. Secondly, the Commission has, for some months now, been receiving a growing number of requests for financial support in respect of projects intended to assist such groups, including the 'Aussiedler' and 'Spätaussiedler'. Consequently, the Commission is from now on prepared to take into consideration projects aimed at this group, subject to the funds available.

[1] OJ No C 327, 29. 12. 1990, p. 9.
[2] OJ No C 180, 1. 7. 1994, p. 36.

WRITTEN QUESTION P-2497/95
by Peter Truscott (PSE)
to the Commission
(7 September 1995)
(95/C 311/98)

Subject: British arms sales to Nigeria

Could the Commission investigate as a matter of urgency alleged sales of arms by British firms to the military regime in Nigeria, in breach of the European Union's embargo imposed in December 1993.

Reports indicate that a range of weapons, including howitzers, mortars, tanks, missiles and riot control equipment, have been supplied by British companies, contravening the embargo agreed by the Member States of the European Union. Approximately 30 orders for defence equipment are said to be involved.

Could the Commission further clarify whether the British Government is aware of the alleged breaches of the embargo, and failing in its international duty to enforce it.

Would the Commission agree that any breach of the arms embargo against Nigeria would seriously damage the EU's Common Defence and Security Policy and require immediate action against any offending Member State?

Answer given by Mr Pinheiro on behalf of the Commission

(29 September 1995)

The Commission is aware, through the report of the United Kingdom parliamentary human rights groups in June 1995, that a certain number of arms licences have been issued by the United Kingdom authorities for sales to Nigeria.

As the Honourable Member rightly indicates, the European Union issued an Aide Mémoire on 2 December 1993 setting out a number of restrictive measures that should apply to Nigeria, including 'imposition of a case by case review, with a presumption of denial, for all new export licences for defence equipment'. These measures are however not binding on Member States.

The Commission has no competence in this area and is therefore unable to undertake an investigation of alleged arms sales.

However, the Commission is concerned that the existing measures may not be applied with sufficient rigour and therefore has recently proposed that the December 1993 measures be incorporated into a legally binding common position on Nigeria.

WRITTEN QUESTION E-2501/95
by Amedeo Amadeo (NI)
to the Commission
(15 September 1995)
(95/C 311/99)

Subject: Environment

All of the Union Member States are making great efforts to protect the environment. The Italian State Audit Court has published a report on the activities of the Ministry for the Environment in the past year. It is worrying to note that unused appropriations have increased even though the Ministry's resources have been cut back (from Lit 867 billion in 1991 to Lit 441 billion in 1994). At the end of 1994, a total of Lit 3 636 billion had not been disbursed, 48,5 % of which (Lit 1 764 billion) being accounted for by

budget surpluses, which rose by 5,2 % compared with the previous year.

Will the Commission attempt to find out why the money has not been spent? Will it consider the possibility of introducing a system of supervision that would be binding on all the Member States?

Answer given by Mrs Bjerregaard on behalf of the Commission

(25 October 1995)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

WRITTEN QUESTION E-2505/95
by Amedeo Amadeo (NI)
to the Commission
(15 September 1995)
(95/C 311/100)

Subject: Drug addiction (ecstasy)

The use of ecstasy by the very young, for instance in Italian discothèques, is a growing and very worrying phenomenon.

Will the European Monitoring Centre for Drugs and Drug Addiction supply information on the origin and composition of this new drug, ascertain whether it is true that the substance is freely on sale in discothèques and fitness centres, and determine whether it would be possible to publish statistics on the scale of the phenomenon?

In addition, once the above information has been obtained, will the Commission take steps to prevent unlawful sale of the drug and break up the traffic?

Answer given by Mrs Gradin on behalf of the Commission

(6 October 1995)

The Commission would refer the Honourable Member to its answer to Written Question E-2032/95 by Mr Happart [1].

[1] See page 29 of this Official Journal.

WRITTEN QUESTION E-2506/95
by Amedeo Amadeo (NI)
to the Commission
(15 September 1995)
(95/C 311/101)

Subject: Tuberculosis

The Italian and international pess and, above all, specialized medical journals have recently begun to devote renewed keen attention to tuberculosis, which in some cases has once again become an endemic disease.

In view of the seriousness of the problem, the Commission should consider whether it might be in a position to study the epidemiological data. Proceeding on that basis, will it determine whether the incidence of tuberculosis has indeed increased in the Member States and organize coordinated, harmonized Union-wide monitoring and prevention measures to be implemented in all the Member States?

Answer given by Mr Flynn on behalf of the Commission

(2 October 1995)

The European Commission is aware of the importance of the problem posed by the recent rise in the number of cases of tuberculosis in certain Member States. According to the epidemiological data at the Commission's disposal, this phenomenon mainly affects migrating populations. However, it is necessary to exercise caution in interpreting the rise, which may be explained by the renewal of interest in the disease leading to better recording of cases. The fact that definitions are not the same everywhere is also significant. In any event, there is no organized Community-level monitoring of tuberculosis at the moment. Thus, in its communication on AIDS and certain other communicable diseases [1], tuberculosis is included among the diseases for which specific measures are envisaged at Community level, and the draft European Parliament and Council Decision adopting a corresponding Community programme, currently under discussion, also takes it into account. The Commission will not hesitate to take appropriate measures, either in the context of a Community programme based on future proposals from experts in the Member States or as part of the activities of the networks monitoring communicable diseases in Europe, which will be the subject of a communication and proposal for a European Parliament and Council Decision.

[1] COM(94) 413 final.

WRITTEN QUESTION P-2543/95
by Leonie van Bladel (PSE)
to the Commission
(12 September 1995)
(95/C 311/102)

Subject: Participation by the European Union in the celebrations to mark the 3000th anniversary of the foundation of Jerusalem

Is it true that the European Union did not wish to participate in the celebrations to mark the 3000th anniversary of the foundation of the city of Jerusalem?

If so, what is the Commission's view on the matter, and in particular, what were the reasons for its decision, bearing in mind *inter alia* the greater openness which has been displayed towards the world religions in Jerusalem since 1967?

Answer given by Mr Marín
on behalf of the Commission
(2 October 1995)

European Union ambassadors did in fact stay away from the inauguration of the Jerusalem 3000 events. The Commission agrees with the line followed by Member States on this issue.

The unilateral and exclusively Israeli character of the Jerusalem 3000 events does not properly address the city's religious and ethnic pluralism, in contradiction with the position repeated in many UN Security Council resolutions [1] condemning Israeli attempts to alter the status of the city following the annexation of its eastern part after the 1967 war. It also contradicts the position of the European Union which has remained unchanged since the Venice declaration of the European Council in 1980:

> 'The Nine recognize the special importance of the role played by the question of Jerusalem for all the parties concerned. The Nine stress that they will not accept any unilateral initiative designed to change the status of Jerusalem . . .'.

[1] Among others, 242, 252, 267, 298, 476 and 478.

WRITTEN QUESTION E-2606/95
by Jesús Cabezón Alonso (PSE)
to the Commission
(27 September 1995)
(95/C 311/103)

Subject: Structural investment in Cantabria

What investment has been earmarked under the Structural Funds for the co-financing of projects in the Cabárceno National Park in the Autonomous Community of Cantabria (Spain)?

Have the conditions laid down in the regulations on the Structural Funds been complied with in the above investments?

Answer given by Mrs Wulf-Mathies
on behalf of the Commission
(19 October 1995)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

CORRIGENDA

Corrigendum to Written Question E-1462/95 by José Barros Moura (PSE) to the Commission of 22 May 1995

(Official Journal of the European Communities No C 222 of 28 August 1995)

(95/C 311/104)

On page 77 the first paragraph of the question should read as follows:

'What measures does the Commission plan to take to combat the illegal export of toxic and hazardous waste within the EU, as in the case where the German company GRUNIG used its plant in Bragança for this purpose?'