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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(96/C 280/01)

WRITTEN QUESTION E-3061/95

by Nuala Ahern (V) to the Commission

(15 November 1995)

Subject: Source or fissile materials in Commission ownership at the time of the accession of Ireland

What quantities of ores, source materials or special fissile materials were allocated to Commission ownership under Euratom Treaty Article 86, or declared as applicable to safeguards under Euratom Treaty Articles 77 (*et seq*), on the accession of Ireland to the Treaty of Rome in 1972?

Supplementary answer given by Mr Papoutsis on behalf of the Commission

(1 March 1996)

Further to the Commission's answer of 12 January 1996 [1], according to information submitted by the Radiological Protection Institute of Ireland (RPII) under the Irish freedom of information legislation, the current inventory of ores, source materials and special fissile materials in Ireland is as follows:

- plutonium-beryllium neutron source at University College Dublin: 16 gram plutonium-239
- sub-critical reactor assembly containing natural uranium and a plutonium-beryllium neutron-source at University College Cork: 2,5 ton natural uranium and 0,286 gram plutonium-238
- enriched uranium at University College Cork: 1,81 gram enriched uranium (93%).

The RPII states as well that the quantities above are unchanged from those present at the accession of Ireland in 1972, except for the changes due to radioactive decay. The declarations submitted to the Commission by the Irish government do not conflict with the information published by the RPII.

The material is subject to Euratom safeguards under Euratom Treaty Articles 77 *et seq.* Regular inspections are carried out to verify that the declared nuclear material is not diverted from its intended use.

Under Article 86 of the Euratom Treaty, special fissile material, including plutonium-239 and uranium enriched in uranium-235, is the property of the Community. However under Article 87 Member States, people or undertakings have the unlimited right of use and consumption of special fissile material which has properly come into their possession.

[1] OJ C 109 of 15.4.1996, p. 20.

(96/C 280/02)

WRITTEN QUESTION E-3071/95

by Amedeo Amadeo (NI) to the Commission

(20 November 1995)

Subject: Funds for Lombardy, Piedmont, Liguria and the Aosta Valley

In the light of recent controversial reports in the Italian press concerning the regional Structural Funds, the use and the basis thereof, often the inability of certain regions to use them properly, the obscurity surrounding certain allocations of funding, etc., could the Commission provide information concerning the granting of funds to Lombardy, Piedmont, Liguria and the Aosta Valley during the period from 1.1.1985 to 31.12.1994, including, if possible, a breakdown for each individual year?

Supplementary answer given by Mrs Wulf-Mathies on behalf of the Commission

(6 May 1996)

The Commission will send the breakdown of resources granted under the Structural Funds to Lombardy, Piedmont, Liguria and the Aosta Valley in recent years directly to the Honourable Member and the Secretariat-General of the Parliament.

It is interesting to note that, in the period 1985-88, these regions were eligible for certain non-quota programmes, e.g. in textiles, steel and shipbuilding. Since 1989, following the reform of the Structural Funds, some areas in these regions are eligible for Objectives 2 and 5b, in addition to Objectives 3, 4 and 5a.

(96/C 280/03)

WRITTEN QUESTION E-3438/95

by José Escudero (PPE) to the Council

(3 January 1996)

Subject: Second language at school-leaving certificate level

Does the Council intend to take any steps to encourage the study of a second language at school-leaving certificate level in countries where this is not compulsory?

Given that English has turned into the Esperanto of Europe, does the Council believe that the study of a further language should be encouraged amongst younger students? Will it be taking steps in this connection?

Does it plan to take any measures which would be effective in the short term, such as encouraging the teaching of frontier languages in the appropriate schools?

Reply

(25 June 1996)

Acting on the basis of Article 126 of the Treaty establishing the European Community, the Parliament and the Council adopted a Decision establishing the action programme 'Socrates' on 14 March 1995; bearing in mind the second paragraph of that Article, which deals with the teaching and dissemination of the languages of the Member States, the Socrates programme's objectives include promoting a quantitative and qualitative improvement of the knowledge of the languages of the European Union. The programme contains many activities along these lines.

Building on the Socrates programme, the Council adopted a Resolution[1] on language learning and teaching on 31 March 1995, which states, as the Honourable Member would wish, that 'pupils should as a general rule have the opportunity of learning two languages of the Union other than their mother tongue(s) for a minimum of two consecutive years and if possible for a longer period'. The Commission was invited to support action by Member States aimed at that objective, and the other objectives mentioned.

It should be noted that neither the Socrates programme nor the abovementioned Resolution specify which particular languages should be studied; however, some stress is laid on the Union languages which are less widely used or less frequently taught.

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[1] OJ No C 207, 12.8.1995, pp. 1 to 5.

(96/C 280/04)

WRITTEN QUESTION E-3520/95

by Spalato Belleré (NI) to the Commission

(3 January 1996)

Subject: Protecting small and medium-sized enterprises

Some small businesses and some categories of craftsman produce pollutants during the manufacture of certain products (tanning of hides, production of artificial flowers, etc.).

Some of these firms are family businesses with a narrow profit margin.

Does the Commission not consider it advisable to provide incentives for investment in measures to restrict the production of pollutants, measures which these firms would not otherwise carry out?

Reply by Mr Papoutsis on behalf of the Commission

(1 March 1996)

The Commission shares the concerns of the honourable Member regarding the difficulties faced by small and medium-sized enterprises (SMEs) in financing clean technologies to reduce pollution and introducing environmental management systems. It is generally more troublesome and more expensive for SMEs than for large enterprises to modify their production processes in order to take better account of environmental considerations. Certain Community initiatives have already been taken to encourage SMEs to take account of environmental aspects and reduce pollution.

Within the framework of the budget heading 'growth and the environment', decided by Parliament with an appropriation of ECU 14 million, the Commission has been given the task of setting up a mechanism to encourage investment in SMEs in the fields of clean technology and energy savings by bearing the costs of loan guarantees. This action will make it possible to stimulate further investment to the tune of ECU 650 million.

The Community SME initiative, which has a budget of ECU 1 000 million for regions eligible under Objectives 1, 2 and 5b, includes amongst its fields of action the aim of helping SMEs to take account of the environment and to use energy rationally. A number of Member States have introduced measures of this type in the programmes submitted to the Commission. In addition, it should be pointed out that numerous planning documents adopted by the Commission and financed under the structural funds for the period 1994-99 contain actions devoted to the twin fields of SMEs and the environment, including investment aimed at restricting the production of pollutants.

In order to identify and select priorities concerning pilot activities aimed at preparing and facilitating the implementation of the eco-audit Regulation (EEC) No 1836/93 [1] (environmental management audit-scheme (Emas) Regulation) primarily in SMEs, the Commission has financed 32 pilot projects to date involving around 380 SMEs. The total cost of the projects is in the region of ECU 4,5 million. The first results of these pilot activities are only now becoming available and the results thus far are encouraging. The Commission expects to follow up the key lessons arising from the pilot projects with further activities in 1996.

As part of its enterprise policy, the Commission has launched a new Euromanagement pilot scheme in the field of environmental management and the eco-audit, which aims to carry our environmental assessments in 500-750 SMEs and identify the constraints and burdens imposed upon them by the introduction of the Emas system. Furthermore, the Euro Info Centres group specialising in the environment has drawn up a practical guide for the self-assessment of environmental performance by SMEs, which aims to raise their awareness of the contents of the Emas regulation and the advantages which they may derive from it. This guide, which is on sale to the public, also contains the national regulations which must be observed by SMEs.

[1] OJ L 168, 10.7.1993.

(96/C 280/05)

WRITTEN QUESTION E-3578/95

by Edith Müller (V) and Wilfried Telkämper (V) to the Council

(10 January 1996)

Subject: EU arms embargo against Nigeria

On 16 November 1995, the Council of the European Union reconfirmed and strengthened the arms embargo of the Union and its Member States against Nigeria. However, once again arms deals negotiated in the part are exempted from the embargo.

What military materials were delivered by EU Member States to Nigeria between the EU arms embargo of 1993 and that of 1995, by which of the Member States and to what total value? How were these deals financed, and to what extent have they contributed to the Nigerian external debt mountain? For which cases, if any, was a 'presumption of denial' implemented? Does the Council consider the delivery of armoured vehicles from France (1994), self-propelled artillery from Italy (1994) and main battle tanks from England (1994) as a breach of the 1993 embargo? Would the delivery of 300 armoured personnel carriers recently ordered from Austria be a breach of the newly imposed embargo or a violation of the European Council's existing eight arms criteria, agreed in 1991, including 'respect for human rights in the country of final destination' and 'the internal situation in the country of final destination, as a function of the existence of tensions or internal armed conflicts'?

How are dual-use goods affected by the new embargo, or will they not be affected? Does the embargo include production-licences, spare parts, logistical support, maintenance and training? Does the embargo cover only lethal equipment? Does the embargo cover non-lethal equipment (rubber bullets), police equipment, including riot control equipment and toxicological agents (CS gas), as well as torture equipment?

Reply

(11 June 1996)

In the statement on Nigeria published on 19 November 1993, in which the European Union condemned the fact that the democratic process in Nigeria had been interrupted through the resumption of power by a military dictatorship, the European Union decided to examine without delay the consequences of the setback to the democratic process in Nigeria.

In a press release published on 7 December 1993, the Presidency announced, on behalf of the European Union, that the Member States of the European Union, *inter alia*, would make a case-by-case examination, with a presumption of refusal, of all new export licences for defence equipment. The Member States of the Union agreed that this measure on defence equipment would apply to all categories of arms, ammunition and military equipment, i.e. weapons designed to kill and ammunition for them, weapon platforms, non-weapon platforms and auxiliary equipment.

Under the common position on Nigeria, adopted on 20 November 1995 (on the basis of Article J.2 of the TEU), the Council decided to introduce an embargo on Nigeria. The embargo covers not only weapons designed to kill and ammunition for them, weapon platforms, non-weapon platforms and auxiliary equipment but also parts, repairs, maintenance of equipment and military technology transfer. Contracts concluded before the date of entry into force of the embargo are not affected by the common position. The arms embargo does not apply to dual-use goods, but the European rules in force nonetheless require the export of such goods to be subject to authorization.

As the Honourable Member is aware, it is up to Member States, who apply controls on arms exports at national level, to put this decision into practice. The Council has not been informed of any sales by Member States of the Union of goods in the categories covered by the various restrictive measures agreed on by the Union.

(96/C 280/06)

WRITTEN QUESTION P-3653/95

by Fernando Moniz (PSE) to the Commission

(9 January 1996)

Subject: Situation of Portuguese workers recruited by German companies

It is public knowledge that Portuguese workers are being recruited by German companies in the absence of any guarantees regarding minimum working conditions, social rights and benefits and, in certain cases, even a proper wage.

One of these workers recently had a serious accident in Scotland but did not receive any kind of assistance or insurance cover despite the extremely precarious conditions in which he was working, and was completely abandoned for several days by his employer.

In view of the fact that similar cases have already been reported, how is it that they continue to go unpunished?

What is the Commission doing, or what does it intend to do, to prevent such situations?

Answer given by Mr Flynn on behalf of the Commission

(8 February 1996)

With regard to workers who are posted to another Member State to provide a service on behalf of the undertaking which employs them, the Commission put forward, in 1991, a proposal for a Council Directive [1] aimed at forestalling the considerable risk of worker exploitation liable to arise from this trend towards the transnational externalisation of labour. In the main, the proposal for a Directive provides that any undertaking engaged in the transnational provision of services on the territory of a Member State, which posts workers for that purpose, should abide by a set of mandatory rules on working conditions such as hygiene, health and safety, and wages, applied in the Member State in question. With a view to enhancing surveillance and control measures, the Commission makes provision, in its proposal, for cooperation between public authorities, the main purpose of which is to reply to any request for information concerning obvious abuses or possible cases of unlawful cross-border activities. This proposal is still being discussed by the Council, and the Commission will do its utmost to facilitate speedy adoption of the Directive.

As far as social security is concerned, the Commission would point out that, under Regulation (EEC) No 1408/71 [2], employed or self-employed persons may be subject to the legislation of a single Member State only (Article 13 (1)). The Regulation lays down rules for determining the applicable legislation. These conflict-of-law rules are binding. Consequently, it is not permissible to determine that the legislation of another Member State is applicable.

In principle, the legislation which applies is that of the Member State on whose territory the person is carrying out the activity. However, the Regulation provides for certain exceptions to this rule, especially in respect of posted workers. In certain circumstances, such workers remain subject to the legislation of the Member State on whose territory they normally work (see Article 14 (1) and Article 14a (1)).

The Commission wishes also to point out that Regulation (EEC) No 1408/71 and its conflict-of-law rules are in no way intended to harmonise the social protection laws in force in the Member States. They therefore do not do away with differences between national social security schemes. It is, moreover, up to the authorities of the Member State concerned to monitor the application of the relevant legislation and, where appropriate, to take the necessary measures to ensure compliance.

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[1] COM(91) 230 and amended proposal COM(93) 225.
[2] OJ L 149, 5.7.1971 — consolidated version
OJ C 325, 10.12.1992.

(96/C 280/07)

WRITTEN QUESTION E-0021/96

by Frederik Willockx (PSE) to the Commission

(25 January 1996)

Subject: The 'Euro' single currency and blind people and the partially sighted

A properly thought out information campaign will be needed to secure popular acceptance of the single currency, the 'Euro'. What is important, however, is to satisfy all the users of the new currency who include the blind and the partially sighted.

Numerous banknotes and coins currently contain marks enabling the blind and the partially sighted to distinguish between them. Does the Commission intend to take such people into account when it decides on what the banknotes and coins are to look like? These distinguishing marks are easy to incorporate in the design, and they cannot possibly hold up production.

This is an opportunity to take account of one part of the population from the very start of the new currency. The 'Euro' must not lag behind national currencies.

Answer given by Mr de Silguy on behalf of the Commission

(12 March 1996)

The Commission was in contact with blind and partially sighted people prior to drafting its Green Paper on the introduction of the single currency and is continuing to take account of their particular problems in planning the practical arrangements for the changeover to the euro.

The European association representing the blind and partially sighted was thus invited to take part in the recent Round Table on the euro, which had the task of devising the communication strategy for the introduction of the single currency.

The design of coins and banknotes is the responsibility of the Working Group of Mint Directors on the basis of a mandate from the Ecofin Council and the European Monetary Institute.

The Commission has drawn the Working Group's attention and that of the EMI to this problem. To the best of its knowledge, the recommendations of the European association representing the blind and partially sighted have been taken into consideration and bilateral meetings have been organized.

(96/C 280/08)

WRITTEN QUESTION E-0050/96

by Stephen Hughes (PSE) to the Commission

(25 January 1996)

Subject: Display screen equipment

How many Member States have attempted to implement Directive 90/270/EEC [1] but the Commission believes their attempt to be inadequate?

[1] OJ L 156, 21.6.1990, p. 14.

Answer given by Mr Flynn on behalf of the Commission

(1 March 1996)

All the Member States apart from Spain have informed the Commission of the national implementing measures for the transposal of Directive 90/270/EEC.

The conformity of these measures with the Directive is being discussed with the various Member States.

Depending on the results of this work, the Commission could, if necessary, take appropriate measures to rectify any shortcomings.

(96/C 280/09)

WRITTEN QUESTION E-0051/96

by Stephen Hughes (PSE) to the Commission

(25 January 1996)

Subject: Display screen equipment

How many workers are estimated to use display screen equipment in each Member State respectively?

Answer given by Mr Flynn on behalf of the Commission

(1 March 1996)

The Commission estimates that, overall, about half of the working population in the Community uses VDU equipment for work purposes.

(96/C 280/10)

WRITTEN QUESTION E-0065/96

by Yannos Kranidiotis (PSE) to the Council

(30 January 1996)

Subject: MEDA programme funding for Turkey

At the Euro-Mediterranean conference held in Barcelona in November 1995, the EU Member States and their Mediterranean partners took joint decisions on their future relations and the objectives to be pursued to promote development and consolidate peace and stability in the Mediterranean region. To attain these objectives and enable the Mediterranean countries to cope with the difficulties they face, the Community provided for financial aid to those countries under the MEDA programme.

One of the countries due to receive funding under the MEDA programme is Turkey. This programme, however, is not Turkey's only source of finance. Apart from the substantial sum which the Commission indicates that Turkey is to receive from MEDA, the country will also obtain ECU 375 million of the sum agreed at Cannes as financial aid once the European Parliament has adopted the regulation on a special measure for Turkey. The result of this, however, will be to reduce the amounts allocated for third Mediterranean countries, while Turkey collects money from several sources.

How much of total MEDA funding has been earmarked for Turkey and what are the criteria for the payments to that country?

Reply

(27 June 1996)

The Cannes European Council agreed to make available to the Mediterranean partners of the European Union an overall amount of ECU 4 685 million for financial cooperation over the period 1995-99. These funds are intended for all 12 Mediterranean partners associated with the process of the Euro-Mediterranean Conference of Barcelona, including Turkey.

Furthermore, in the context of the overall political framework for the development of the future relations between the European Union and Turkey on the one hand, and Cyprus on the other, as well as the Customs Union with Turkey, as agreed upon by the Council on 6 March 1995, the Community made a declaration concerning the resumption of financial cooperation with Turkey. In that declaration the Community acknowledged that in order to adapt its industrial sector to the new competitive situation created by the Customs Union and improve its infrastructure linkage with the European Union (road transport, ports, airports, railways, telecommunications and electricity), as well as to reduce the difference between its economy and that of the Community, Turkey would need substantial financial resources, in particular long-term loans and technical assistance.

In the light of those points, the Community informed Turkey that it would benefit from:

- budgetary resources of ECU 375 million for a five-year period starting in 1996, and from the MEDA financing system;
- access to EIB funds under the 1992-96 new Mediterranean policy (an amount of between ECU 300 and 400 million), additional loans over a five-year period starting in 1996 (ECU 750 million) and from MEDA financing system.

It ensures from the foregoing that Turkey should naturally benefit from gifts under the MEDA financing system and that the amount approved by the Cannes European Council for Mediterranean third countries was agreed on taking into account that commitment to Turkey. The other Mediterranean partners are therefore not penalized because of the funds to be made available to Turkey.

The detailed procedures for implementing financial cooperation with all Mediterranean third countries are currently being examined in the context of the draft MEDA Regulation, which remains to be finalized.

The allocation of these funds amongst the Mediterranean partners, which is largely the Commission's responsibility, has not yet been carried out. It will be done after the MEDA Financial Regulation enters into force, in the light, on the one hand, of the general guidelines for financial cooperation and of the national indicative programmes adopted in accordance with the relevant provisions of that Regulation, and, on the other hand, of the negotiations with the third countries concerned on Euro-Mediterranean association agreements.

(96/C 280/11)

WRITTEN QUESTION E-0067/96

by Yannos Kranidiotis (PSE) to the Council

(30 January 1996)

Subject: Timetable for proposals on Greek textiles industry

Under the new terms of international competition created by the GATT accord and the Agreement of 6 March 1995 on the Customs Union with Turkey, the Council and Commission undertook to present proposals in 1995 on the position of the textiles and clothing industry in Greece.

In response to my several questions to the Council and the Commission on this subject, each has claimed that the other is responsible for the delay in submitting proposals.

Despite the promises, we have finally reached the end of the year with the Commission still to submit proposals for the industry which attests to a lack of consistency and responsibility.

Will the Council honour its commitment concerning the textile and clothing industry in Greece and when will it present its proposals?

Reply

(13 June 1996)

1. At the Council meeting of 6 March 1995, the Council and the Commission agreed, further to the Greek memorandum on textiles, that the Commission would consider at the earliest possible opportunity, in conjunction with the Greek Government, the difficulties arising in Greece's textiles and clothing sector from the new terms of international competition and the adjustment effort to be undertaken by businesses in that sector in order to boost its competitiveness. In that context, the Commission undertook to submit proposals in 1995 having regard to the competitive situation of the sector.

2. On 2 February 1996, the Commission submitted to the Council, a communication entitled 'The new terms of international trade and modernization of the European textiles industry: the case of Greece'. That communication examines the recent developments in the textiles and clothing industry in Greece and, on the basis of the findings, suggests a number of scenarios to cater for the modernization needs of that industry, without however putting forward any proposals at that stage.

It should nonetheless be noted that, at the end of its communication, the Commission:

- recognizes the difficult and deteriorating competitive conditions in the Greek textile industry,
- will analyse and monitor future structural developments, without prejudice to the question of the need or not for additional supporting measures,
- will make appropriate proposals if necessary.

3. For its part the Council can assure the Honourable Member that it will certainly give its full attention to any proposal the Commission might see fit to submit on the matter.

(96/C 280/12)

WRITTEN QUESTION E-0083/96

by Iñigo Méndez de Vigo (PPE) to the Council

(30 January 1996)

Subject: Expulsion of NGOs from Rwanda

The Government of Rwanda has expelled from its territory the staff of 38 international non-governmental organizations working in Rwanda and has suspended the activities of 18 others.

What does the Council think of the Rwandan Government's actions?

Reply

(11 June 1996)

The Council attaches great importance to the work of the NGOs in Rwanda, whose efforts are focused on the most needy sectors of the population. They perform significant humanitarian tasks to alleviate the suffering of people and they contribute to the reconstruction of the country.

The Council welcomes recent efforts by the Government of Rwanda and NGOs to reach agreement on mutually acceptable operating conditions for NGOs. The Council has taken up contact with the Rwandan authorities to seek to encourage the process.

(96/C 280/13)

WRITTEN QUESTION P-0091/96

by Alexandros Alavanos (GUE/NGL) to the Council

(24 January 1996)

Subject: The killing of the journalist Metin Goktepe by the Turkish police

On 8 January 1996 Metin Goktepe, a 27-year-old journalist working for the daily paper *Eurensel*, was savagely murdered by the Turkish police. Despite the fact that the death certificate, signed by four doctors, stated that death was caused by bludgeoning, especially to the head, and despite testimony by those detained at the same time as Metin Goktepe that he was murdered before their very eyes, the public prosecutor and the district authorities, in an attempt to cover up the crime committed by the Turkish police, decided that although he was indeed taken into custody by the police he was released in the afternoon.

Given that incidents of this kind are all too common, and in view of the ratification of the Customs Union, what representations does the Council intend to make to the Turkish authorities to put an end to the ruthless persecution, detentions and killings of those journalists opposed to the government and ensure just sentences for those found guilty?

Reply

(13 June 1996)

When welcoming the assent given by the European Parliament on 13 December 1995 to implementation of the final phase of the Customs Union, the Council urged Turkey to make further progress towards democracy. The European Council in Madrid reaffirmed that position recalling the importance it attached to respect for human rights, the rule of law and fundamental freedoms and strongly supported all those in Turkey endeavouring to put reforms into practice. In that spirit, it welcomed the measures already adopted by the Turkish authorities and urged them to continue along that path.

The Council noted that, having given its assent, the European Parliament adopted a resolution on the human rights situation in Turkey, which, *inter alia*, calls on the Commission and the Council to monitor permanently human rights and democratic development in Turkey and requested the Commission to present a report on the situation to the European Parliament at least once a year.

The Council regrets the death of the Turkish journalist Metin Göktepe and stresses that freedom of expression is a universal fundamental right. Two independent commissions of enquiry have been set up in Turkey, one by the courts, the other by the Ministry of the Interior, in order to determine the circumstances surrounding the violent death of the journalist Metin Göktepe. Several policemen have been arrested in connection with his death. On 8 February 1996, the provincial council of Istanbul, the administrative body responsible for authorizing the prosecution of officials, opened the way for criminal proceedings to be initiated against the police officers suspected of having killed Metin Göktepe.

The Council attaches greatest importance to respect for human rights and democracy in Turkey and does not hesitate to condemn violations of them in its contacts with the Turkish authorities. The Council has also made clear, and will continue to do so, that observance of the rule of law and of fundamental freedoms is the basis for the rapprochement of Turkey to the EU. The Council will continue to monitor closely the human rights situation and democratic development in Turkey.

(96/C 280/14)

WRITTEN QUESTION E-0150/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(1 February 1996)

Subject: SME observatories

During the November 1995 part-session of the European Parliament, the Commission said that it was proposing to set up six new Community SME Observatories in six frontier regions.

Has the Commission decided which regions these are to be set up in? What criteria does it intend to follow, or has it used, when choosing where to site them?

Reply by Mr Papoutsis on behalf of the Commission

(1 March 1996)

In order to facilitate the activity of small and medium-sized enterprises (SMEs) and craft firms in border regions, thereby enabling these enterprises to make better use of the opportunities presented by the single market, the Commission has decided to make a limited financial contribution towards setting up six advisory offices for craft firms and small enterprises.

The offices chosen will be at the disposal of enterprises operating in the following border regions: the Basque country/Navarre and Aquitaine (Spain-France), Tyrol and Trentino-Alto Adige (Austria-Italy), Baden-Württemberg and Alsace (Germany-France), Dungannon District and County Monaghan (United Kingdom-Ireland), North Rhine-Westphalia and the Province of Liège (Germany-Belgium), and on the sea border between Corsica and Tuscany (France-Italy).

The offices were chosen following an assessment of the proposals received by the Commission in response to a call for tenders published in the Official Journal [1]. In making its selection, the Commission was keen to ensure that this pilot project was carried out over as wide a geographical area as possible, and selected the best proposals which would guarantee the viability of the offices beyond their start-up phase. In view of the limited financial resources available to the Commission for supporting initiatives of this type, or the inability of the candidates to finance the implementation of their proposals beyond the start-up phase, a number of worthwhile proposals were unable to benefit from this financial contribution.

[1] OJ C 89 of 26 March 1994.

(96/C 280/15)

WRITTEN QUESTION E-0216/96

by Undine-Uta Bloch von Blottnitz (V) to the Council

(12 February 1996)

Subject: Drift nets

Last year, the Council took a final decision on permitting the use of drift nets of up to 2,5 km in length. In so doing, it disregarded decisions taken by Parliament and the Commission's proposals. In practice, the Council's decision has not improved the situation in any way. Studies by the Commission have shown that controls on the use of drift nets are weak. Effective monitoring would be expensive. The European rules are consequently not a suitable basis for achieving the desired objective. To date, only Spain and Portugal have adopted more stringent national rules, which totally prohibit the use of drift nets in their coastal waters. Nevertheless, the seizure of drifters, mainly from France, is a common occurrence even there.

1. What action does the Council intend to take, given that the EU-wide rules are totally unsatisfactory and monitoring thereof is totally inadequate?

2. Is it considering a further amendment to Council Regulation 3094/86 [1] with the aim of introducing a blanket ban on the use of drift nets by the Community's fishermen? If so, when could such a ban begin?

3. What is it doing to improve controls on the improper use of drift nets by the Community's fishermen?

4. Does it agree that acceptance of the European institutions as policy-making bodies is weakened when Commission proposals and Parliament's decisions are so blatantly disregarded and regulations and directives are impracticable and constantly flouted because they do not provide for adequate monitoring?

(1) OJ L 288, 11.10.1986, p. 1.

Reply

(1 July 1996)

1. It will be recalled that the legislation in force on the use of large-scale drift nets was adopted by the Council in 1992(1) and limits the length of such nets to 2,5 km. The Commission presented a proposal to the Council to amend the current legislation in 1994(2). This proposal is still before the Council; no decision has been taken as yet.

2. The Council recalls that control and monitoring of Community legislation in the fisheries domain is carried out by Member States in close cooperation with the inspection services of the Commission.

3. Last year, in order to avoid skirmishes in Atlantic tuna fisheries such as had occurred in the past, the Council requested Member States to put all the necessary control measures in hand to ensure that the rules in force were complied with in full. The Council also approved the chartering of a vessel by the Commission during the 1995 fishing year in order to enable the Commission inspectors to ensure the effectiveness of Member States' surveillance and to lend a hand to national inspectors.

4. At the December 1995 Council, the incoming Presidency announced it would launch an in-depth debate on the future regulation of drift-net fishery. This debate opened at the Fisheries Council on 22 April 1996.

The Council once again stressed the importance of fully repecting current Community legislation on drift nets. The Council expressed its satisfaction at the success achieved in the enforcement activities to date and welcomed the Commission initiative in pursuing this objective during the coming season, without any increase in the overall fishing effort.

5. The Council would assure the Honourable Member that it is fully aware of the importance of the drift-net issue, and of Parliament's Opinion as an essential element of the Community's legislative process to which continuing debate in the Council bears witness.

(1) OJ No L 42, 18.2.1992, p. 15.
(2) Council document 5971/94 PECHE 76 – OJ No C 118, 29.4.1994.

(96/C 280/16) **WRITTEN QUESTION E-0250/96**

by Undine-Uta Bloch von Blottnitz (V) to the Commission

(9 February 1996)

Subject: Habitats directive

The Commission has announced that it would impose fines on Member States failing to transpose the habitats directive (92/43/EEC (1)) by the due date or in full.

1. What is the status of transposition of this directive in the Community?

2. Which countries have not yet transposed the directive, or not transposed it in full?

3. Have fines already been imposed? Does the Commission have any plans to impose such fines? If so, on which Member States?

(1) OJ L 206, 22.7.1992, p. 7.

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 March 1996)

Implementation of this Directive has at least two key aspects. In formal terms, Member States should have adopted and communicated to the Commission national implementing legislation by June 1994. In addition, Member States should have prepared and communicated to the Commission by June 1995 a national list of sites proposed for inclusion in the ecological network Natura 2000 together with information on each site.

As of 16 February 1996, five Member States had failed to send to the Commission any national implementing legislation (Germany, Greece, Spain, Italy, and Portugal). The Commission has started legal proceedings for this failure.

The legislation sent by other Member States is being checked for conformity with the Directive. The Commission does not rule out the possibility of legal action against some of these for inadequate legislation.

As of 16 February 1996, eight Member States had failed to send to the Commission any national list of proposed Natura 2000 sites (Belgium, Germany, Greece, Spain, France, Ireland, Luxembourg, Netherlands). Portugal sent a list only in respect of the islands of Madeira and the Azores. The Commission is actively pursuing this failure with the Member States concerned. It is also urging the Member States which have sent incomplete lists or incomplete site information to conclude the necessary work as soon as possible.

The Commission has no power to impose fines on Member States. Only the Court of Justice can do this, as part of a second condemnatory judgement. The Commission will if necessary ask the Court to impose fines on Member States which do not comply with the Directive.

(96/C 280/17)

WRITTEN QUESTION E-0261/96

by Doeke Eisma (ELDR) to the Commission

(9 February 1996)

Subject: Imports by Member States of seal skins from Norway

Can the Commission indicate how many seal skins have been imported by the various Member States over the past seven years?

Answer given by Mr de Silguy on behalf of the Commission

(26 March 1996)

The Honourable Member will find the statistics on seal skins imported by the Member States from Norway over the past seven years in the tables sent directly to him as well as to the Secretariat-General of the Parliament.

It should be noted that the United Kingdom has applied a confidentiality clause to code 43017090 (whole raw skins of seals or fur seals) since 1 July 1991.

The Commission can also report that there have been no imports of furskins from pups of harp or hooded seals into the Community from Norway over the past seven years.

(96/C 280/18)

WRITTEN QUESTION P-0263/96

by Irini Lambraki (PSE) to the Council

(2 February 1996)

Subject: Violation of international law by Turkey

On 28 January 1996, the Turkish flag was provocatively raised on the Greek island of Imia in the Dodecanese. This followed a number of provocative statements by leading Turkish politicians.

What measures will the Council take in response to increasing provocation by the Turkish Government which is not only continuing to flout human rights but is now also, following the customs union with the EU, blatantly violating international law and the EU's external borders, thereby jeopardizing peace in the Aegean?

(96/C 280/19)

WRITTEN QUESTION P-0374/96

by Katerina Daskalaki (UPE) to the Council

(14 February 1996)

Subject: Turkish aggression against an EU Member State

The latest Turkish aggression in the Aegean, challenging the sovereign rights of an EU Member State and making claims on its territory — and in doing so violating international treaties — has brought Greece and Turkey to the brink of war. It has also brought the EU's ability to defend its external borders into sharp focus.

What will the Council do to compel Turkey (having regard to that country's association with the EU and the recent decision on customs union) to comply with international treaties, end its formal threats of war against Greece (statements by Ciller and Baykal) and prevent any repetition of acts such as the landing on the island of Imia and Turkish warships firing on Greek fishing-boats?

Joint Reply

(11 June 1996)

The Council Presidency made a statement on the conflict between Greece and Turkey in the Aegean Sea before the European Parliament on 14 February 1996. According to it the Union cannot fail to be concerned by the latest instances of friction involving, on the one hand, a Member State with which exists fundamental and strong solidarity and, on the other hand, a neighbouring country which has a key part to play in the region, and with which Europe has for decades enjoyed a relationship of dialogue and collaboration.

The Presidency noted that the matter had not been officially brought before the European Union. Accordingly, it had not undertaken any formal intervention. However, the Presidency had decided, while maintaining all appropriate contacts with Athens, to open up a channel of communication through relevant embassies that would enable it to keep in close touch with Turkey right from the initial stages of the crisis. The Presidency's aim was to promote a peaceful solution of the conflict and the normalization of bilateral relations; the first step should be to agree on a methodology to be followed in pursuit of this aim, paying special attention to the possibility of appeal to the International Court of Justice in The Hague or international arbitration, or a combination of these or other means.

Further, Italy was endeavouring to meet Greece's request to trace the relevant legal texts, which date back to 1932 and 1947, in a spirit of maximum solidarity with a fellow member of the European Union.

In addition, the Council would like to remind, that if need be, any member of the Council or the Commission can request for inclusion of this item on the agenda of the meeting.

It is in this framework that the Council can best contribute to confidence building between a Member State and a close cooperation partner.

(96/C 280/20)

WRITTEN QUESTION E-0271/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(15 February 1996)

Subject: Incorporation of the Dodecanese Chamber of Commerce in the Euro-Info-Centre network

The Dodecanese Chamber of Commerce, which is particularly active among the islands of the Dodecanese, despite the difficulties deriving from the insular and remote nature of the region, the lack of adequate infrastructure and the difficulties of access to information, has been applying since 1989 to join the Euro-Info-Centre network.

The response has been that the Greek Organization for Small Manufacturing and Craft Businesses (EOMEX) in Mytilini has been incorporated into the network from that region and that this rules out a second organization joining from the same area. However, it has come to light that the two Euro-Info-Centres in Greece (at Mytilini and Alexandropolis) have recently closed down.

In view of this, will the Commission reconsider and accept the application from the Dodecanese Chamber of Commerce to join the Euro-Info-Centre network which would provide assistance and support for firms in the Dodecanese which, despite its insular nature, has the highest level of business activity (20 000 firms, mainly SMEs) in regional Greece?

Answer by Mr Papoutsis on behalf of the Commission

(8 March 1996)

The network of Euro Info Centres (EICs) is a central element in of the Council Decision of 14 June 1993 on a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprises, in particular small and medium-sized enterprises, in the Community [1], which covers the period up to 31 December 1996.

A third multiannual programme covering the period 1997-2000 is in preparation. In the new proposal for a Decision to be forwarded to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions, the Commission will probably advocate stepping up the role of the EIC network. It could also propose a procedure for revamping the composition of the network.

Applications by several Member States, including Greece, will need to be examined with the above considerations in mind. The application by the Dodecanese Chamber of Commerce could therefore be considered in this context in the light of the geographical peculiarities of the region and the current information requirements of enterprises met by the network.

[1] OJ L 161, 2.7.1993.

(96/C 280/21)

WRITTEN QUESTION E-0280/96

by Bernd Lange (PSE) to the Council

(27 February 1996)

Subject: Whereabouts of Resit Yildiz, a Turkish citizen, from Cilesizküyü (Mezre/Miheke), Nusaybin

Resit Yildiz, a Turkish citizen, from Cilesizküyü (Mezre/Miheke), Nusaybin, was taken from his home on 27 August 1995, since when he has vanished without trace. Mr Yildiz is a Kurd of the Yezidic faith and mayor of the last remaining Yezidic village in the district. There is still no definite information (according to the Federal Republic's Foreign Office) as to whether Mr Yildiz has been detained by Turkish security forces or has fallen victim to the PKK.

1. To what extent does the Council regard this case as impeding its negotiations with Turkey?

2. Will it make this, and other examples of glaring human rights violations in Turkey, the subject of future negotiations?

3. What long-term measures is the Council seeking to prevent future human rights violations of this nature in Turkey?

Reply

(13 June 1996)

The Council attaches greatest importance to respect for human rights and democracy in Turkey and does not hesitate to condemn violations of them in contacts with the Turkish authorities. The Council has also made clear, and will continue to do so, that observance of the rule of law and of fundamental freedoms is the basis for the rapprochement of Turkey to the EU.

With a view to adopting long-term measures the Council is continuing to monitor carefully the situation with regard to human rights and democratic development in Turkey. The Council has duly noted that, having given its assent, the European Parliament adopted a Resolution on the human rights situation in Turkey, which, *inter alia*, called on the Commission and the Council to monitor permanently human rights and democratic development in Turkey and requested the Commission to present a report on the situation to the European Parliament at least once a year.

(96/C 280/22)

WRITTEN QUESTION P-0300/96

by Honor Funk (PPE) to the Commission

(7 February 1996)

Subject: Ban on the use of BST (bovine somatotropin) in milk production in the EU

The use of rBST in milk production in the EU has been provisionally banned until the year 2000. The reason given for the time-limit on the ban is that further research on the long-term effects is needed. The use of BST is permitted in the USA. The trade press has recently reported a survey by the magazine 'Dairy Today', which shows that 40% of American milk producers using rBST are willing to stop using it because of a rise in the incidence of mastitis and birth defects.

1. Is the Commission aware of this survey, and what importance is attached to it?

2. Are the results of current surveys in the EU similar?

3. Can the Commission say how far long-term tests are taken into account in its decisions on the authorization of products in respect of the use both of rBST to increase milk yields and hormones and of other growth promoters to fatten animals?

4. If the results of the research referred to above are confirmed, can it say what influence they will have on the current discussions between the EU and the USA on the authorization of imports of milk and milk products produced with the aid of rBST and of meat produced with the aid of hormones?

Answer given by Mr Fischler on behalf of the Commission

(4 March 1996)

1. The Commission is not aware of the article cited by the Honourable Member, and cannot, therefore, comment on it.

2. Studies carried out in the Member States indicate that cows treated with bovine somatotropin (BST) have an increased incidence of mastitis. The Commission is bringing together a group of scientific experts to evaluate all available evidence on BST, including that from third countries where use of the substance is authorized.

3. The results of long term studies in practice are an important criterion in the evaluation of substances such as BST and are always taken into account in the authorization process.

4. The Commission is not at present discussing with third countries the question of trade in milk from animals which have been given BST.

(96/C 280/23)

WRITTEN QUESTION P-0301/96

by Maren Günther (PPE) to the Commission

(7 February 1996)

Subject: Commissioner Bonino's reference on 30 January 1996 to a ECU 3,5 million contract for Burundi which could not be executed

At the joint meeting of the European Parliament's Committee on Foreign Affairs, Security and Defence Policy and Committee on Development and Cooperation and the European members of the ACP-EU Joint Assembly on 30 January 1996 Commissioner Bonino mentioned the release of ECU 3,5 million in late 1995 for a single contract for Burundi, which could not, however, be executed.

Who is the other party to the contract, what is the substance of the contract, and why could it not be executed?

Answer given by Ms Bonino on behalf of the Commission

(6 March 1996)

On 21 November 1995, the Commission adopted an ECU 70 million financing proposal for humanitarian aid for the people of Rwanda and Burundi in the Great Lakes region. It included ECU 3,5 million for humanitarian aid programmes for displaced, dispersed and repatriated people within Burundi.

The worsening situation in Burundi and the dangerous conditions have regularly hindered the forwarding of relief and the implementation of humanitarian programmes.

In mid-December last year a number of coordinated attacks against the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the International Association Against Hunger, the *Movimiento por la paz, el desarme y la libertad* and Oxfam in the province of Gitega led to the suspension of operations for a few weeks.

In these circumstances, the non-governmental organizations have not presented any new programmes to the Commission for financing.

Only *Médecins du monde* (France) has received further financing for three months from 1 January for its emergency medical programme at the Prince Régent Hospital in Bujumbura. There have been no specific problems affecting this programme, which is proceeding as scheduled.

The funds earmarked in the decision of 21 November 1995 will be allocated to the partners in the light of humanitarian requirements and the accessibility of the victims and the areas in need of aid.

(96/C 280/24)

WRITTEN QUESTION P-0303/96

by Johanna Maij-Weggen (PPE) to the Commission

(7 February 1996)

Subject: Review of the EU-OCT association agreement

Decision 91/482/EEC [1] on the association of the overseas countries and territories with the European Economic Community provided for a mid-term review on 1 March 1995.

1. Can the Commission say why this mid-term review has not yet been undertaken and when it will be submitting its proposals in this respect?

2. Will the Commission be ensuring that none of the proposals submitted adversely affects the trade arrangements, causes market disturbances or is detrimental to investments already effected?

3. Does the Commission intend to include the drug problem and money-laundering in its deliberations, as requested at the third EU-OCT partnership meeting?

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[1] OJ L 263, 19.9.1991, p. 1.

Answer given by Mr Pinheiro on behalf of the Commission

(28 February 1996)

1. The mid-term review of Council Decision 91/482/EEC could not be approved by March 1995, as foreseen in Article 240 § 3 of the Decision, in the absence of:

— a decision on European development fund (EDF) and European investment bank (EIB) financial assistance; which was only decided at the end of June 1995 by the European Council and

— the final text of the ACP/EC mid-term review which was only signed at Mauritius at the beginning of November 1995.

The Commission's proposal (1) has now been forwarded to Parliament and Council.

2. The position of the Commission on this item is included in its proposal.

3. The Commission is well aware that the fight against money laundering and drug trafficking was underlined as a major concern by the seven British and Dutch Caribbean overseas countries and territories (OCTs) during the third yearly partnership meeting held at Montserrat at the end of November 1995.

In its report, presently being prepared following a request made at the Madrid European Council in December 1995, concerning the fight against drugs in the Latin American and Caribbean regions, the Commission intends to include these OCTs in the list of the countries concerned by this action.

(1) COM(95) 739 final.

(96/C 280/25)

WRITTEN QUESTION E-0311/96

by Irini Lambraki (PSE) to the Commission

(15 February 1996)

Subject: Bringing the third pillar within the Community domain with the revision of the Treaty in view

The Council document entitled 'Draft revision of the Treaties establishing the European Union' states that in accordance with the objectives set out in Articles A and B of the EU Treaty, the Intergovernmental Conference will examine those provisions for which revision is provided pursuant to Article N(2) of the Treaty.

Given that the provisions on cooperation in the fields of justice and home affairs do not provide for their revision by the Intergovernmental Conference, how does the Commission explain its proposal to wait until the IGC before considering the application of Article K.9?

It seems unlikely on this basis that the provisions of the third pillar will be brought within the Community domain at the IGC. Would not failure to apply Article K.9 in the meantime constitute a waste of valuable time in bringing Europe closer to its citizens?

Answer given by Mrs Gradin on behalf of the Commission

(27 March 1996)

The Commission would draw the Honourable Member's attention to the fact that Article B of the Treaty on European Union says that the Union's objectives include 'considering, through the procedure referred to in Article N(2), to what extent the policies and forms of cooperation introduced by this Treaty may need to be revised with the aim of ensuring the effectiveness of the mechanisms and the institutions of the Community'. This is why the European Parliament, the Council and the Commission, in their reports to the reflection group chaired by Mr Westendorp, who cites them in his final report, considered that cooperation under Title VI of the Treaty should be one of the major items on the agenda for the Intergovernmental Conference.

As early as September 1995, the Commission expressed the view that, having regard to the need to ensure genuine progress as a positive response to citizens' expectations and anxieties, maximum effectiveness would be achieved by bringing all of the fields of justice and home affairs, except judicial cooperation in criminal matters and police cooperation, under the Community umbrella (particularly the first six listed in Article K.1, and customs cooperation).

This approach is fully confirmed in the Commission's opinion on the holding of the Intergovernmental Conference, which was adopted on 28 February 1996 and states that the Commission considers that, to remedy the inadequacies of the Treaty in the fields of justice and home affairs, the most logical answer would be to bring those fields into the Community framework, except for judicial cooperation in criminal matters and police cooperation.

This is the background for the Commission communication on the possible application of Article K.9 of the Treaty on European Union (1). In the communication in question, the Commission gave detailed consideration to the arguments which might be put forward in favour of each of the two options, i.e. using or not using Article K.9. It explained why that article did not at present seem to it to be the most appropriate instrument, not to say an impossible one. The procedure laid down is cumbersome and requires the Member States' unanimous approval and ratification in accordance with their respective national constitutional provisions. In one Member State this means that a national referendum will inevitably be triggered if Article K.9 is invoked.

(1) COM(95) 566 of 22.11.1995.

(96/C 280/26)

WRITTEN QUESTION E-0312/96

by Irini Lambraki (PSE) to the Council

(27 February 1996)

Subject: Revision of the third pillar provisions at the Intergovernmental Conference

The Council document entitled 'Draft revision of the Treaties establishing the European Union' states that in accordance with the objectives set out in Articles A and B of the EU Treaty, the Intergovernmental Conference will examine those provisions for which revision is provided pursuant to Article N(2) of the Treaty.

Given that the provisions on cooperation in the fields of justice and home affairs do not provide for their revision by the Intergovernmental Conference, will the Council, taking a broad interpretation of Article N(2), include the third pillar provisions among the provisions to be revised?

Does the Council not think that there is a need for this in terms of the general objectives of the revision which calls for the adaptation of the Treaty to satisfy present and future requirements and to bring Europe closer to its citizens?

Reply

(13 June 1996)

As the Honourable Member points out, nowhere in the TEU is explicit provision in fact made for revision of Title VI at the IGC.

Since it drew up its report on the functioning of the Treaty on European Union(1) in April 1995, the Council has established that the area opened up by Article N(2) of the TEU needs to be supplemented in the light of certain other provisions, in particular the Corfu European Council's conclusions that it was important to 'examine and elaborate ideas relating to the provisions of the TEU for which revision is foreseen and other possible improvements in a spirit of democracy and openness...'.

Moreover, the Cannes European Council included among the priorities to be examined with a view to the Intergovernmental Conference the question of providing a better response to modern demands as regards internal security, and the fields of justice and home affairs more generally.

In addition, the conclusions of the European Council meeting in Madrid in December 1995 state that the Intergovernmental Conference will, in general, have to examine the improvements which will have to be made to the Treaties to bring the Union into line with today's realities and tomorrow's requirements, in the light of the outcome of the Reflection Group's proceedings. Those proceedings (2) gave particular prominence to an analysis of the provisions currently in force on cooperation in the area of justice and home affairs, and their limits, and emphasized in particular the need to creat a Europe more in harmony with the expectations of its citizens.

Finally, the Turin European Council called upon the IGC to produce adequate results on several issues concerning justice and home affairs.

(1) Drawn up in accordance with the conclusions of the European Council in Corfu as a contribution to the Reflection Group preparing for the 1996 Intergovernmental Conference.
(2) Described in the Reflection Group's report to the Madrid European Council.

(96/C 280/27)

WRITTEN QUESTION E-0316/96

by James Moorhouse (PPE) to the Council

(27 February 1996)

Subject: Use of the Ioannina Compromise in the Council

The Ioannina Compromise of March 1994 has, according to press reports, so far been invoked by only one Member State on one occasion, namely by the United Kingdom in October 1995 in respect of a Commission proposal allowing individual Member States to compensate farmers for income losses as a result of currency movements.

1. How many and which Member States, representing what number of votes in the Council, opposed the proposal, first during initial discussion, and then at the moment when the UK invoked the Ioannina Compromise?

2. How many and which Member States, representing what number of votes in the Council, either voted against the proposal or abstained on its final adoption?

3. What changes were made to the proposal between the time the Ioannina Compromise was invoked and the final adoption of the proposal?

4. What, if any conclusions does the Council draw from this experience about the operation in practice of the Ioannina Compromise?

Reply

(11 June 1996)

It is correct, as the Honourable Member says, that the Council Decision of 29 March 1994 on qualified-majority decision-making by the Council (94/C 105/01), as amended by the Decision of 1 January 1995 (95/C 1/01), commonly known as the 'Ioannina Compromise', has so far been invoked only once, at the Council meeting on 24 and 25 October 1995, when the Council adopted Regulation No 2611/95 establishing the possibility of aid being granted in compensation for losses of agricultural income caused by monetary movements in other Member States (OJ No L 268, 10.11.1995, p. 3).

As reported in Press Release No 10469/95, the United Kingdom abstained and the Italian delegation voted against when the Regulation was adopted. Each of those two Council members has ten votes under Article 148(2) of the EC Treaty.

A solution to the problem raised by the United kingdom was thus actually found during the meeting at which the Decision of 20 March 1994 was invoked. In the Council's view, that experience shows that the Decision does not prevent the Council from operating satisfactorily.

(96/C 280/28)

WRITTEN QUESTION E-0318/96

by James Moorhouse (PPE) to the Council

(27 February 1996)

Subject: Use of qualified majority voting in the Council

1. On how many occasions has each Member State, by name, either abstained or voted against a proposal in the Council, on any issue subject to decision by qualified majority voting, since the entry into force of the Maastricht Treaty on European Union?

2. What is the total number of proposals subject to QMV, on which any Member State has (a) abstained, or (b) voted against, since the same date?

3. What is the total number of proposals subject to QMV on which common positions or votes to adopt have evidenced unanimity among the Member States?

Reply

(1 July 1996)

Further to his Written Question No E-2479/95 (OJ No C 56, 26.2.1996, p. 20), the Council Secretariat has already sent the Honourable Member a list of all definitive legislative acts adopted with negative votes and/or abstentions during the period 6 December 1993 to 31 December 1994, indicating the delegations that voted against or abstained in each case.

In future, a list of the Council's legislative acts, with a record of the votes, will be published in the Review of the Council's Work, the 1995 edition of which is currently in preparation.

The Honourable Member's attention is also drawn to the fact that, since October 1995, pursuant to the code of conduct on public access to minutes and statements, periodic summaries are published of the definitive legislative acts adopted by the Council. These summaries include the statements for the minutes as well as the records of the votes and are forwarded as a matter of course to the European Parliament.

With respect to the number of legislative acts adopted unanimously and those adopted by qualified majority, the summaries drawn up for the last three months of 1995 reveal that, of the 73 definitive legislative acts adopted, 57 were adopted unanimously (including 8 with abstentions), 14 with negative votes and 2 with both negative votes and abstentions.

(96/C 280/29)

WRITTEN QUESTION E-0320/96

by Salvador Garriga Polledo (PPE) to the Council

(27 February 1996)

Subject: Ecofin meeting of 19 June 1995

In the conclusions of the Ecofin Council meeting of 19 June 1995 on combating wastefulness and the misuse of Community resources, the following paragraph appears under item 3, headed 'In partnership':

'in the context of greater cooperation between Member States and the Court of Auditors, give an appropriate response to the Court's observations'.

Can the Council explain what constitutes, in its judgment, an appropriate response? Does this mean that the Council would accept the criticisms which the Court of Auditors makes of the absence of reliable auditing of the spending of Community funds? Will this context of greater cooperation involve collaboration, which is currently non-existent, between national courts of auditors and the Court of Auditors?

(96/C 280/30)

WRITTEN QUESTION E-0321/96

by Salvador Garriga Polledo (PPE) to the Council

(27 February 1996)

Subject: Ecofin meeting of 19 June 1995

In the conclusions of the Ecofin Council meeting of 19 June 1995 concerning national measures taken to combat wastefulness and the misuse of Community resources, the following paragraph appears under item 1, headed 'At Member State level':

'take the necessary measures to ensure that the inspections carried out by the Member States and the penalties they impose make it possible to achieve a level of protection for the Community's financial interests that is identical throughout the territory of the Community'.

Can the Council explain whether this identical level of protection of financial interests will mean *de facto* standardization of the crime of Community fraud in all 15 Union Member States?

Joint Reply

(13 June 1996)

1. As it has already stated in the comments accompanying its recommendation on the discharge to be given to the Commission in respect of the 1994 budget, it is the Council's wish that in the context of the Court's annual reports Member States should be given the opportunity to reply to the Court's comments. It is essential, in the interests of closer cooperation between the Member States and the European institutions, and in particular with the Court of Auditors, that the administrations be given this opportunity to reply in good time; in this connection, the Council takes the view that close contacts on specific issues can only improve the effect of controls and their follow-up.

The Council's position on the Court of Auditor's observations in its annual report and in its special reports is detailed in the comments accompanying the abovementioned Recommendation which was adopted on 11 March 1996. The Honourable Member should refer to it for the Council's comments on individual areas of Community budget expenditure and on the control systems for each area. Generally speaking, the Council supports the Court's recommendations and calls upon the Commission to act on them to ensure that Community expenditure is effected in a manner consistent with the interests of the European Union.

2. Regarding collaboration between the courts of auditors of the Member States and the European Court of Auditors, the Council recommended in its 'Act of 26 July 1995'([1]) the adoption by the Member States, in accordance with their respective constitutional requirements, of the Convention on the protection of the European Communities' financial interests. Article 2 of the Convention provides that each Member State shall take the necessary measures to ensure that fraud affecting the European Communities' financial interests, and participating in, instigating, or attempting such conduct, are punishable by effective, proportionate and dissuasive criminal penalties, including, at least in cases of serious fraud, penalties involving deprivation of liberty which can give rise to extradition.

([1]) OJ No C 316, 27.11.1995, p. 48.

(96/C 280/31)

WRITTEN QUESTION E-0329/96

by Sir Jack Stewart-Clark (PPE) to the Council

(27 February 1996)

Subject: Council's subsidiary bodies on drugs

1. Will the Council list the membership of each of the following subsidiary bodies on drugs, giving names and positions held in the Member State?

- National Drugs Co-ordinators
- Drugs and Organised Crime Working Party (third pillar)
- CSFP Working Party on Drugs (second pillar)
- Health Working Party (first pillar)

— Group of Experts from the Member States, set up by the Cannes European Council of 26/27 June 1995

— *Ad-hoc* Working Party on Drugs, set up by the Madrid European Council of 15/16 December 1995

2. What plans does the Council have to rationalize this state of affairs?

Reply

(11 June 1996)

The composition of the delegations on the various working parties and expert groups, which in any event changes frequently, is a matter exclusively for the Member States.

The Presidency, assisted by the Council General Secretariat, coordinates the proceedings of the various groups.

(96/C 280/32)

WRITTEN QUESTION E-0337/96

by José Apolinário (PSE) to the Commission

(22 February 1996)

Subject: Information campaigns planned for 1996

Will the Commission, as part of its information campaigns planned for 1996 (Euro, IGC, etc.), in particular those involving paid advertising, make use of regional and local radios? I am thinking, for example, of Member States such as Portugal where local radio accounts for a sizeable 'segment' of the audience.

Answer given by Mr Oreja on behalf of the Commission

(26 April 1996)

The Commission fully shares the Honourable Member's views. Local radio stations, whether commercial or run by special-interest groups, offer certain features which make them a particularly effective vehicle for priority public information campaigns, since they reach audiences who often have no access to other types of media in terms they understand. Moreover, depending on their own policy and the expectations of their listeners, they are able to reject advertising material. Rather than purchasing expensive advertising time, the Commission is planning to operate a genuine system of partnership.

Radio stations are usually interested, because their editorial capacity is too small for them to have a journalist specializing in European affairs, although they feel the need of one. With this in mind, the Commission is producing information features on the European Union for broadcasting by local radio stations, if they wish to do so. The effectiveness of this system has been demonstrated in France, where it was introduced as a pilot scheme and the number of broadcasts proved to be high.

On an experimental basis, the Commission's Office in France used this system again in connection with a campaign on the euro. The Parliament/Commission working party will be kept fully informed of the results of this pilot scheme. Consideration is being given to extending it to the other Member States.

The use of regional and local radio is a good example of the Commission's often-repeated desire to get closer to the people of Europe. To this end, proposals for cooperative ventures are being studied, taking into account the relative importance of the various media given regional and local differences.

(96/C 280/33)

WRITTEN QUESTION E-0341/96

by Richard Howitt (PSE) to the Commission

(22 February 1996)

Subject: Calls for proposal under Article 10 of the ERDF

Could the Commission complete the following timetable for calls for proposal under Article 10?

Field of activity	Date or likely date for publication of calls for proposals	Official Journal reference number (where already published)	Date or likely date for closing date for receipt of proposals	Budget
Innovatory actions – Information society	29.9.95	95 C 253/12	12.1.96 28.2.96	20 MECU (15 MECU ERDF)
– New employment areas	29.9.95	95 C 253/13	31.1.96	15 MECU
– Innovation and technology transfers	?	?	?	15 MECU
– Cultural field	29.9.95	95/C 253/11	1.3.96	15 MECU
Internal interregional cooperation	?	?	?	30 MECU
External interregional cooperation	?	?	?	70 MECU
Spatial planning programmes	?	?	?	15-20 MECU
Urban pps	30.11.95	95/C 319/06	29.4.96	60 MECU

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

(25 March 1996)

The timetable for calls for proposals under Article 10 of the European Regional Development Fund Regulation([1]) is as follows:

Field of activity	Date or likely date for publication of calls for proposals	Official Journal reference number (where already published)	Date or likely date for closing date for receipt of proposals	Budget
Innovatory actions – Information society plan projects	 29.9.95 29.9.95	 95/C 253 95/C 253	 12.1.96 28.2.96	 20 MECU
– New employment areas	29.9.95	95/C 253	31.1.96	15 MECU
– Innovation and technology transfers plan projects	 15.9 95 15.9.95	 95/C 240 95/C 240	 15.12.95 15.3.96	 15 MECU
– Cultural field	29.9.95	95/C 253	1.3.96	15 MECU
Internal interregional cooperation	June 96	–	December 96	30-50 MECU
External interregional cooperation	June 96	–	December 96	20-30 MECU
Spatial planning programmes	April 96	–	July 96	15-20 MECU
Urban pilot projects	30.11.95	95/C 319	29.4.96	60 MECU

([1]) OJ L 193, 31.7.1993.

(96/C 280/34)

WRITTEN QUESTION E-0356/96

by Jesús Cabezón Alonso (PSE) and Juan Colino Salamanca (PSE) to the Commission

(22 February 1996)

Subject: Structural Funds and employment

At its meeting in Madrid in December 1995 the European Council stated that structural fund programmes in the 1994-1999 period 'provide a useful contribution to the implementation of the Essen priorities'.

Does the Commission intend to introduce measures to assess the impact of structural funding on job creation in the European Union?

Answer given by Mr Flynn on behalf of the Commission

(11 April 1996)

In the next few months the Commission intends to send a communication to the Council and Parliament on Community structural policy and employment. This document will identify the different channels whereby the Structural Funds influence employment and will set out broad lines of policy for strengthening those links within the framework of the current programmes.

First estimates indicate that structural assistance will help support 1,2 million jobs in Objective 1 regions for the period 1994-99, while an analysis of the Single Programming Documents for Objectives 2 and 5b zones shows, on the basis of information provided by the Member States, support for an estimated 580 000 and 518 000 jobs respectively for the programming period.

These figures should however be used with care, in view of the lack of a common methodology for measuring the impact the funds will have on employment. Which is why, in order to assess the range of existing methods for calculating employment impacts of policies, with their advantages and weaknesses, a study and technical handbook were published through the Means (methods for evaluating actions of structural nature) programme launched last year by the Commission. During 1996 work on this basis will continue. The handbook in particular should be useful for those who have to consider and assess the impact of measures on employment.

(96/C 280/35)

WRITTEN QUESTION E-0360/96

by Karl Schweitzer (NI) to the Commission

(22 February 1996)

Subject: Discrimination against qualified employees in the EU

With reference to the document forwarded separately to it, does the Commission consider the procedures described in the letter to be in accordance with EU practice and thus correct?

If so, can it give an explanation?

If not, what action would it recommend to the teacher to ensure that she obtains satisfaction?

Answer given by Mr Flynn on behalf of the Commission

(21 March 1996)

The Commission understands that the letter to which the Honourable Member refers is dated 14th December 1995, and concerns the situation of an Austrian foreign language lecturer in the University of Pisa.

The Commission is fully aware of numerous similar cases in many Italian universities where discrimination against foreign language lecturers has been denounced.

As regards its position on the professional status and the working conditions of foreign language lecturers in Italian universities, the Commission would refer the Honourable Member to its answer given to written question E-158/96 by Mr Tamino [1] as well as to its joint answer to oral questions H-0063/96 by Mr Truscott and H-0067/96 by Mrs Crepaz [2] and to the statement made by the Commission in response to the debate in the Parliament on 15th February 1996 concerning the situation of foreign language lecturers in Italian universities.

[1] OJ C 122, 25.4.1996.
[2] Debates of the European Parliament.

(96/C 280/36)

WRITTEN QUESTION E-0411/96

by Raphaël Chanterie (PPE) to the Commission

(29 February 1996)

Subject: Adjustment of capacities in the fisheries sector

1. How have the various Member States transposed the Community rules for removing fishing vessels from service, namely Regulation (EC) No 3699/93 [1], how are they implementing the programme and how are they monitoring implementation of it?

2. How much of the money allocated, and made available since 1987, has been used by the Member States as compensation for:

— scrapping fishing vessels;

— permanent transfer of vessels to third countries;

— permanent re-assignment of the vessels to uses other than fishing in Community waters?

3. What enterprises are active in this area in the various Member states?

4. What compensation have these enterprises received for:

— scrapping;

— transfer;

— re-assignment?

5. What sums have been paid to the various Member States in support of removing fishing vessels from service, pursuant to Council Regulation (EC) No 3944/90 [2], and what vessels and joint enterprises have benefited from this scheme?

[1] OJ L 346, 31.12.1993, p. 1.
[2] OJ L 380, 31.12.1990, p. 1.

Answer given by Mrs Bonino on behalf of the Commission

(15 April 1996)

1. The Member States have notified the Commission of the measures adopted under their national legislation in respect of assistance for the permanent withdrawal of vessels from fishing activities in accordance with Regulation (EC) No 3699/93. All the programmes are currently in progress and being monitored by the Commission in the partnership framework.

2. Title VII of Regulation (EEC) No 4028/86, [1] as amended by Regulation (EEC) No 3944/90, gave the Member States the possibility to grant final cessation premiums in respect of fishing vessels. Article 24 defined permanent withdrawal as the scrapping, transfer or re-assignment of the vessel to uses other than fishing.

The Community has contributed to the costs by reimbursing part of the expenditure incurred (50% of the expenditure eligible under Scale V of the Regulation — for scrapping, the percentage was raised to 70% with effect from 1991) to the Member States, subject to limits fixed annually by decision of the Commission.

The Community granted the Member States a total of ECU 501 million between 1987 and 1993 in respect of permanent withdrawal. Out of this, a total of ECU 391 million has actually been paid out. The figure of ECU 501 million represents 47% of total assistance granted to the fishing fleet during the period in question. The Community assistance represents approximately 60% of the premiums paid out by the Member States to owners of fishing vessels.

A total of 5 200 vessels has been withdrawn during the period, but as the Commission's allocation to the Member States is in the form of a lump sum, the reimbursements have not been broken down by type of withdrawal. However, out of the 5 200 vessels withdrawn, 4 200 have been scrapped. A reasonable estimate therefore would be that about 80% of the assistance went on vessels scrapped, between 10% and 15% on vessels transferred and between 5% and 10% on vessels assigned to uses other than fishing.

3-4. Owing to the indirect nature of the measure, the Commission has no information at its disposal on enterprises in receipt of final cessation premiums. Considering the large number of vessels withdrawn, the total of enterprises and shipowners must run into thousands.

5. The breakdown by Member State of the EC contributions in respect of permanent withdrawal measures (excluding joint enterprises) can be found in Table 1 below. A total of 5 196 vessels has been withdrawn, equivalent to 323 000 gross registered tonnes and 842 000 kW.

Table 2 shows the number of projects financed, corresponding tonnages and EC assistance in respect of joint enterprises.

TABLE 1:
Final cessation premiums
(in ECU millions)

	1987-1990 Regulation (EEC) No 4028/86	1991-1993 Regulation (EEC) No 3944/90	Total	% of total
Belgium	0,057	8,090	8,147	2,1%
Denmark	15,753	54,370	70,123	17,9%
Germany	7,129	24,460	31,589	8,1%
Greece	3,341	25,556	28,897	7,4%
Spain	10,721	116,804	127,525	32,6%
France	0,172	18,753	18,925	4,8%
Italy	6,917	18,454	25,371	6,5%
Netherlands	10,196	9,826	20,022	5,1%
Portugal	6,434	47,245	53,679	13,7%
UK	0	7,040	7,040	1,8%
TOTAL	60,720	330,598	391,318	100%

TABLE 2:
Joint enterprises

	Number of projects	Number of vessels	Gross registered tonnes	Community contribution (ECU millions)
Spain	42	91	34 739	92,96
Portugal	18	26	8 827	18,06
Italy	12	29	9 810	26,88
Greece	12	17	4 642	14,47
France	6	11	4 050	12,54
Denmark	1	4	614	3,35
Total	91	178	62 682	168,25

(1) OJ L 376, 31.12.1986

(96/C 280/37)

WRITTEN QUESTION E-0412/96

by Sérgio Ribeiro (GUE/NGL) to the Commission

(29 February 1996)

Subject: Use of Community funds (ESF) by Cofaco (San Miguel, Azores, Portugal)

It is common knowledge that cases have occurred (not all of which can be confirmed) in which Community funds (ESF) intended for vocational training have been diverted, by underhand methods, in order to pay wages for work passed off as 'practical classes' under a complete travesty of Portuguese law (Decree-Law 242/88 of July 1988 and the contracts based thereon, and Legislation Dispatch No 464/94).

A recent and highly illuminating case is that involving the Cofaco fish canning factory in San Miguel (Azores, Portugal), at which training was only undertaken sporadically and intermittently and where the 'trainees' were offered a contract which actually required them to work as employees. Responsibility for this was placed on the Community for failure to comply with certain financial conditions and the result was a thoroughly precarious and unacceptable employment situation.

In addition it is clear that the intention was to carry on this scheme using Community funds, with complete disregard for the purpose for which they are intended and with contempt for the relevant laws.

There must be many such cases but a special feature of this one is that there was apparently a visit from 'someone connected with the EU', which resulted in a short period during which priority was given to training so that the visitor in question would uncover fewer irregularities.

Could the Commission say whether or not such a visit took place and, if so, under what conditions and with what outcome?

Answer given by Mr Flynn on behalf of the Commission

(11 April 1996)

According to information supplied, the Regional Directorate for Employment of the Azores autonomous region, responsible for administering the European Social Fund (ESF) strand of the development programme for the region (Pedraa II), approved in 1994 a training plan to be developed by Cofaco at its Rabo de Peixe plant (S. Miguel, Azores).

The plan covered 11 training measures involving a total of 241 people (122 employees and 119 unemployed) between November 1994 and November 1995. The unemployed trainees were chosen by the regional employment services, and Cofaco guaranteed to recruit 50% of these trainees after training. The plan provided for 1 500 hours of training for each trainee (1 000 hours of theoretical training and 500 hours of on-the-job training).

The total cost approved was ESC 932 million (ECU 4,8 million), broken down as follows:

- European Social Fund 42,4%
- Government contribution 11,3%
- Private sector contribution 10,0%
- Income from the measure 36,3%

Income corresponds to the estimated production volume for the period of on-the-job training.

As the measures have been subject to delay, Cofaco has asked to extend the training plan until February 1996.

The payments made to Cofaco (ESF and the government contribution) amount to ESC 130 million (first advance, 1994/1995) and represent 26% of the approved public-sector joint financing. A request for the second advance for 1995 has already been forwarded to the regional authorities, which are still analysing the statement of declared expenditure and the accounting data requested from the company.

The actual execution of the measure will be evaluated with the balance request, at which time all financial and teaching elements will be analysed. The Regional Directorate for Employment is in frequent contact with the Cofaco management and has monitored the measures on several occasions, analysing the accounts and interviewing the trainees.

In addition, the enterprise has announced its intention of recruiting during March 1996 a total of 85 of the unemployed trainees who have successfully completed training; this is well in excess of the 50% initially forecast.

At the June 1995 meeting of the Pedraa II monitoring committee, as part of an inspection of a number of projects co-financed by the Structural Funds, the Commission paid a short visit to the enterprise. However, no questions relating to vocational training were dealt with during this visit.

(96/C 280/38)

WRITTEN QUESTION E-0419/96

by Yannos Kranidiotis (PSE) to the Council

(29 February 1996)

Subject: Turkish provocation in the Aegean

The islet of Imia belongs to the Greek State and, more specifically, it forms part of the Dodecanese group of islands, pursuant to the Italian-Turkish agreement of 1932 and the 1947 Treaty of Paris when the Dodecanese were ceded to Greece.

Nevertheless, as part of its constant policy of contesting the status of the Aegean, the Turkish Government is taking action to claim the islet of Imia. The Greek Government has protested to Turkey and has duly informed the Council of Ministers.

What does the Council propose to do in support of the sovereign rights of an EU Member State?

(96/C 280/39)

WRITTEN QUESTION E-0420/96

by Nikitas Kaklamanis (UPE) to the Council

(29 February 1996)

Subject: Recognition of Imia as Greek

Agence Europe No.6659 of 3 February 1996 published a statement by the spokesman for the Italian Presidency saying that the Italian Presidency of the European Union agrees with the Greek view that Imia is Greek.

Does the Council of Ministers of the EU share the view expressed by the Italian Presidency?

Joint Reply

(25 June 1996)

The General Affairs Council discussed the situation in the Aegean in February and expressed concern at the recent developments, which affect the Union as a whole and its relations with Turkey.

The Presidency of the Council called on the parties to continue to exercise restraint and to refrain from any action liable to increase tension and from any demonstration of armed force.

The Presidency of the Council also encouraged Greece and Turkey to establish between them a crisis-prevention mechanism and considered that the dispute and the territorial issues should be settled solely by the process of law, i.e. by the International Court of Justice.

(96/C 280/40)

WRITTEN QUESTION P-0432/96

by Philippe-Armand Martin (UPE) to the Council

(19 February 1996)

Subject: Management of the wine sector

Article 6 of Regulation 822/87 [1] states that all new planting of vines shall be prohibited until 31 August 1996.

Regulation 1442/88 [2] states that grubbing-up premiums will cease on 31 August 1996.

1. What does the Council intend to do with regard to forthcoming marketing years?

2. Can the Council assess the structural impact of these two measures?

3. If the reform of the COM for wine is not in place by 31 August 1996, what will the Council do for the next marketing year? When will it inform producers of its plans?

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[1] OJ L 84, 27.3.1987, p. 1.
[2] OJ L 132, 28.5.1988, p. 3.

Reply

(11 June 1996)

Pending reform of the COM in wine, the Council has so far extended each year, on a Commission proposal, the various time limits contained in the Community wine sector rules.

As regards the time limits expiring during 1996, and more particularly the two time limits cited by the Honourable Member, the proposals which the Commission has recently submitted in the context of the 1996/1997 agricultural prices package provide in fact, by way of an interim protective measure pending the reform, for extending the time limits in question by one year. The Council has not yet acted on these proposals.

As far as reform of the COM is concerned, the Council very recently gave fresh impetus to the work begun in 1994; with that in mind, the Council's subordinate bodies are currently conducting an in-depth review of the proposal submitted by the Commission in 1994, also taking into account the Opinion delivered by the European Parliament.

In particular, this work is situated in the context of a reform which can also take into account the new market conditions, as established over the last three wine marketing years.

Prohibition of new planting of vines, implemented in the Community since 1 December 1976, has been a vital measure for the propoer management of the market, which is faced with mounting surpluses.

As regards abandonment measures in respect of wine-growing areas, the Honourable Member will find annexed hereto a table showing the results of implementation of Regulation No 1442/88.

In particular, the Council would stress that over the past eight wine years, approximately 500 000 hectares of Community vineyards have been the subject of an abandonment premium under the aforementioned Regulation.

Results of implementation of Regulation (EEC) No 1442/88

Wine-growing areas abandoned (ha)								
Country	1988/89	1989/90	1990/91	1991/92	1992/93	1993/94	1994/95	1995/96
Germany	126	96	136	116	117	152	(*) 170	(*) –
Spain	10 362	12 245	17 361	42 817	45 244	36 132	30 048	26 720
France	29 401	9 995	7 411	10 162	11 963	11 773	10 950	11 000
Greece	1 281	4 984	7 229	6 467	2 440	3 112	2 500	3 000
Italy	14 740	14 312	20 987	16 600	14 581	13 875	16 689	23 658
Luxembourg	1	2	1	1	2	6	15	11
Portugal	–	–	–	3 229	3 225	4 579	2 504	2 500
TOTAL	55 911	41 634	53 125	79 392	77 572	69 629	(**) 62 876	(**) 66 889
including wine grapes	50 025	33 658	42 948	68 759	68 769	60 934		
including areas other than those planted with wine grapes	5 886	7 976	10 177	10 633	8 803	8 695		

(*) provisional data, subject to variations pending final data
(**) global requests submitted

(96/C 280/41)

WRITTEN QUESTION E-0441/96

by Carlo Secchi (PPE) to the Commission

(29 February 1996)

Subject: Financial aid for projects relating to consumer protection in 1996

A notice was published in Official Journal C 19 of 23 January 1996 concerning financial aid for projects relating to consumer protection in 1996.

In addition to giving details of the priorities and objectives for the projects, the notice states that special forms and explanatory notes regarding subsidy requests can be obtained from the Commission.

However, the deadline for submitting requests is 31 January 1996.

1. Does the Commission believe that the brief interval between publication of the notice in the Official Journal (23 January) and the deadline (31 January) was sufficient to enable all interested parties in the Union to obtain the necessary information in time to submit a request?

2. Were other measures taken prior to publication of the notice in order to inform all or some of those concerned and, if so, what were they?

Answer given by Mrs Bonino on behalf of the Commission

21 March 1996

In order to operate with the highest degree of transparency when granting subsidies, the Commission, on 16 November 1995, sent a text in French and English on the granting of financial aid for projects relating to consumer protection in 1996 to five pan-european consumer organizations EBCU, IEIC, Eurocoop, EURO C and Coface specifically asking them to pass on the information to their members. It then published this text in French, English and German in the form of an article in the December 1995 edition of Info-C, an information bulletin, as well as publishing it in the Official Journal as a communication in all the official Community languages. Due to translation delays at such a particularly busy time of year, it was unfortunately only possible to publish the text in the Official Journal in January 1996.

This is why the Commission, despite having received a considerable number of requests in December and January, has decided to extend the deadline until 31 May 1996. A new communication to this effect will shortly appear in the Official Journal.

(96/C 280/42)

WRITTEN QUESTION E-0442/96

by Hans-Gert Poettering (PPE) to the Commission

(29 February 1996)

Subject: Adjustment of national laws of association to accord with European law

There have recently been growing numbers of complaints from European umbrella organizations representing the most widely varied association organizations that have applied to be placed on the appropriate register of associations in the Member States of the European Union and have had their applications turned down by the courts holding jurisdiction. Why? Because only in the most exceptional cases – and how could it be otherwise? – do European articles of association concur with the requirements of the national law of association concerned. Legal capacity is consequently refused.

1. Is the Commission aware of these problems?

2. What steps will the Commission take to rectify this situation, which denies legal capacity to European associations in the Member States?

3. Would it be possible, pending definitive adjustment of national laws of association to accord with European law, for an interim solution to be created by means of a regulation?

Answer given by Mr Papoutsis on behalf of the Commission

(15 March 1996)

1. The Commission is aware of the problems encountered by associations when they try to develop transnational activities, particularly since if their legal personality is not recognised they are obliged to acquire a new legal personality in the Member State in which they wish to become established or carry out their activity, and this entails setting up a new association.

2. It is for this reason that in December 1991 the Commission adopted a proposal for a Council Regulation on the statute for a European association ([1]). This optional statute will enable associations which so desire to have a legal personality at Community level. Registration in one Member State will be sufficient for them to enjoy legal capacity in all the Member States. The European Parliament and the Economic and Social Committee gave their opinions on 20 January 1993 and 26 May 1992 respectively. The amended proposal ([2]) for this statute was submitted to the Council on 6 July 1993 and is currently being considered.

3. Pending the adoption of the regulation on the statute for a European association, no interim solutions can be envisaged. There is, nevertheless, a European convention on the recognition of the legal personality of non-governmental international organisations, which was agreed within the Council of Europe and entered into force in 1991, but it is not in operation throughout the Community ([3]).

([1]) OJ C 99 of 21.4.1992.
([2]) OJ C 236 of 31.8.1993.
([3]) The only countries to ratify the convention to date are Belgium, Greece, Portugal, the United Kingdom, Austria, Switzerland and Slovenia.

(96/C 280/43)

WRITTEN QUESTION P-0456/96

by Jaime Valdivielso de Cué (PPE) to the Council

(22 February 1996)

Subject: Cultural programmes: Raphael, Ariane, etc.

The wealth and diversity of European culture is outstanding, and the Commission has been acting to safeguard and enhance the architectural and artistic heritage. Changes were also introduced with the entry into force of the Treaty on European Union, which gives culture a title of its own in the new Article 128 of the Treaty. Public

attachment to the European idea depends on preserving the profound values of tradition and history which form the soul of our peoples. Parliament has repeatedly stressed that the EU will be able to achieve ever closer integration only if it takes systematic action to conserve and safeguard these values, and the cultural heritage is without doubt the best means of doing so. Bearing this in mind, has the Council assessed the negative impact of suspending the Raphael programme?

It is inconsistent for the Council to insist that all Community cultural actions be grouped together and introduced on the legal basis provided by the EU Treaty (Article 128) and at the same time to interrupt the procedure for implementing the Ariane and Raphael programmes.

Can the Council give an indication of its intentions and state whether it considers that cultural action should be taken year by year, with decisions being taken only as part of the annual budgetary procedure? Does the Council consider this to form the basis for a structured cultural policy founded on medium- and long-term planning?

Does the Council attach any importance at all to the development of cultural action explicitly enshrined in Articles 3 and 128 of the Treaty?

Reply

(1 July 1996)

In common with the European Parliament, the Council attaches greatest importance to the Community, as stipulated in Article 128 of the EC Treaty, contributing to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.

Since the Treaty on European Union entered into force the Council and the European Parliament have received three proposals for Decisions involving programmes in the cultural sector.

The first of these proposals, Kaleidoscope, was recently adopted by the European Parliament and the Council.

The second, Ariane, now seems to be heading towards a positive outcome, as proceedings within the Council have resumed in a constructive spirit which should make it possible to adopt a common position of the Council in the fairly near future.

As regards the third proposal, Raphael, the Council has not managed to achieve the unanimity necessary for a common position. Contacts are continuing with a view to finding a solution to the problems impeding progress on this dossier.

The Council has endeavoured to reach acceptable solutions which, while respecting the spirit of the proposals under discussion, make it possible to achieve the necessary common denominator.

The success of Kaleidoscope and the resumption of work on Ariane testify to this positive and determined attitude on the part of the Council.

Mediation will also be required to achieve a positive result with Ariane and Raphael.

The Council, which already received constructive support from the European Parliament on Kaleidoscope, hopes that the latter will take into account the legal and institutional difficulties of the decision-making process and will help it, as in the past, in seeking a balanced solution.

(96/C 280/44)

WRITTEN QUESTION E-0461/96

by Frode Kristoffersen (PPE) to the Commission

(29 February 1996)

Subject: Member States' right to restrict reception under Article 2a of the amended proposal for a directive on 'television without frontiers' (COM(95) 86)

Under Article 2a of the Commission's proposal amending the directive on 'television without frontiers' (COM(95)0086) [1] the Member States must in principle ensure freedom of reception and may not therefore restrict the reception/transmission of broadcasts from other Member States unless they infringe Article 22 and/or

Article 22a of the directive which concern the protection of minors. The public debate has shown however that there is some disagreement as to what protection of minors should consist of. At least one Member State for instance has introduced a general ban on TV commercials for toys while others have found no grounds for doing so.

Does the Commission think that the Member State in question should, under its own national rules on the subject, continue to be able to restrict viewers' ability to receive channels from other Member States that allow commercials for toys to be broadcast?

(1) OJ C 185, 19.7.1995, p. 4.

Answer given by Mr Oreja on behalf of the Commission

(2 May 1996)

The Commission would draw the Honourable Member's attention to the fact that the rules on advertising and sponsorship are already coordinated by Chapter IV of Directive 89/552/EEC ('television without frontiers'). (1) Article 16 specifically provides for a series of measures designed to protect children from abuse of any kind. There are no other restrictions on advertising for children.

Under Article 3 of the Directive, a Member State is free to adopt stricter measures, but these may apply only to broadcasters under its jurisdiction and must not undermine the principle of the freedom to receive and transmit broadcasts, laid down in Article 2(2) of the Directive.

Member States may not therefore rely on the provisions of the Directive to prohibit the reception and retransmission of television programmes from other Member States merely on the grounds that they contain advertising aimed at children.

(1) OJ L 298, 17.10.1989.

(96/C 280/45)

WRITTEN QUESTION E-0470/96

by Antonio Tajani (UPE) to the Commission

(29 February 1996)

Subject: Regulation (EEC) No 3463/87 laying down general rules for imports of olive oil originating in Tunisia

- Under Regulation (EEC) No 3463/87 (1) of 17 November 1987, as subsequently amended, Tunisia enjoys a preferential customs tariff, under which the ordinary tariff is reduced by 90%, for the sale of olive oil of various qualities to the European Community Member States.
- In January 1994 the Tunisian Government proclaimed a decree authorizing some companies to export their products directly, thereby breaking the monopoly enjoyed by the ONH (Office Nationale de l'Huile).
- In reality, however, the whole of the Community quota is utilized by the ONH in Tunis, in clear contradiction with the spirit of the implementing regulation, which speaks in generic terms of 'the Tunisian exporter'.
- Tunisia is a signatory to the GATT agreements on free trade, and the EEC appears to have implemented preferential arrangements, which is contrary to those agreements.

What steps does the Commission intend to take to ensure that the quota is no longer distributed solely by the ONH? Can the Tunisian Government be granted such treatment by the EEC as a pure gift, irrespective of the criteria of free trade? Can any Tunisian exporter sell olive oil under the Community quota, and can the relevant Community authority issue the necessary import licences?

(1) OJ L 329, 20.11.1987, p. 3.

Answer given by Mr Fischler on behalf of the Commission

(27 March 1996)

Article 37 of the Association Agreement signed between the Community and Tunisia on 17 July 1995 gives state monopolies five years from the entry into force of the Agreement to end all discrimination in procurement and marketing. Article 38 of the Agreement allows state-owned enterprises a five-year period in which to abolish any measures that might disrupt trade between the parties.

In the case in point, the Community did not expressly accord the ONH (Office Nationale de l'Huile) any rights under the Agreement.

The WTO agreements do not stand in the way of the phased dismantling of monopolies.

The implementing procedures adopted by the Commission for the management of tariff quotas require importers to submit a copy of their purchase contract with the supplying exporter along with their applications for import certificates to the Member States' authorities. No exclusive or preferential arrangements have been made for the ONH.

(96/C 280/46) **WRITTEN QUESTION E-0473/96**

by Nel van Dijk (V) and Magda Aelvoet (V) to the Council

(7 March 1996)

Subject: Tax-free car fuel for Council officials

Does an arrangement exist whereby senior Council officials have the privilege of purchasing between 200 and 300 litres of car fuel per quarter tax-free?

Can the Council indicate:

- how many Council officials made use of this arrangement in 1995?
- how many litres of fuel were sold under this arrangement in 1995 and at what price?
- approximately how much the arrangement costs to administer (including wage costs)?
- which budget item the administration of the arrangement is charged to?

Does the Council agree that this arrangement is difficult to reconcile with the need to reduce car traffic, *inter alia* by increasing the price of car use to reflect environmental costs?

Ought not Council officials to be encouraged to use public transport, particularly in a city which has such traffic problems as Brussels does?

Do Council officials also enjoy such privileges as an annual duty-free alcohol and tobacco allowance and exemption from VAT on motor vehicles and other consumer 'durables'?

Does the Council agree that such perquisites are somewhat excessive, given that the senior officials in question are among the best paid in the Union?

Does the Council agree with the President of the European Parliament that these facilities give an impression of the European civil service which is no longer in keeping with the times, and that they are therefore hard to justify?

Is the Presidency of the Council, like the President of the European Parliament, prepared to participate in consultations on the abolition of these privileges between the institutions and with the competent authorities of the countries where the Community institutions are located?

Reply

(13 June 1996)

Certain officials of the General Secretariat of the Council posted to Brussels receive tax-free fuel cars in accordance with the conditions outlined below.

Officials of grade A1-A2 are issued with cards for an equivalent of 240 litres per quarter for a motor vehicle up to 9HP and 300 litres per quarter for a vehicle of over 9HP.

Officials of grade A3-LA3 are issued with cards for an equivalent of 180 litres per quarter for a vehicle of up to 9HP and 240 litres per quarter for a vehicle of over 9HP.

For information, 94 officials benefited from these arrangements in 1995. The total amount of fuel concerned was 95 160 litres, the price of which varied between BF 8,50 and 9,50 per litre (according to the octane rating and fuel used: super, super plus, Eurosuper, diesel).

The administration of these arrangements represents approximately 16 days' work per year and costs approximately BF 85 000.

These administrative costs come under item 110 of the Council budget.

All Council officials may purchase an annual tax-free alchohol and tobacco parcel, up to an amount of BF 1 800. A1, A2, A3 and LA3 officials may also purchase an additional alcohol and tobacco parcel: A1 officials may purchase a tax-free parcel costing BF 10 000, A2 officials a parcel of up to BF 3 000 and A3-LA3 officials a parcel of up to BF 1 500.

The exemption from VAT on motor vehicles and other consumer durables is authorized for officials and employees who were not resident in Belgium when they took up their posts, and lasts for a period of not more than 12 consecutive months. This exemption is valid for the purchase of new articles necessary for setting up home in Belgium, and for the purchase of a car. It is not renewable.

All the above privileges are granted by the Belgian authorities.

(96/C 280/47)

WRITTEN QUESTION E-0494/96

by Jens-Peter Bonde (EDN) to the Commission

(1 March 1996)

Subject: Transparency

Will the Commission ensure that the agendas and minutes of its meetings are made available to Members of the European Parliament and the public in all official languages?

Answer given by Mr Oreja on behalf of the Commission

(3 May 1996)

The Commission would remind the Honourable Member that, in accordance with its decision of 8 February 1994 on public access to its documents, [1] Members of Parliament – and indeed any member of the general public – should as a rule be allowed access to Commission documents unless this would violate the public interest, private interests or the confidentiality of the Commission's proceedings. These specific exceptions were laid down in the joint Commission-Council Code of Conduct attached to the decision referred to above.

None of the exceptions is applied automatically. Each request is given careful and individual consideration.

The second sentence of Article 7 of the Commission's Rules of Procedure of 17 February 1993 [2] states that, 'Discussions shall be confidential.' However, Commission practice with regard to its minutes and agendas has always been to find a balance between giving the public access and protecting the confidentiality of its proceedings (in accordance with the Code of Conduct).

As for the availability of agendas and minutes in all official Community languages, the Commission would inform the Honourable Member that these documents are used internally as working documents and are therefore available in the Commission's working languages only.

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[1] OJ L 46, 18.2.1994.
[2] OJ L 230, 11.9.1993.

(96/C 280/48)

WRITTEN QUESTION E-0502/96

by Sebastiano Musumeci (NI) to the Commission

(1 March 1996)

Subject: Exemption from taxes on petroleum products in Sicily

- The Italian Government, in the person of Mr Fantozzi, Minister of Finance, has stated that it is opposed to the introduction of tax exemptions for petroleum products in Sicily. This attitude undoubtedly constitutes discrimination against Sicily, since two regions of Northern Italy obtained that concession some time ago.
- The Italian Government's refusal to grant any such exemption is even less justifiable in view of the fact that, for many years, Sicily has had to put up with extremely polluting oil refineries along its coastline (at Gela, Priolo and Milazzo) to enable refined oil to be sold to other regions at a much lower price than that demanded of local consumers.
- Tax exemptions for petroleum products in Sicily would provide an unprecedented boost for the island's tourist industry and its boat services, which hitherto have been at a disadvantage compared to those of other Mediterranean countries.

Does the Commission agree that it should approach the Italian Government to overturn an arbitrary and discriminatory decision in relation to a region which has suffered serious environmental damage and under-development?

Answer given by Mr Monti on behalf of the Commission

(15 April 1996)

According to Article 8(4) of Council Directive 92/81/EEC on the harmonisation of the structures of excise duties on mineral oils [1], the Council, acting unanimously on a proposal from the Commission, may authorise any Member State to introduce exemptions or reductions in the rates of duty on mineral oils, for specific policy reasons.

On a request from the Italian authorities the Council has decided to authorise Italy to apply reduced rates or exemptions on mineral oils for consumption in the regions of Val d'Aosta and Gorizia and the regions of Udine and Trieste[1].

It is for the Italian authorities to decide if further derogations should be requested.

[1] OJ L 316, 31.10.1992.

(96/C 280/49)

WRITTEN QUESTION E-0520/96

by Richard Howitt (PSE) to the Commission

(11 March 1996)

Subject: Helios programme

What action is the Commission considering to ensure the survival of European NGO's of disabled people, if grants to those organizations are suspended if the Council blocks a new Helios programme at the end of 1996?

Does the Commission agree that such organizations play an invaluable role in dialogue between the European Union and disabled European citizens, and will it consider emergency arrangements to provide transitional payments should such a situation arise?

Answer given by Mr Flynn on behalf of the Commission

(15 April 1996)

The interim evaluation report of the Helios II programme [1], adopted by the Commission on 23 January 1996, highlights the importance of cooperation between organisations of people with disabilities. The European added value of such dialogue and cooperation is widely appreciated.

The Commission is actively engaged in considering the follow-up to the Helios II programme which ends in December 1996. The Commission is in any case committed to propose appropriate initiatives to promote equal opportunities for people with disabilities. In the Commission's view, this should encompass support for cooperation with organisations of people with disabilities.

(1) DOC. COM(96) 8 final.

(96/C 280/50)

WRITTEN QUESTION E-0544/96

by Gianni Tamino (V) to the Commission

(11 March 1996)

Subject: The failure by Italy to comply with the Euratom Treaty in respect of the Maddalena Archipelago military base and nature park

A US military base, with nuclear-powered submarines, is stationed in the Maddalena Archipelago (Sardinia).

For many years now the local inhabitants have criticized the lack of adequate evacuation plans in the event of accidents, the lack of environmental impact assessments of the base and the lack of investigation into any links it may have with the high number of deaths through tumours and the high number of children born with deformities in the region.

Moreover, the Maddalena Archipelago, including the site of the military base, was recently declared a Nature Park, and the Italian minister, Mr Mozzo, has said that the secret agreement between Italy and the USA on transferring the area used by the base is unconstitutional under Italian law in that a portion of territory belonging to an EU Member State is thereby not subjected to the controls provided for by the Euratom Treaty.

1. Does the Commission consider the existence of a base for nuclear submarines to be compatible with the designation of a nature park, as provided for *inter alia* by the Community Interreg programme?

2. Does the Commission not agree that it is unacceptable that an area of Italian, and hence EU, territory should be exempt from the controls provided for by the Euratom Treaty, particularly since, in breach of the provisions of the IAEA, the landing stage for the base's nuclear submarines is near the munitions depot on the San Stefano wharf?

Answer given by Mr Papoutsis on behalf of the Commission

(2 May 1996)

1. The international marine park of the Strait of Bonifacio-Lavezzi-Maddalena is a project jointly submitted by the regions of Corsica and Sardinia under the Interreg I and II programmes concerning southern Corsica and the province of Sassari. According to the information available to the Commission, this marine park project does not include the areas where the military bases are stationed which are a long way from the area in question.

2. The Commission is not aware of the terms on which that part of Italian territory which now forms the United States submarine base in the Maddalena Archipelago was assigned for that purpose. However, in terms of the Euratom Treaty and to the extent that the territory affected remains under Italian authority, Chapter III of the Euratom Treaty comprising Articles 30-39 and entitled 'Health and Safety' applies, as does Community legislation enacted on the basis of these articles, in particular Article 31, referring to the establishment of Community basic safety standards for the protection of the health of workers and the general public against the dangers of ionizing radiation.

This is without prejudice to Article 84, third paragraph, of Chapter VII of the Treaty, entitled 'Safeguards', whereby for the attainment of the objectives stated in that chapter, 'safeguards may not extend to materials intended to meet defence requirements which are in the course of being specially processed for this purpose or which, after being so processed, are, in accordance with an operational plan, placed or stored in a military establishment'.

The Commission does not consider that any part of Community territory is exempt from the controls provided for by the Euratom Treaty, and has received no evidence to indicate that the Euratom Treaty has not been applied in Italian territory.

(96/C 280/51)

WRITTEN QUESTION E-0547/96

by Anita Pollack (PSE) to the Commission

(11 March 1996)

Subject: Statistics on laboratory animal use

Would the Commission confirm that steps have now been taken to ensure an improvement in the collection and presentation of statistics on laboratory animal use in Member States, and indicate when the next set of statistics will be published and for what year?

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 May 1996)

Directive 86/609/EEC [1] requires Member States to collect, and as far as possible periodically make publicly available the statistical information on the use of animals in experiments, and to provide a suitable summary of the information collected.

No mention is made of the model and type of statistical tables to be used. However an agreement was reached on the use of statistical tables from the Convention of the Council of Europe on the protection of vertebrate animals used in experiments. While certain Member States were able to use these tables, others were not, and those having failed to implement the Directive in spite of the infringement proceedings taken by the Commission did not have a legal basis to require the collection of these statistics.

To improve this situation, the Commission, with the cooperation and assistance of the Member States, started work in 1990 on more detailed tables in order to clarify the situation on the use of laboratory animals. With the help of the European centre for the validation of alternative methods (ECVAM), a definitive set of tables accompanied by an explanatory glossary of terms has now been agreed.

The Commission will now request that all Member States fill in the tables in 1997 with data from 1996. The final result will then be reported to the Council and the Parliament. If this exercise does not succeed, the Commission will use other means in order to reach the necessary results, and may consider proposing an amendment to the Directive in order to stipulate not only that the reporting of the statistics be considered obligatory, but also the type of tables to be used.

In the present situation the Directive does not allow for sanctions of the Member States which report differently or use different statistical tables.

The Commission would in addition refer the Honourable Member to its reply to Written Question E-482/96 by Mr Crampton [2].

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[1] OJ L 358, 18.12.1986.
[2] OJ C 185 of 25.6.1996, p. 65.

(96/C 280/52)

WRITTEN QUESTION E-0555/96

by Gianni Tamino (V) to the Commission

(11 March 1996)

Subject: Distribution of colza oil as food aid in Angola

Humanitarian aid sent by the European Union to Angola includes large quantities of colza oil (produced in the Union) which is unfit for human consumption because it is considered to be carcinogenic and is therefore banned in Europe. Unfortunately however it is distributed along with food aid, causing dangerous confusion (because of the poor food situation of a large section of the Angolan population and the lack of clear labelling on bottles). In some cases it has been received as humanitarian aid and immediately put on sale as oil for human consumption on Angolan markets, and has even been found in the kitchens of some houses. What is even more serious is that it has been allocated to Italian nuns for a child aid programme.

Is the Commission aware of this?

Does the Commission not agree that it is not advisable for colza oil that has not been clearly labelled as animal feed and is not accompanied by proper directions for use to be used for human consumption and distribution in Angola?

What will it do to prevent improper use of the products it sends to countries in need of humanitarian aid, especially in this particular case?

Answer given by Mr Pinheiro on behalf of the Commission

(13 May 1996)

At the request of non-governmental organizations and the World Food Programme, the Community supplied those organizations with rape seed (colza) oil for free distribution as part of their aid programmes in Angola. Sunflower oil was supplied to the Angolan Government for sale on the market to generate counterpart funds with which to finance development projects.

Any product supplied as Community food aid is labelled in accordance with the Commission communication regarding the characteristics of products to be supplied under the Community food aid programme, [1] which requires the type of product to be stated on the packaging.

Refined rape-seed oil is highly nutritious and perfectly fit for human consumption; it is the best-selling vegetable oil on the Community market.

[1] OJ C 114, 29.4.1991.

(96/C 280/53)

WRITTEN QUESTION E-0562/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(11 March 1996)

Subject: Funding of the plan for the reconstruction of Bosnia

The implementation of the first stage of the international plan for the civil reconstruction of Bosnia is being jeopardized by funding problems. The programme has been allocated 550 million dollars but the Commission has so far provided only 62,5 million. None of the other countries which gave undertakings — the USA, Japan and the Arab countries — has provided anything at all.

What position does the Commission plan to take at the forthcoming international conference of donors planned for April?

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

(3 May 1996)

1. First donor conference and follow-up

In response to estimated needs of ECU 400 million during the first quarter of 1996, the international community, at a first donor conference held in December in Brussels, made pledges amounting to ECU 427 million in addition to about ECU 96 million of on-going funding of programmes already underway. Of the total of ECU 523 million, 10 % is estimated to relate to humanitarian aid objectives. The available funding for rehabilitation and reconstruction amounted therefore to about ECU 462 million.

Of this amount, ECU 269 million have been in the meantime firmly committed to concrete programmes, whilst ECU 195 million are still indicative, meaning that the commitment is still in the process of being negotiated and not yet available for disbursement.

Of the ECU 269 million firmly committed, the Community programmes amount to ECU 88 million comprising ECU 25 million from various budgetary sources (ECHO and other budget lines), and ECU 62,5 million from Phare (as a first tranche of a ECU 125 million Essential aid programme (EAP).

Of this first tranche of ECU 62,5 million, about half has been tendered and goods will arrive during April. The other half is under tendering or preparation for tendering. Most of the goods will have been delivered before the end of the first half year.

Other donors, especially some of the Member States through their bilateral programmes, have also been preparing urgent actions. The exact amount is not known.

Other donors, the United States for ECU 48 million and Japan for ECU 40 million are also in the process of early disbursement. The Islamic countries have as yet not provided any information.

2. Second donor conference

The Commission, together with the Presidency and in cooperation with the High Representative and the World Bank, has been active in mobilising donors to prepare the pledges for the second donor conference which took place on 12/13 April.

The second donor conference was again successful as far as pledging was concerned. The target of ECU 930 million was reached. In total ECU 990 million was pledged.

The Community and its Member States pledged ECU 330 million, one third of the total. The US pledged ECU 170 million, Japan ECU 101 million, the Islamic countries represented for the first time ECU 130 million, other bilateral donors ECU 33 million, the World Bank ECU 140 million and other financial institutions and organizations ECU 84 million.

It will be necessary to coordinate implementation efficiently in order to bring about improvements on the ground as quickly as possible. Priority will be given:

- to key infrastructure to ensure improved access to basic services and housing to facilitate the return of displaced people and refugees;
- to jump-start production to improve employment, especially of demobilised soldiers, and
- de-mining as a prerequisite for the physical implementation of projects.

The participants agreed to meet again after the elections in autumn 1996 to review the progress of the assistance. They promised to continue their support in the period 1997-99. A review of the needs of other war-torn areas in former Yugoslavia could also be envisaged.

3. Overview of pledges for the whole of 1996

ECU millions

	December 1995	April 1996	Total
Community	88,92	202,80	291,72
Member States	149,76	122,46	272,22
Sub-total:	238,68	325,26	563,94
USA	49,14	170,82	219,96
Japan	39,00	101,40	140,40
Canada	4,68	14,04	18,72
Islamic countries	–	130,26	130,26
World Bank	117,00	140,40	257,40
Other financial institutions/organizations	2,34	84,24	86,58
Total:	450,84	966,42	1 417,26

(96/C 280/54)

WRITTEN QUESTION E-0567/96

by Florus Wijsenbeek (ELDR) to the Commission

(11 March 1996)

Subject: Vehicles authorized in Finland

Is the Commission aware that for some time the Finnish authorities have been removing Dutch freight combination vehicles which are in transit through Finland to Russia from the roads and fining them for being unsafe?

The Finnish authorities consider that these vehicle combinations which are equipped with 'short couplings' and which are longer than 18 m. 35, but which comply with the criteria of the proposal for a directive (COM(93)679 [1] (as approved unanimously at second reading by the European Parliament's Committee on Transport and Tourism and shortly to appear as an A item on the Council of Ministers' agenda) should not be allowed to transit Finland although, according to national legislation, freight vehicle combinations of 20 metres are permitted.

Does the Commission share my view that the Finnish authorities are interpreting the existing European legislation in such a way that there is a strong suspicion of discriminatory market protection?

Is it willing to approach the Finnish authorities so that, pending the final approval of the directive (COM(93)679), transport which meets these criteria is allowed to transit the country unhampered?

What measures does the Commission intend to take in order to make it clear to Finland that market protection and discrimination are inappropriate in the Union?

If so, how, and if not, why not?

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[1] OJ C 38, 8.2.1994, p. 3.

Answer given by Mr Kinnock on behalf of the Commission

(3 May 1996)

Council Directive 85/3/EEC [1] on the weights, dimensions and certain other technical characteristics of certain road vehicles, as amended, currently only guarantees the free circulation of truck and trailer combinations ('road trains') up to 18,35m in length.

The position will change upon entry into force of the Commission proposal for a new directive to replace Directive 85/3/EEC. However, the common position [2] agreed in the Council did not sanction the use of short coupling devices on combinations longer than 18.35m.

For the other outstanding issues the Commission would refer the Honourable Member to its answer given to his Written Question E-20/96 [3].

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[1] OJ L 2, 3.1.1985.
[2] OJ C 356, 30.12.1995.
[3] OJ C 173 of 17.6.1996, p. 16.

(96/C 280/55)

WRITTEN QUESTION E-0568/96

by Peter Pex (PPE), Leen van der Waal (EDN) and Bartho Pronk (PPE) to the Commission

(11 March 1996)

Subject: Commission decision of 20 December 1995 on the granting of a subsidy of PTA 90 billion for Spanish shipbuilding

Can the Commission indicate what proportion of this subsidy is for interest on arrears of payments?

The Member States were told that there would be a consultation before the Commission took a decision. The Commission however has not kept its promise and has taken a final decision without reference to the Member States. What were the reasons and does the Commission consider that this was a correct course of action in relation to the Member States concerned?

Can the Commission provide clarification on the inquiry into the national tax benefits which the Spanish shipbuilding industry will receive from 1995-98. Are they compatible with the European rules on state aid?

Did the subsidy of PTA 90 billion, supplementing the previous subsidy of 180 billion approved under the OECD agreement, not distort competition within the Union and can the Commission confirm the reports that in Spain subsidies of 50% are granted for the construction of fishing vessels?

Answer given by Mr Van Miert on behalf of the Commission

(25 April 1996)

On 20 December 1995 the Commission decided to authorize the payment of outstanding previously approved loss compensation aid amounting to PTA 89 104 000 million not yet paid due to budgetary constraints, comprising PTA 64 196 000 million in principal and PTA 24 908 000 million in interest accrued, within the framework of a restructuring plan for the publicly-owned yards. This aid forms part of the package of up to PTA 180 000 million aid in the derogation for Spain under the Organization for economic cooperation and development agreement, and is in no way additional to that derogation. The remaining elements of the package (PTA 80 000 million for social aid and PTA 10 000 million for investment aid) are still under examination.

Also on 20 December 1995, the Commission decided to initiate proceedings under Article 93(2) of the EC Treaty to investigate the compatibility with the common market of proposed future tax credits to the yards.

The loss compensation aid was approved in accordance with Article 5a of the shipbuilding aid directive (Directive 90/684/EEC as amended by Directive 94/73/EC [1]), which required a Commission decision by 31 December 1995. Given that the Spanish aid notification was not received until November, there was insufficient time to consult Member States before taking a decision. However, Member States are being consulted on the outstanding aspects of the Spanish restructuring plan at a multilateral meeting. Moreover, the Commission's letter informing the Spanish authorities of its decisions will be published in the Official journal so that other Member States and third parties will have access to further information and have an opportunity to comment within the framework of the proceedings under Article 93(2) of the EC Treaty.

Aid for fishing vessels is governed by the guidelines for the examination of state aid to fisheries, [2] and in particular the criteria and scales set out in Council Regulation (EC) No 3699/93 [3]. Those rules provide that state participation in the construction of new fishing vessels may amount to up to 60% of the investment (see Table 3 in Annex IV to Regulation (EC) No 3699/93). Such aid may be granted only for vessels based in regions covered by Objective 1 under the structural funds (most of the Spanish fishing ports fall within this category) and hence not for fishing vessels built in the regions concerned, but intended for fishing from other regions.

[1] OJ L 351, 31.12.1994.
[2] OJ C 260, 17. 9.1994.
[3] OJ L 346, 31.12.1993.

(96/C 280/56) **WRITTEN QUESTION P-0571/96**

by Bernd Lange (PSE) to the Commission

(29 February 1996)

Subject: Action by the European Community in preparation for the 'EXPO 2000' world exhibition in Hanover

To mark the millennium, the EXPO 2000 world exhibition will take place in the year 2000 in Hanover under the motto 'mankind — nature — technology'. It will provide the opportunity to develop and present comprehensive ideas for sustainable development. It will also give rise to considerable demand for future-oriented technologies and their implementation, not only in the Hanover region but also throughout the Union. Greater participation by the Community in the preparatory stages would be desirable.

1. What activities are planned at Community level? To what extent is the Commission involved in national and regional preparations for EXPO 2000?

2. What form might Commission involvement take? Might a small EXPO 2000 task force be established?

3. Will the Commission propose a separate budget heading to support the preparatory activities for EXPO 2000?

Answer given by Mr Oreja on behalf of the Commission

(8 May 1996)

The Commission has accepted in principle a German invitation to participate in the universal exhibition which will take place in Hanover in 2000. This agreement in principle was given on the condition that, at the appropriate moment, the Council and the Parliament take decisions on the budget necessary for participation.

The Commission and the Parliament are in close contact with the organisers of Hanover 2000 to define the most appropriate form of Community participation. Further, regular meetings of the Council's group on fairs and exhibitions keep the Commission informed of the progress the Member States are making in their preparations for Hanover 2000.

A communication from the Commission to the Council and the Parliament is foreseen for 1996 and the Commission will examine the budgetary procedures in due course.

(96/C 280/57)

WRITTEN QUESTION P-0574/96

by Peter Truscott (PSE) to the Commission

(1 March 1996)

Subject: Statistical Office

Can the Commission confirm the statistics within the draft DGY document 'on the state of health in the European Community' CEC/Y/F/1/LUX/13/95 which suggest that the UK is the only EU Member State with net emigration?

Would the Commission express an opinion on the asylum and immigration bill currently passing through the UK Parliament with government support and the suggested use of so called 'white list' of safe countries?

Answer given by Mrs Gradin on behalf of the Commission

(11 April 1996)

According to the most recent figures (migration statistics 1995), which relate to the years 1960 to 1993, as from 1983 there has been a continuous net immigration into the United Kingdom, amounting to 50 000 a year on average. The report on the state of health in the Community [1] to which the Honourable Member refers was based on figures for the United Kingdom which have since been revised.

With regard to the proposed United Kingdom asylum and immigration bill, it would not be appropriate for the Commission to express a view on draft legislation which is still the subject of debate within the national parliament.

Concerning the concept of 'safe countries' which has been introduced in the legislation of a number of Member States during recent years, the Commission would refer the Honourable Member to its answer to written question E-46/95 by Mrs Maij-Weggen [2].

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[1] COM (95) 357 final.
[2] OJ C 175, 10.7.1995.

(96/C 280/58)

WRITTEN QUESTION E-0579/96

by David Hallam (PSE) to the Commission

(11 March 1996)

Subject: EC legislation on protected designations of origin

Should the current legislation on protected designations of origin apply to the production of Worcestershire sauce produced inside and outside the county of Worcestershire in the United Kingdom?

Answer given by Mr Fischler on behalf of the Commission

(18 April 1996)

Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs [1] does not actually apply to sauces, which are neither agricultural products nor among the foodstuffs listed in Annex I to the Regulation. The designation 'Worcestershire sauce' could not, therefore, be protected under this Regulation.

It could, on the other hand, be covered by Regulation (EEC) No 2082/92 on certificates of specific character for agricultural products and foodstuffs, one aim of which is to protect traditional recipes. The list of foodstuffs annexed to this Regulation specifically includes 'prepared condiment sauces'. So far, however, the Commission has not received any request for registration of the designation 'Worcestershire sauce'.

[1] OJ L 208, 24.7.1992.

(96/C 280/59)

WRITTEN QUESTION E-0585/96

by Mihail Papayannakis (GUE/NGL) to the Commission

(11 March 1996)

Subject: The catacombs of Milos

The catacombs of Milos, the only Christian graveyard of its kind in Greece and a priceless part of our common European historical and cultural heritage, are at risk from soil erosion, and protective measures are needed if they are to be saved. This monument has been dated at between the second and fifth centuries AD and consists of a complex of three caves that were initially independent but were later united, creating three chambers and six passageways.

Since Article 128 of the Treaty on European Union gives particular prominence to the need for the conservation and safeguarding of cultural heritage of European significance, and bearing in mind the action of the European Union in the cultural sphere – despite its subsidiary character – and the leading role played by Greece in this field, will the Commission say how it intends to respond to this request by the relevant Greek authorities that the project to preserve the catacombs of Milos be integrated, and funded under, a Community programme, and whether it might also grant technical aid to conserve this monument, if necessary?

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

(6 May 1996)

The Commission agrees that protection should be given to historical monuments in the Community and that monuments like the catacombs of Milos in Greece, which could become tourist attractions for Community citizens living far away, have a special importance in the development of the regions they are in.

However, it is up to the Greek authorities to put forward any relevant measures, under either the multifund operational programme for the southern Aegean 1994-99 or the pilot programme for the preservation of cultural heritage, particularly archaeological sites, announced in the Official Journal. (1)

Were a request to be made, the Commission could look into possible joint financing.

(1) OJ C 67, 5.3.1996.

(96/C 280/60)

WRITTEN QUESTION E-0589/96

by Ernesto Caccavale (UPE) to the Commission

(11 March 1996)

Subject: ERDF Regulation for the 1994-1999 period — Objective 1 Abruzzi, Italy

- Under the Community Support Framework (1994-99), measures cofinanced by the ERDF for the Abruzzi Region are admissible only in respect of the 1994-96 period. Delays in approving the operational programme have given rise to delays in the publication of the relevant notices, which even now has not yet been completed.
- The aids to businesses provided for under the multiregional operational programme (Section 2 — Industry and Services) will only be available following publication by the Ministry for Industry of the notice of implementation of Law 488/92e, and in any case no earlier than October 1996.
- As from 1 January 1997, businesses established in the Abruzzi Region will no longer benefit from the present reductions in contributions and State subsidies to cover labour costs.

1. Does the Commission agree that the operational programme's period of implementation should be extended proportionally to the delays in payments if the Abruzzi Region has not completed the development programme by the end of that period?

2. Should the Commission not produce an accurate description of the situation of the Structural Funds, in terms of commitments and payments, before suspending the Abruzzi Region's eligibility for Objective 1 classification as of 31 December 1996?

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

(23 April 1996)

The duration of the eligibility of the Abruzzi region under objective 1 from 1994 to 1996 is laid down in the structural funds regulations (1).

The Commission is conscious of the delays in implementing the Abruzzi regional programme and is pressing for an acceleration of commitments at regional and national levels in order to make full use of the funds available. It should be borne in mind that two further years, 1997 and 1998, are available for payments to be made in respect of these commitments.

The Commission will keep the matter under close review. Given the delays in the negotiation process before the approval of the regional operational programmes, the Commission may have an open approach with respect to the request from the Member State to consider extensions of the existing deadlines for commitments and payments.

(1) OJ L 193, 31.7.1993.

(96/C 280/61)

WRITTEN QUESTION E-0608/96

by Peter Truscott (PSE) to the Commission

(13 March 1996)

Subject: Indirect taxation

Does the Commission have a viewpoint on the reduction of indirect taxation on alcohol and tobacco by Member States?

Would the Commission support equalization of such tariffs at the top rate within the EU as opposed to the lowest rate?

Answer given by Mr Monti on behalf of the Commission

(6 May 1996)

As part of its preparation for the internal market, the Commission originally proposed fully harmonised rates of duty for alcohol and tobacco products. This approach was rejected by Council, as was a revised approach based on minimum and target rates. Ultimately, the Council adopted just minimum rates, which were set at quite low levels. It follows that, in legal terms, Member States are free to increase or reduce national rates, as long as they respect the minimum rates laid down by Council.

However, the relevant directives also require that the minimum rates be reviewed every two years, taking account of the internal market, the real value of the rates of duty and wider Treaty objectives. The first such review did not give rise to proposals, but led to a major consultation process with administrations, trade representatives and other interest groups. This process, which is nearing conclusion, seeks to analyse the various policy objectives which may be relevant for future excise policy. The Parliament itself is a participant in that process, and its input is expected shortly.

Following the consultation process, the Commission will draw up its conclusions and proposals for future excise policy, in the form of the next review of minimum rates which is scheduled for later this year.

(96/C 280/62)

WRITTEN QUESTION E-0614/96

by Amedeo Amadeo (NI) to the Commission

(13 March 1996)

Subject: Television without frontiers

The Commission's aim, in submitting the proposal for a European Parliament and Council Directive (COM(95)0086 ([1])) amending Council Directive 89/552 ([2])), was to amend the 1989 'Television without frontiers' Directive to take account of technological and market developments and remedy certain problems experienced in its implementation.

While appreciating the wish to draw up a proposal for a Directive aimed at harmonizing and coordinating certain laws, regulations and administrative provisions of the Member States relating to the pursuit of television broadcasting activities, I would ask the Commission to state:

1. whether the new quota measures adopted are justifiable;

2. whether a more flexible system in stages would not be preferable with a view to monitoring the gradual effects of the MEDIA II programme;

3. whether it agrees that the Directive should leave the television companies to choose whether to meet the broadcasting or investment quotas, both in the case of thematic and multi-thematic channels;

4. whether it is not better to satisfy the quota arrangements (whatever they may be) gradually and to establish a system in stages in order to measure the effectiveness of the measures adopted step by step, before moving on to a new phase.

(1) OJ C 185, 19.7.1995, p. 4.
(2) OJ L 298, 17.10.1989, p. 23.

Answer given by Mr Oreja on behalf of the Commission

(14 May 1996)

1. Directive 89/552/EEC is based on Article 57(2) and Article 66 of the EC Treaty. Its main aim is to create the legal conditions necessary for the free movement of television programmes in the Community. For that purpose, it coordinates the provisions laid down by law, regulation or administrative action in the Member States in a certain number of fields including applicable law, promotion of the distribution and production of television programmes, television advertising and sponsorship, the protection of minors and the right of reply. Article 2(2) provides that Member States should ensure freedom of reception and should not restrict retransmission of television broadcasts from other Member States for reasons which fall within the fields coordinated by the Directive. The measures to which the Honourable Member refers concern the promotion of distribution and production of television programmes. With its proposal for amending Directive 89/552/EEC, the Commission's intention is to improve the level of legal certainty in the light of experience gained from the implementation of the Directive since 1989 and to modernize some of its provisions in line with the changes in television broadcasting since that date. Its proposals relating to the promotion of European works fit in with this overall approach. Moreover, the Commission wished to take into account the inclusion in the EC Treaty of Article 128(4) (see 14th recital of its proposal) which provides that the Community should take cultural aspects into consideration in the instruments adopted under other provisions of the EC Treaty.

2. Directive 89/552/EEC provides the common legal framework for the free movement of television services in the Community (see 1). This directive has no link with the Media II programme except that the objectives of that programme are to provide financial aid for audiovisual professionals in order to enable them to derive maximum benefit from the European audiovisual area.

3. The Directive is addressed directly to the Member States. Under Community law it is for them to establish the form and methods whereby television broadcasting bodies within their jurisdiction should attain the proportions set by Article 4 and Article 5, in accordance with their wording (Article 189 of the EC Treaty).

4. The Commission would remind the Honourable Member that the word 'progressively' appears in Article 4 and Article 5 of Directive 89/552/EEC and that the maintenance of a system applied progressively was the intention of the proposal for amending the Directive and was confirmed in the legislative resolution containing Parliament's opinion on that text adopted by Parliament on 14 February 1996 (1).

(1) OJ C 65, 4.3.1996.

(96/C 280/63)

WRITTEN QUESTION E-0615/96

by Amedeo Amadeo (NI) to the Commission

(13 March 1996)

Subject: Groundhandling at airports

In the proposal for a Council Directive on access to the groundhandling market at Community airports (COM(94)0590) (1), the Commission seeks to:

- define Community rules that will enable the general principles contained in the Treaty to be applied effectively to the groundhandling market;
- introduce measures to accompany liberalization of air transport and related activities;

— establish transparency of costs by unbundling accounting and financial aspects of groundhandling activities and prohibiting any financing which might give rise to a distortion of competition.

Will the Commission establish a technical distinction between operations intended for aircraft and operations not intended for aircraft, by drawing up an exhaustive list of the individual activities?

(1) OJ C 142, 8.6.1995, p. 7.

Answer given by Mr Kinnock on behalf of the Commission

(30 April 1996)

The proposal for a Council directive on access to the groundhandling market at Community airports includes an annex which lists the different categories of groundhandling services. As indicated in the explanatory memorandum, this list takes up and refers to the nomenclature established by the International Air Transport Association (IATA) which is used by airlines and gives technical definitions of the operations covered by each category of service. The list permits the reader to distinguish those categories of service related to aircraft from those concerning other matters.

(96/C 280/64)

WRITTEN QUESTION E-0616/96

by Amedeo Amadeo (NI) to the Commission

(13 March 1996)

Subject: Customs 2000

The proposal for a European Parliament and Council Decision adopting an action programme for Community customs (Customs 2000) (COM(95)0119 (1)), states that the coordinated introduction of computerized and compatible customs clearance procedures at national and European levels is a basic requirement of the European economy. At present, all the Member States are involved in establishing computerized systems that are compatible with those developed by their respective economic environments. In view of the customs union and obligations in respect of uniform application of customs regulations (customs code and implementing regulation) and related legislation (e.g. relating to foreign trade, laws on origin, protection of intellectual property, etc.) throughout the Community, the establishment of a customs communication system is essential at European level.

With a view to effectively combating fraud, the Commission is requested to establish a coordinated plan between the financial authorities of the Member States and services responsible for combating customs fraud.

(1) OJ C 346, 23.12.1995, p. 4.

Answer given by Mr Monti on behalf of the Commission

(6 May 1996)

The computerization of customs procedures is a priority for the Commission. It feels it can boost greater administrative efficiency, increase the speed and security of customs operations and guarantee improved fraud prevention through the use of computerized risk-analysis systems.

The level of computerization achieved by the customs administrations varies considerably from one Member State to another. It is therefore necessary to strive for greater compatibility and coordination between the various systems. Facilitating the electronic exchange of information between Member States will lay the foundations for the implementation of a Community strategy on the computerization of customs procedures.

With this goal in mind, the Commission and the Member States are studying ways in which customs administrations could, within as short a time span as possible, achieve a level of computerization that would allow traders who offer guarantees sufficient to enable the effective control of their customs procedures, to make computerized customs declarations, whatever the customs procedure or system being used. In this way, companies that operate in more than one Member State can avoid the cost of having to install separate computer systems.

A distinction should be made between the computer systems used for customs procedures and those systems used by national governments and the Commission to combat fraud. In this respect, it should be made clear that the internal organization of the national financial and customs authorities is the responsibility of each Member State. Furthermore, the exchange of information between these authorities should be effected with due regard for their competence in matters of data collection, transmission and processing.

The CCN/CSI (Common Communication Network/Common System Interface) is being developed to facilitate electronic communication and exchange of information between the Member States' customs and financial authorities and between these bodies and the Commission.

With regard to cooperation between the customs and agricultural authorities, the amended proposal [1] to replace Council Regulation (EEC) No 1468/81 [2] will provide for both the exchange of information needed to combat fraud and the setting up of the CIS database (Customs Information System). The Commission and the Member States can already use the SCENT message handling system (System for Customs Enforcement), which allows users to exchange information and to access a number of common databases.

[1] OJ L C 80, 17.3.1994.
[2] OJ L 144, 2.6.1981.

(96/C 280/65)

WRITTEN QUESTION E-0617/96

by Amedeo Amadeo (NI) to the Commission

(13 March 1996)

Subject: Internal waterway transport

In adopting Regulation (EEC) No. 1101/89 [1], the Council introduced measures for structural improvements in inland waterway transport, aimed primarily at reducing the overcapacity of fleets through scrapping schemes coordinated at Community level. For this purpose, the Member States concerned provided their scrapping funds, by drawing on their national budgets, with the financial resources needed to offer a scrapping premium to shipowners who submitted their applications by 30 June 1994, in accordance with Regulation (EEC) No. 3039/94 [2].

However, as a result of the sector's economic difficulties, further applications for scrapping premiums were submitted to the national scrapping funds after the deadline. The budgetary authority therefore decided to enter ECU 5 million (LIT 10 bn) in the 1995 Community budget.

While approving the measures adopted, I would ask the Commission whether it agrees that alterations should be made to the nature and scope of the restructuring measures, which have hitherto been financed primarily by the internal waterway transport sector itself?

[1] OJ L 116, 28.4.1989, p. 25.
[2] OJ L 322, 15.12.1994, p. 11.

Answer given by Mr Kinnock on behalf of the Commission

(6 May 1996)

The Council has endorsed the main elements of the proposal to intensify the existing scrapping programme, in order to reduce capacity by 15% of the total tonnage through a common scrapping action over a three-year period, from 1996 to 1998. The programme will be jointly financed by the Member States concerned, by the industry and by a contribution from the Community budget.

However, the Council decided that Community co-funding for the scrapping action whould be restricted to 1996 alone, so that for 1997 and 1998 the Member States directly concerned will have to make available additional means in proportion to the size of their respective fleets.

On 11 March 1996, the Council reached a political agreement on a package to liberalise the inland waterway market along with accompanying measures.

(96/C 280/66)

WRITTEN QUESTION E-0618/96

by Amedeo Amadeo (NI) to the Council

(19 March 1996)

Subject: Building of the Chamber in Strasbourg

In December a French daily published a passage from the report of the Court of Auditors which was apparently intended to be confidential. The Court of Auditors states that the financial controller had advised against signing the draft lease which had been put forward by the SERS company *(Société d'Aménagement et d'Equipement de la Région de Strasbourg)*. The amount indicated in the lease was ECU 443 million (approx. LIT 900 billion), but the financial controller questioned the site's value. He criticized the vagueness of the final costs to which Parliament was exposing itself and the exchange risks involved. The Court of Auditors considers that the lease was therefore signed in circumstances contravening Community budgetary law.

Will the Council give its assessment of the Court of Auditors' statement and state whether it agrees that serious mistakes were made by action and/or omission?

Reply

(25 June 1996)

The Honourable Member is referred to the reply which the Council gave to Written Question No E-2795/94(1) put to the Council by Yves Verwaede:

'The Honourable Member's attention is drawn to the fact that, as regards the observations by the Court of Auditors to which he refers, the detailed examination which they may entail can only be carried out by the European Parliament, which they mainly concern. The Council is certain that the Parliament, as the authority responsible for giving discharge, will wish to carry out its responsibilities regarding this matter.'

(1) OJ No C 103, 24.4.1995.

(96/C 280/67)

WRITTEN QUESTION E-0620/96

by Amedeo Amadeo (NI) to the Commission

(13 March 1996)

Subject: Access to the groundhandling market

In most Community airports, the exercise of groundhandling activities, i.e. activities which take place in the air transport sector, are reserved for national carriers or the airport itself. This is contrary to the principle of free competition on which the liberalization of air transport is based.

Having closely examined the many articles of the Directive on access to the groundhandling market, and while welcoming the efforts made to provide rapid and effective services at European airports, in particular for passengers and goods, I would ask the Commission whether it would agree that the following measures should be taken:

1. to examine the scope of the aforementioned provisions in the context of a careful study of working procedures at airports;

2. to require air transport companies and other service suppliers to unbundle the various activities, in terms of accounts and management,

3. to provide a more detailed definition of the composition and activities of the Users' Committee.

Answer given by Mr Kinnock on behalf of the Commission

(30 April 1996)

The common position of 25 March 1996 on the Commission's proposal (1) for a Council directive on access to the groundhandling market at Community airports establishes a threshold of 2 million passenger movements or 50 000 tonnes of freight for the full liberalisation of third-party handling at Community airports. This threshold

corresponds to the average number of passenger movements or freight throughput which would make it economically viable for at least two handlers to supply services at a given airport. The scope of the proposed directive and the special measures concerning certain services on the air-side take account of the conclusions of studies which relate in particular to constraints of capacity, space, safety and security on the ramp.

The Commission supports the Council in its decision to extend the obligation of separation of accounts to all suppliers of groundhandling activities.

The users' committee will be composed of all the carriers or representative associations of all the carriers, exercising their air transport activity at the airport concerned. In the common position, the committee has no decision making role but only a consultative function. The draft directive does not require the creation of a new committee if such a committee already exists at the airport.

(1) OJ C 142, 8.6.1995.

(96/C 280/68)

WRITTEN QUESTION E-0622/96

by José Torres Couto (PSE) to the Commission

(13 March 1996)

Subject: European Social Fund from 1986 to 1996 (subcontracting)

The Commission's DG V has been speaking of problems as regards subcontracting, a practice employed by vocational training bodies. Can the Commission provide complete and detailed information about the laws and written regulations which since 1986 have governed, restricted, or debarred the use of subcontracting and give precise reasons for its thinking on this important and sensitive subject?

Answer given by Mr Flynn on behalf of the Commission

(22 May 1996)

Article 2 of the Financial Regulation applicable to the general budget of the European Communities states that appropriations must be used in accordance with the principles of sound financial management, particularly economy and cost-effectiveness (1).

Certified amounts must be based on real costs, with supporting invoices or other equally valid documentary evidence. Where the promoter purchases goods or services, the transaction must be consistent with transparency criteria and the service provider must be selected according to the rules of competition. To be eligible, expenditure must also satisfy the following criteria:

- it must be provided for in national and Community regulations;
- it must be provided for and approved in the context of the application for assistance;
- it must not exceed the amount initially approved;
- it must be supported by documentary evidence;
- it must be necessary and legitimate.

In view of the absence of legal standards and written regulations referring specifically to subcontracting in connection with the European Social Fund (ESF), expenditure on subcontracting must be assessed on the basis of these principles. This renders ineligible any unjustified increase in expenditure resulting from:

- serial or unjustified subcontracting, which does not increase the value of the goods or services but merely inflates costs;
- subcontracting which gives rise to excessive profit margins which would not exist if the promoter had complied with the rules of sound financial management;
- contracts where the amounts to be paid to intermediaries are expressed as a percentage of the co-financing provided.

The Commission endeavours to ensure the legitimacy of costs which are submitted, where necessary by on-the-spot checks.

The Community regulations applicable are as follows:

- Council Regulation (EEC) No 2950/83 of 17 October 1983 on the implementation of Decision 83/516/EEC on the tasks of the European Social Fund [2];
- Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments [3];
- Council Regulation (EEC) No 4255/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund[3];
- Council Regulation (EEC) No 2082/93 of 20 July 1993 amending Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments [4];
- Council Regulation (EEC) No 2084/93 of 20 July 1993 amending Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund[4].

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[1] OJ L 356, 31.12.1977, as amended (OJ L 240, 7.10.1995).
[2] OJ L 289, 22.10.1983.
[3] OJ L 374, 31.12.1988.
[4] OJ L 193, 31.7.1993.

(96/C 280/69)

WRITTEN QUESTION E-0628/96

by Nikitas Kaklamanis (UPE) to the Commission

(13 March 1996)

Subject: Nuclear power plant in Turkey

Fresh information that has come to my notice compels me to return to the question of the nuclear power plant in Turkey.

A Japanese firm has carried out a feasibility study for the nuclear plant at Akkuyu, while a Korean company, Kaeri-Gamb, took charge of the technical part of an international competition to find the lowest bidder to construct it.

Turkish environmentalists plan to form an 80 km long human chain on 25 May in protest at the proposed plant.

The Turkish Energy Ministry plans to build two nuclear plants for generating electricity by the year 2010.

Bearing in mind the customs union between the EU and Turkey, will the Commission say:

1. whether it is aware of Turkey's plans described above;
2. whether those plans are consistent with European policy on the use of nuclear power;
3. whether a study of the human and environmental safety aspects exists; and
4. how it intends to react?

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

(22 April 1996)

According to current administrative procedures in Turkey, the Turkish Ministry of Energy's decision to build a nuclear power station at Akkayu cannot be implemented without the approval of the Ministry of the Environment. Such approval should be given only after a detailed study of the effects upon the environment and the safety of the population. This study has not yet started.

Furthermore, the Ministry of Energy's decision has been the subject of legal proceedings instituted by a Turkish environmental NGO. The court has not yet given its judgment.

At this stage the Commission is watching developments closely.

(96/C 280/70)

WRITTEN QUESTION E-0633/96

by Giacomo Santini (UPE) to the Commission

(15 March 1996)

Subject: Authorization for the marketing of plant health products for minor crops

Italian regulations on authorizing the use of plant health products for various crops are highly complex and in fact prevent farmers from being able to use low-toxicity products — which are the result of the most up-to-date research and are more effective in agricultural terms — to protect their crops. The need to harmonize the laws of the various Member States in line with Article 100 et seq. of the Treaty of Rome is increasingly evident in Italy, since the strict regulations in this sphere entail cumbersome procedures for using the new active substances which are authorized annually in the other Community Member States. Italian farmers are therefore increasingly at a disadvantage in view of the severe competition from other EU Member States on the Italian market, even though the latter are marketing products obtained using plant protection substances which are not authorized in Italy. Italian producers of berries, chestnuts, hazel nuts, garlic, lentils, etc. are being doubly penalized in that, as well as imposing excessively complicated procedures for authorizing plant protection products, Italian legislation imposes far more restrictive tolerance levels for residues than those laid down by the various European Union directives.

Can the Commission ensure that it takes steps as soon as possible, and in any case when introducing the new COM, to adopt more binding legislation (e.g. regulations rather than directives) on plant protection products so as, on the one hand, to guarantee a proper system of competition between the various producer countries and, on the other hand, to encourage scientific research to identify plant protection techniques which are beneficial to the environment and to consumer health?

Answer given by Mr Fischler on behalf of the Commission

(3 May 1996)

The Commission has sought information from the Italian authorities on the point raised by the Honourable Member and can accordingly inform him that the provisions of Directive 91/414/EEC concerning the placing of plant protection products on the market, [1] which require Member States to ensure that only effective, safe and environmentally friendly products are sold and used, have been transposed into Italian law by Legislative Decree No 194 of 17 March 1995.

Italy has also incorporated into its law various Community directives — notably Directives 76/895/EEC, [2] 86/362/EEC, [3] 86/363/EEC [4] and 90/642/EEC [5] and amendments to their annexes — concerning pesticide residues in agricultural products, the effect of which has been to lower a number of the threshold values formerly applied in Italy under domestic law, while raising others. Limits not yet harmonized at Community level are set in Italy on the basis of scientific and technical tests designed to evaluate the risk to the consumer.

If the Honourable Member wishes to provide specific details of some of the cases to which he refers, the Commission will look into the matter further.

The Commission is currently working on further harmonization of procedures relating to the registration and placing on the market of plant protection products, and work on further alignment of the limits for residues of major pesticides in agricultural products is also well advanced.

(1) OJ L 230, 19.8.1995.
(2) OJ L 340, 9.12.1976.
(3) OJ L 221, 7.8.1986.
(4) ibid.
(5) OJ L 350, 14.12.1990.

(96/C 280/71)

WRITTEN QUESTION E-0643/96
by Gastone Parigi (NI), Cristiana Muscardini (NI), Spalato Belleré (NI) and Amedeo Amadeo (NI) to the Council

(18 March 1996)

Subject: Ethnic cleansing in the 1940s perpetrated against the Italian community living on the Adriatic coast

The horror felt by the civilized world at the crimes against humanity committed by the various armies in former Yugoslavia in the course of the ethnic war (which is not yet over) is focusing attention, after fifty years of shameful silence, on the tragedy of the 350 000 Dalmatians, Istrians and natives of Venezia-Giulia who were forcibly driven from the largely Italian-inhabited Adriatic coast between 1943 and 1946 and another 10 000 of their brother citizens who were barbarically tortured and buried alive in the karst pits of Slovenia, Croatia and Venezia-Giulia by their persecutors, Marshall Tito's Slav communists.

Just as the civilized world is calling for the Balkan criminals of the 1990s to be punished, so Italy is calling for the punishment of over 80 murderers from that time, who have already been identified by the Italian judiciary and are now living on state pensions on the other side of the Italian-Slovenian and Italian-Croatian border.

Can the Council, an ever-vigilant guardian of human rights, at least express its moral condemnation of this genocide perpetrated against the defenceless Italian population, which is tragically recorded in history as the first ethnic cleansing operation by armed bands of nations which now arrogantly aspire to join the European Community?

Reply

(13 June 1996)

Although the events to which the Honourable Members refer have never been brought to the Council's attention, the Council obviously condemns any crime against humanity and genocide in particular.

(96/C 280/72)

WRITTEN QUESTION E-0645/96
by Leonie van Bladel (PSE) to the Council

(18 March 1996)

Subject: Recent statement by the Iranian Government concerning the fatwa against Rushdie

On 18 February 1996, the Iranian Foreign Minister, Ali Akbar Velayati, said in an interview with 'Iran News' that, while the fatwa against Salman Rushdie could not be revoked, the Iranian Government would not take any steps to secure the carrying out of the death penalty in this case. This statement was made in response to the debate with the Council on 14 February 1996 in the European Parliament.

1. Was the Council already aware that Iran had adopted such a position?

2. Does the Council consider this position adequate to deter extremists?

3. What is the Council's view of this position, and how does it intend to respond to it?

4. How long does the Council intend to continue the critical dialogue with Iran, in view of the Iranian Government's position?

5. What will the next step be following the 'critical dialogue'?

6. Mr Velayati later said in Geneva that some progress had been made in the negotiations with the EU during the Spanish Presidency. Can the Council say what progress he had in mind?

(96/C 280/73)

WRITTEN QUESTION E-0646/96

by Leonie van Bladel (PSE) to the Council

(18 March 1996)

Subject: Critical dialogue with Iran

For some years, the Council has been pursuing a critical dialogue with the Iranian Government, *inter alia* concerning the fatwa against Salman Rushdie.

1. What makes a dialogue a critical dialogue?

2. Is the Council satisfied with the results of the current critical dialogue?

3. What are those results?

4. Does the Council consider a critical dialogue to be a valuable foreign-policy instrument; if so, why?

Joint Reply

(25 June 1996)

The Council is aware of the public statement to which the Honourable Member refers and others made by representatives of the Government of Iran concerning the fatwa against Salman Rushdie, and has noted their contents. The European Union has repeatedly called on the Iranian authorities to join the EU's efforts to obtain a satisfactory solution in respect of Salman Rushdie. In April 1995 the EU asked Iran for written assurances of Mr Rushdie's safety. Iran has not yet delivered these assurances but discussions between the EU and Iran are continuing.

The objective of the European Union's policy on Iran is to bring about an improvement in Iranian behaviour. The basis of the EU's own relations with Iran is and remains the Critical Dialogue stemming from the Conclusions of the Edinburgh European Council in December 1992. The Critical Dialogue reflects concern about Iranian behaviour and 'calls for improvement in a number of areas, particularly human rights, the death sentence pronounced by a fatwa of Ayatollah Khomaini against the author Salmon Rushdie, which is contrary to international law, and terrorism'. It aso provides an opportunity to raise Iran's arms procurement policies and its approach to the Middle East Peace Process. During the regular and tough sessions of the Critical Dialogue that have taken place since 1993, the European Union has repeatedly made it clear that improvement in these areas will be important in determining the extent to which closer relations and confidence can develop.

Through the Critical Dialogue and other initiatives, such as EU pressure for tough resolutions and statements on Iran at the UN General Assembly and the UN Commission on Human Rights, the European Union has succeeded in raising international awareness of Iran's behaviour. Although Iran has not yet responded positively to such action, the EU hopes that sustained pressure from it and the international community will lead to the improved behaviour sought.

(96/C 280/74)

WRITTEN QUESTION E-0658/96

by Karl Schweitzer (NI) to the Commission

(15 March 1996)

Subject: Trans-European networks

What trans-European network projects have been submitted by Austria?

What are the exact routes of any new or upgrading projects?

When will the priority projects be officially decided?

Answer given by Mr Kinnock on behalf of the Commission

(13 May 1996)

The transport projects of common interest agreed by Austria are included in the common position (EC) No 22/95 on Community guidelines for the development of the trans-European transport network adopted by the Council on 28 September 1995 and identified by maps in Annex I and the criteria of Annex II of the guidelines proposal (1). The guidelines are a general reference framework whereas the exact definition of the routes is subject to national planning procedures. The guidelines are now subject to the conciliation procedure and it is agreed that the decision will be adopted by the Parliament and the Council before the summer. Austria has submitted requests for financial assistance under the trans-European networks transport budget for 1996, mainly for studies on sections of the corridors or projects of common interest (Brenner axis, Tauern axis, Pyhrn-Schober axis, Pontebbana axis, Donau axis, Koralmbahn Graz-Klagenfurt) and for projects related to air traffic management.

In the case of the energy sector, the projects of common interest concerning Austria are included in the common position (EC) no 12/95 on a series of guidelines on trans-European energy networks (2). Austria is directly involved in two projects, namely the construction of an electricity interconnection to Italy and the upgrading of the existing system of pipelines from Russia through Ukraine to the Community. Financial assistance under the trans-European networks energy budget was allocated in 1995 for further studies of the Italian section of the Austria-Italy electricity interconnection project.

Concerning trans-European telecommunications networks, a series of preliminary actions have been launched since 1993 for the development of ISDN (integrated services digital network) as a trans-European network. Projects have been selected by means of calls for proposals. In 1995, two projects in which Austrian enterprises are part of the consortium have been selected. The projects are TI2.7 trans regional learning platform using Euro-ISDN and TI2.8 Euro-ISDN awareness actions for small and medium sized enterprises. These projects received a favourable opinion from the trans-European network financial committee, in its telecommunications composition, on 20 November 1995 and were adopted by the Commission on 19 December 1995. For 1996, projects will be selected following a call for proposals published in mid-April and based on the Decision No 2717/95/EC of the Parliament and of the Council on a set of guidelines for the development of the Euro-ISDN as a trans-European network (3).

(1) OJ C 331, 8.12.1995.
(2) OJ C 216, 21.8.1995.
(3) OJ L 282, 24.11.1995.

(96/C 280/75)

WRITTEN QUESTION E-0659/96

by Klaus Lukas (NI) to the Commission

(15 March 1996)

Subject: Plant health checks on imports of firewood

For some time direct suppliers in Austria's eastern neighbours have been selling cheap firewood direct to private households and small firms on a massive scale, delivering direct using small trucks. After the changes in the law following membership of the EU there have been no plant health inspections at the border, although the logs are then stored in the private households until the following spring, which allows infested timber to spread pests and plant diseases unchecked. Commercial timber importers are by contrast obliged at least to carry out plant health checks on their premises and to obey the relevant instructions, so that some minimum protection of the local flora may be assumed.

Is the Commission aware that for some time operators in Austria's eastern neighbours have been supplying private households and small undertakings in Austria with cheap firewood on which there have been no plant health checks?

Does this problem exist in other EU Member States?

What is the Commission's opinion on the dangers to our plant life of these direct imports of infested timber?

What action will the Commission take to prevent the spread of pests and plant diseases by these imports?

What avenues are open to Member States affected by these imports, and Austria in particular?

Answer given by Mr Fischler on behalf of the Commission

(29 April 1996)

The Commission has no knowledge of the developments referred to by the Honourable Member, as regards the sale of cheap firewood from Central European countries direct to customers in certain Member States without any plant health checks.

The Commission recognizes the risks posed by such imports into the Community in the absence of plant health checks. Protective measures against the introduction into the Member States of organisms harmful to plants or plant products, and the spread of such organisms in the Community, are provided for in Council Directive 77/93/EEC of 21 December 1976, [1] as amended, particularly Annexes IV and V (which covers plants, plant products, and other objects subject to plant health inspections).

Whilst certain derogations are provided for in Council Directive 94/13/EC of 29 March 1994, [2] firewood imports are generally required to undergo plant health inspections in the consignor country if the wood in question is covered by Council Directive 77/93/EEC, and a plant health certificate issued by that country must be produced with the goods. Member States are required to check compliance with the rules when the goods enter the Community.

The Commission has noted the developments referred to by the Honourable Member, and has asked the Office for Veterinary and Plant-Health Inspection and Control to investigate.

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[1] OJ L 26, 31.1.1977.
[2] OJ L 92, 9.4.1994.

(96/C 280/76)

WRITTEN QUESTION E-0665/96

by Bernie Malone (PSE) to the Council

(18 March 1996)

Subject: Situation in Burundi and Rwanda

What steps are being taken by the European Union to prevent the slide of Burundi into outright civil war?

Will the European Union investigate the possibility of introducing an arms embargo in the Great Lakes Region of Burundi?

Reply

(25 June 1996)

In an effort to conribute to a resolution of the problems in the Great Lakes region, the Council decided on 29 January 1996 to appoint an EU Special Envoy for the Great Lakes region. On 26 February 1996, the Council appointed Mr Aldo Ajello as the Special Envoy for an initial period of six months and expressed its particular concern at the deteriorating situation in Burundi, stating that it would encourage reconciliation and dialogue in that country. The EU Special Envoy will support the efforts of the United Nations and the Organisation of African Unity as well as those African personalities who are assisting the two organisations, in particular the former Tanzanian president Julius Nyerere. He will establish and maintain close contacts with the Governments of the countries of the region, as well as with other interested Governments and organisations to identify the measures which need to be taken towards solving the problems of the region. He will coordinate closely with the

UN and OAU, regional leaders and other parties working towards the same objective. A Joint Action formalising the details of Mr Ajello's appointment was adopted by the Council on 25 March 1996.

From the outset of the crisis in the Great Lakes region, the European Union has engaged in a policy of preventive diplomacy and humanitarian assistance in an effort to alleviate the situation. To that effect, it adopted a Common Position on Burundi on 24 March 1995 (in which the EU declared itself ready to: assist the Government of Burundi to organise a national debate towards national reconciliation, support the sending of Human Rights observers by the UN High Commissioner for Human Rights, assist the judicial system, support the convening of a donors' Round Table to be organised by the UNDP, contribute to the implementation of the plan of action of the February 1995 Bujumbura Conference on refugees, displaced and repatriated persons, support the action of the OAU). Moreover, four EU missions went to Burundi between February 1995 and February 1996. The EU has repeatedly called for moderation. Since the outbreak of the crisis, more the ECU 500 million have been given in humanitarian and rehabilitation assistance as well as food aid from the Community budget in addition to the substantial support given by EU Member States bilaterally. Thus the European Union is the largest donor for the region.

The Troika, during its most recent mission to Burundi on 12 February 1996, expressed the EU's deep concern at the situation and reiterated the EU's condemnation of violence and rejection of attempts to undermine the current Government as well as the Convention of Government. It made clear that the European Union would not support any government which comes to power by force. The Troika also called for the army and the judiciary to be representative of all ethnic groups, and for all young people to have equal access to university regardless of their ethnic background.

The Troika reminded its interlocuters that the EU was, and is, the main donor of humanitarian assistance in the region and that a transition to a more structured cooperation with the EU would depend on concrete and successful steps towards peace and reconciliation. It also warned that, if the situation continued to worsen, the EU was ready to take appropriate measures such as those indicated in UN Security Council Reconciliation 1040.

The Troika called upon the authorities of Burundi to take action with a view to a prompt resolution of the refugee problem, by implementing measures aimed at eliminating fear and restoring confidence. (A substantial part of the more than ECU 500 million spent in the Great Lakes region out of the Community budget for humanitarian, food and rehabilitation assistance since the outbreak of the crisis have been directed towards the alleviation of the plight of the refugees).

The Union has repeatedly supported the proposals for a Regional Conference on Peace, Security and Stability to be held under the auspices of the United Nations and the Organisation of African Unity in order to find a global solution to the crisis. During its visit, the Troika asked the Government of Burundi to act positively to reach this end.

As reiterated in its declaration of 16 January 1996, the European Union remains ready to assist the reestablishment of Burundi in particular by supporting measures, favouring peace and reconciliation between the different groups, which would have to be implemented by the authorities of Burundi. It recalled that only through political solutions would a permanent end to the conflict be brought about.

The Council continues to follow the situation in Burundi very closely and will determine its further course of action accordingly.

(96/C 280/77)

WRITTEN QUESTION E-0669/96

by Gijs de Vries (ELDR) to the Council

(18 March 1996)

Subject: Arms embargoes

1. Against which countries did the Council instigate an arms embargo in the years 1985 through 1995? How long did each of these remain in force?

2. In which cases did serious violation of human rights cause the embargo to be imposed?

3. Which decisions of the United Nations Security Council provided the basis for an EC arms embargo?

4. What legal basis did the Council select for each of its decision?

Reply

(25 June 1996)

1. The Honourable Member will find attached a list of arms embargoes adopted within the European Union since 1985. The list also gives the date when each embargo was imposed and, where appropriate, the date when it was lifted.

2. The decisions to impose embargoes on China, Burma, Zaire, Sudan and Nigeria were directly inspired by concern over serious human rights violations.

3. Security Council Resolutions imposing arms embargoes are directly applicable to the Member States of the Union and do not require a Council Decision. Cosequently, all the decisions on the annexed list are decisions taken autonomously by the Council, and in some cases preceded similar decisions by the United Nations Security Council.

4. Before the entry into force of the Treaty on European Union, all decisions relating to arms embargoes were taken on the basis of the provisions governing European political cooperation. Since then, such decisions have been taken on the basis of the Treaty on European Union, and in particular Article J.2 thereof.

ANNEX

List of arms embargoes adopted within the European Union since 1985

SYRIA	*ban on new arms sales to Syria* Decision taken on 10 November 1986 – embargo lifted by the General Affairs Council on 22 November 1994;
LIBYA	*ban on exports of arms or other military equipment to Libya* Declaration by the Ministers for Foreign Affairs, 14 April 1986 – decision still in force;
CHINA	*embargo on arms trading with China* Declaration by the Madrid European Council, 27 June 1989 – decision still in force;
IRAQ	*embargo on the sale of arms and other military equipment to Iraq* Declaration No 56/90 of 4 August 1990 on the invasion of Kuwait by Iraq – decision still in force;
BURMA	*decision to refuse to sell Burma any military equipment originating in Community countries* Declaration by the General Affairs Council, 29 July 1991 – decision still in force;
ZAIRE	*embargo on arms sales* Declaration on Zaire, 7 April 1993 – decision still in force;
SUDAN	*embargo on arms, munitions and military equipment* Common position 94/165/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union, 15 March 1994 (OJ No L 75, 17.3.1994, p. 1) – still in force.

NIGERIA	*embargo on arms, munitions and military equipment* Common position 95/515/CFSP defined by the Council on the bsais of Article J.2 of the Treaty on European Union, 20 November 1995 (OJ No L 298, 11.12.1995, p. 1) – still in force;
FORMER YUGOSLAVIA	*Decision on an embargo on armaments and military equipment applicable to the whole of Yugoslavia* Conclusions of the Extraordinary Ministerial Meeting on 5 July 1991, as amended by the common position (J.2) defined by the Council on the basis of Article J.2 of the Treaty on European Union, 26 February 1996 (OJ No L 58, 7.3.1996), which maintained the embargo on weapons designed to kill and their ammunition, weapons platforms, non-weapons platforms and ancillary equipment with regard to Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia.

(96/C 280/78)

WRITTEN QUESTION E-0670/96

by Gijs de Vries (ELDR) to the Commission

(15 March 1996)

Subject: Suspension of the Lomé Convention

1. In which cases did the Commission decide to suspend development aid for reasons of serious violations of human rights in the country concerned? How long did each of these decisions to suspend remain in force?

2. In which cases has the Lomé Convention (I, II, III, IV) been suspended on human rights grounds, and for how long?

Answer given by Mr Pinheiro on behalf of the Commission

(31 May 1996)

Only since the coming into force of Lomé IV, Second financial protocol, have clear procedures for the full or partial suspension by the Community of the Lomé Convention been in place. These were followed in the case of Niger.

Human rights issues have been a cause for concern since the first Lomé Convention, although the notion was formally introduced in Lomé IV. This together with other considerations, led to temporary or partial suspensions of financial and technical cooperation for a number of countries including Equatorial Guinea, Liberia, Rwanda, Togo and Uganda.

At present financial and technical cooperation with Gambia, Niger, Nigeria, Sudan and Zaire, is suspended. It should however be emphasised that the suspension does not cover humanitarian assistance and, in certain cases, projects through decentralised cooperation which benefit directly the poorest section of the population.

(96/C 280/79)

WRITTEN QUESTION E-0671/96

by Christian Jacob (UPE) to the Commission

(15 March 1996)

Subject: Consequences of the European Court of Justice ruling of 14 December 1995

The CAP reform aimed, by reducing the price of European cereals, to restore competitiveness between indigenous cereals and substitute products imported from third countries.

Corn gluten feed (tariff heading 2303) is one of these imported substitute cereals on which neither duties or levies, nor quota restrictions are imposed, in contrast to manioc, to name but one example.

As a result of the Court of Justice ruling of 14 December 1995 on the classification of 'enriched' content corn gluten feed, as defined by the Blair House agreement, heading 2303 could lose its duty-free rating.

If so, the Commission has stated its intention of classifying it under tariff heading 2309 so as to recognize its character as a fodder preparation.

Can the Commission therefore state:

1. Whether, if the zero rating is retained for a tariff heading, (2309), theoretically applied to this product as a fodder preparation, it intends to apply a quota, or whether it plans to monitor the level of these imports particularly closely?

2. Whether customs controls of 'enriched' corn gluten feed, for which the use of microscope examinations is banned, will be the same for heading 2303 and heading 2309?

3. Which tariff heading will be allocated to corn gluten feed produced from corn which is inwardly processed and put in free circulation in the European Union?

4. What the figures are, for 1995 in particular, compared to the reference period preceding the Blair House agreement (1990-1992), for imports of corn gluten feed (whether enriched' or not) imported unprocessed and corn gluten feed produced from corn which was inwardly processed and put in free circulation?

Answer given by Mr Fischler on behalf of the Commission

(11 April 1996)

1. Following the Court of Justice ruling of 14 December 1995 [1] and in accordance with the Commission proposal, the Council decided that the product — as defined by the Blair House agreement — falls within CN code 2309 90 20, i.e. a preparation of a kind used in animal feeding to be imported free of duty.

The Commission does not wish to call into question the Community's international commitments in this area, nor does it intend to introduce an import quota. It monitors very closely the validity of and justification for the imports in question through a 'monitoring group' which holds regular meetings with the US authorities.

2. Laboratory controls to check that the product conforms to the given definition are carried out in cases where the consignments are not accompanied by the two special certificates foreseen by Regulation (EC) No 2019/94 [2]. If these certificates are submitted, the product is subject to normal import controls, which may include microscope examinations to determine the nature of the constituent ingredients.

3. When the corn gluten feed obtained under the inward processing procedure corresponds to the definition 'residues of starch manufacture' applicable to CN code 2303 10 19, the product should be classified in this subheading; in cases where the product does not conform to this definition but complies with the Blair House definition, it should be classified within CN code 2309 90 20.

4. Total Community (EUR 12) imports of corn gluten feed since 1990 (source: Eurostat) are as follows:

1990 — 5 611 000 tonnes
1991 — 5 321 000 tonnes
1992 — 6 290 000 tonnes
1993 — 5 852 000 tonnes
1994 — 5 497 000 tonnes
1995 — 3 249 000 tonnes (first quarter)

The above figures also include imports of corn gluten feed obtained after inward processing which cannot be identified separately.

(1) OJ C 64, 2.3.1996
(2) OJ L 203, 6.8.1994

(96/C 280/80)

WRITTEN QUESTION E-0674/96

by Gianfranco Dell'Alba (ARE) to the Commission

(15 March 1996)

Subject: Insertion of a clause in the EU-Slovenia association agreement on closing the Krsko nuclear power station

Can the Commission confirm the recent studies carried out by Greenpeace pointing to the extreme danger posed by the Krsko nuclear power station which is situated in the part of Slovenia most prone to earthquakes – just over 100 km from Trieste – where more than a hundred earthquakes were recorded between 1628 and 1990?

Does the Commission not consider it essential to insert a clause in the EU-Slovenia association agreement on closing the Krsko nuclear power station in view, also, of the power station's intrinsic obsolescence?

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

(23 May 1996)

The Commission is able to provide the following information concerning the Krsko nuclear power station in Slovenia:

- Slovenia signed the Convention on Nuclear Safety in 1994 and is cooperating actively with the International Atomic Energy Agency;
- the IAEA carries out regular inspections (63 routine inspections and 11 quality system inspections) in 1994;
- an agreement with Austria on the early exchange of information in the event of a radiological accident was signed in 1994 and discussions on similar agreements have been held with the nuclear safety authorities of the neighbouring countries.

The Honourable Member is asked to note that, in the light of concerns over nuclear safety, a specific statement has been added to the European agreement negotiated with Slovenia. This is a joint statement concerning Article 81, indicating that the two parties agree to determine the methods and means necessary for the establishment of an efficient system for the exchange of information in the case of a radiological emergency.

(96/C 280/81)

WRITTEN QUESTION E-0678/96

by Jan Mulder (ELDR) to the Commission

(15 March 1996)

Subject: The use of raw materials of agricultural origin for industrial purposes (French decision on the use of bio-fuels)

Recently the French government announced that on its territory it wishes to make the use of bio-fuels (including bio-diesel) compulsory to a certain extent.

1. Does the Commission share the French government's view that the use of raw materials of agricultural origin for industrial purposes must be fostered and what is its view on this encouraging French policy move?

2. The environmental movement periodically voices criticisms to the effect that the environmental gains from the use of raw materials of agricultural origin are lost because of the intensive cultivation methods for these agricultural products. Has the Commission already analyzed the environmental benefits to be expected from the use of certain products such as bio-fuels, plant-based lubricants, biodegradable plastics and fibres of plant origin? If not, is the Commission prepared to make this analysis in the near future?

Answer given by Mr Fischler on behalf of the Commission

(17 April 1996)

The Commission agrees that the use of agricultural raw materials for industrial uses should be promoted. In particular, the Commission feels that energy produced from such raw materials should play a role in reducing energy dependence.

As the Commission has not yet seen the details of the draft French legislation on clean air, which is reported to specify the use of oxygen in fuel as becoming mandatory before the end of the century, no position can be taken on the content of the initiative.

While the Commission supports energy production from agricultural raw materials, it has to be ensured that such production has no detrimental effect on the environment. So far, the precise environmental value is still under investigation. Details of product specification methods of air emission measurement and safeguards concerning the use of nitrates and pesticides have yet to be developed.

(96/C 280/82)

WRITTEN QUESTION E-0679/96

by Viviane Reding (PPE) to the Council

(18 March 1996)

Subject: Import quotas for ceramics from China

Imports from third countries of cheap ceramics which are copies of European designs pose a threat to European jobs and the European economy.

For example, Chinese copies of Villeroy & Boch plates have been launched on the European market at a fortieth of the original sales price.

What measures will be taken to counter this fraud? Will import quotas for Chinese ceramics be revised downwards if such actions are repeated?

What is the situation concerning the Commission's proposal to increase quotas for China by 10 per cent? Would such an increase not pose a direct threat to our ceramics industry and to jobs in the industry?

Reply

(25 June 1996)

1. Council Regulation (EC) No 519/94 of 7 March 1994, which is currently in force, lays down common rules for imports from certain third countries, including the People's Republic of China. Annex II thereof lays down quotas for certain products originating in China which are applicable, *inter alia*, to ceramic tableware or kitchenware.

2. In its December 1995 report to the Council on the quantitative quotas applied under the above Regulation, the Commission felt, in spite of the strong pressure within the Community to liberalize imports of these products, that the system of quotas on imports from China should be maintained, especially for porcelain and ceramic tableware. It is in the light of these considerations that the Council has decided on a 5% increase in the said quotas for these products.

3. Furthermore, the Council would make the point that in the said report the Commission also dealt with the problems of fraud referred to by the Honourable Member, and felt that such frequent occurrences of fraud were an additional factor in the distortion of conditions of competition. However, the Council would point out that the Community has means of combating such fraud, notably on the basis of the basic Council Regulation (No 3295/94). The Council also wishes to draw attention to the fact that China is currently conducting negotiations on accession to the WTO. Once such accession takes effect, the provisions of the TRIPS Agreement will also have to apply to China.

(96/C 280/83)

WRITTEN QUESTION E-0682/96

by Thomas Megahy (PSE) to the Council

(27 March 1996)

Subject: Treatment of British football supporters in other Member States

British football supporters are being placed on international 'hooligan' blacklists despite not having been convicted of any offence. Some have already suffered imprisonment and deportation without trial in the

Netherlands and other Member States. The problem appears to arise from the practice of entering the name of any British person arrested at a football match (or during a journey connected with one) on to a computer record, even if no charges are brought, if the individual concerned is subsequently acquitted, or if the offence is a trivial matter involving no disorderly or violent conduct (as was the case for 123 supporters of Leeds United arrested in Eindhoven for the technical offence of not carrying their passports). These computer records are then made available to police forces in different Member States.

Will the Council take steps to ensure that systems established to control violent criminals will no longer be used to harass innocent people exercising their right to move freely around the European Union in the course of a lawful activity?

Reply

(27 June 1996)

1. Public safety at sporting events is the subject of the European Convention of 19 August 1985, prepared under the auspices of the Council of Europe, and of two Council Recommendations of 30 November 1993 and 22 April 1996 respectively. The European Convention covers spectator violence and misbehaviour at sporting events and in particular at football matches. The Council's Recommendation of 30 November 1993 concerns the responsibility of organizers of sporting events and that of 22 April 1996 contains guidelines for preventing and restraining disorder connected with football matches.

2. The organizers of sporting events and the police services of the Member States are responsible for applying the Convention and the Recommendations. To that end, a network of correspondents has been established which enables the Member States to exchange information on the number of spectators and the different means of transport likely to be used by them. The sole aim of this exchange of information is to strengthen security at sporting events.

3. It will be recalled that the protection of information is covered by the European Convention of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data and Recommendation R(87)15 of the Committee of Ministers (Council of Europe) of 17 September 1987 regulating the Use of Personal Data in the Police Sector.

(96/C 280/84)

WRITTEN QUESTION E-0685/96

by Jesús Cabezón Alonso (PSE) to the Commission

(26 March 1996)

Subject: Consumption of 'ecologically sound cellulose'

Of the thousand or so cellulose producers in the world, only 27 employ an ecologically sound woodpulp manufacturing process, using whitening techniques based on oxygen without chlorine.

These undertakings have had to invest large sums for this purpose.

This 'ecologically sound cellulose' is rather more expensive on the market.

Does the Commission have any initiative in mind to encourage the consumption of this type of woodpulp?

Answer given by Mrs Bjerregaard on behalf of the Commission

(10 May 1996)

Production of pulp and paper in the Community must be in compliance with relevant Community and national legislation which includes provisions on the limitation and prevention of water pollution.

In addition, a voluntary Community eco-label scheme for products was established in 1992, which indirectly also promotes clean process technologies. Within the voluntary eco-label scheme criteria have been developed

for tissue products (kitchen rolls and toilet paper) which promote the reduction of chlorinated compounds through the limitation of adsorbable organic halogens (AOX). Eco-label criteria for copying paper are being prepared similarly.

Since the main substance which contributes to AOX compounds in pulping effluents is chlorine, particularly elemental chlorine, the eco-label thresholds are set so as to discourage use of the latter. Accordingly a threshold for AOX emissions in pulp and paper manufacture is set at 0,5 kg per air dried ton of pulp and paper. Concomitantly, as substitutes for elemental chlorine, the industry uses chlorine dioxide, oxygen and ozone within the bleaching process. However these processes are known to have energy requirements for bleaching which are often higher than for that with elemental chlorine.

Given that the eco-label seeks to reward those products having reduced environmental impact overall, the use of elemental chlorine or other bleaching methods is only one of the criteria to be borne in mind. For this reason the Commission does not promote one particular process on the basis of a single criterion but is in favour of any process which promotes cleaner technologies and satisfies legal requirements.

As far as the Commission is aware so-called 'environmentally-sound pulp', especially TCF (totally chlorine free) has enjoyed a market premium, but it is understood that sales volumes and the premium have diminished over late 1995 and early 1996 as market pulp prices have fallen dramatically.

(96/C 280/85)

WRITTEN QUESTION E-0699/96

by Joan Vallvé (ELDR) to the Commission

(26 March 1996)

Subject: Crossborder cooperation with Andorra

The Interreg II regulation lays down guidelines for operational programmes for frontier development, crossborder cooperation and the energy network.

Interreg II also provides for cooperation concerning the Union's internal and external frontiers.

As Andorra is not a member of the EU, while the NUTS III areas bordering on that country are Ariège in France and Lleida (Lérida) in Spain, does the Commission consider that those border areas could be eligible to benefit from the Interreg II programme?

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

(15 April 1996)

The list of eligible border regions attached to the guidelines for the Interreg II operational programmes [1] includes the province of Lerida in Spain and the department of Ariège in France. Both border the other Member State and Andorra.

The allocation of Interreg II funding for each frontier region has been worked out using objective rules which take no account of the number of countries bordering the relevant areas. Although the Commission has made no special mention of trans-border cooperation with non-member Andorra, it has no objection in principle to the operational programme for regions in the Spanish and French Pyrenees including measures for that country, which is surrounded by programme areas. It is up to the Spanish and French authorities to include such measures in the programmes should they so wish.

[1] OJ C 180, 1.7.1994.

(96/C 280/86)

WRITTEN QUESTION E-0701/96

by José Valverde López (PPE) to the Commission

(26 March 1996)

Subject: ERDF, ESF and EAGGF (Guidance) payments 1989-93

Analysis of ERDF, ESF and EAGGF (Guidance) payments in Spain and Italy over the period 1989-93 reveals considerable variations.

Italy received ECU 1336,26 million in payments in 1991 and ECU 3406,6 million in 1993: in other words, payments effectively doubled. Spain, by contrast, received substantially less in 1993 than in 1992; the 1993 figure, only ECU 2971,3 million, was less than that for Italy.

Can the Commission explain the main reasons for these considerable variations?

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

(23 april 1996)

The financial management of structural funds expenditure reflects the state of progress of the operations on the ground; in other words, the rate of disbursements is determined by the implementation of the programmes.

Hence, Member States whose Community Support Frameworks for the period 1989-93 show a satisfactory rate of progress received more at the beginning of the period than at the end. By contrast, Member States in which operations fell substantially behind schedule received less funding at the beginning and more at the end of the period. Overall, each Member State will receive for the entire period 1989-93 the payments to which it is entitled.

(96/C 280/87)

WRITTEN QUESTION E-0704/96

by André Laignel (PSE) to the Commission

(26 March 1996)

Subject: Upper limits for compensation aid under the common agricultural policy

Last year, the income of some producers of arable crops increased substantially as a result of extremely good economic conditions, which did not call into question the level of compensation aid under the 1992 reform since such aid is not actually classed as deficiency payments. Over-compensation has occurred as a result.

This situation has, moreover, been accentuated by a series of changes — often called simplifications — under the reform, such as the 1993 increase in withdrawal compensation, the right to grow crops intended for the agro-food industry on set-aside land, and single rates for set-aside. The result is that a small category of wealthy producers, often based in the rich regions of Europe, receive the bulk of European subsidies and grow disproportionately, devitalizing the countryside by intensive farming which does not respect the environment or the requirements of regional planning.

This is, naturally, incomprehensible to the vast majority of low-income farmers in the Union and to those who are concerned by the fact that Europe is not more generous to other sectors such as the meat, fruit and vegetables and wine sectors, whose reform is long overdue and which are more exposed to external competition exacerbated by a proliferation of free trade agreements.

This unequal distribution of aid is becoming politically unacceptable for all citizens, taxpayers and consumers of the Union, who are somewhat unenthusiastic at present about the idea of Europe but who might support it more if aid for agriculture were more fairly distributed so that it could meet its objectives and benefit all concerned.

Awareness of aid which can reach colossal sums is, finally, intolerable in the eyes of those excluded from national and European solidarity.

In this context, does the Commission plan, in the very short term and preferably during the debate on prices, and in accordance with the adoption of the resolution on 15 February 1996 (B4-0137/96) on the prospects for the CAP, to set upper limits for direct aid per holding or to begin a system of deficiency payments, since the year ahead seems once again to be favourable for those who, last year and in the past, have benefited far more than others from solidarity.

Answer given by Mr Fischler on behalf of the Commission

(2 May 1996)

The Commission is aware that prices have been buoyant on the world and Community grain market in the past year or so, a trend largely attributable to prevailing weather conditions, reflecting, albeit to a marked degree, a pattern inherent in any agricultural sector.

It is as yet too soon to make radical changes to the arrangements for the major cereal crops introduced after the 1993 harvest, but the Commission is aware that the challenges facing the Community in the remaining years of this century call for a thorough rethink of agricultural policy as a whole. Without shackling the development of agriculture, it has to be reconciled with the exigencies of environmental and regional development policies. At the same time not only is the Community preparing to take on new members from Eastern Europe, but a further expansion and liberalization of international trade is inevitable to cope with ever-increasing demand.

(96/C 280/88)

WRITTEN QUESTION P-0708/96

by Konstantinos Hatzidakis (PPE) to the Council

(14 March 1996)

Subject: The fate of the 1 619 persons who went missing during the tragic events in Cyprus

In a recent television interview, the Turkish Cypriot leader Rauf Denkas publicly admitted that the 1 619 persons who went missing during the tragic events in Cyprus in 1974, including not only Greek Cypriot, but also Greek, British and American citizens, were in fact killed by Turkish Cypriot paramilitary organizations.

In the wake of this shocking revelation, what view does the Council take of the situation and what steps will it take to ensure that the circumstances surrounding the fate of each and every one of the missing persons, many of them citizens of what is now the European Union, are elucidated fully and beyond all doubt?

Reply

(25 June 1996)

As the President in office said on the 13th of March 1996 in response to an oral question on the situation in Cyprus, the Council attaches greatest importance to the investigation of the missing people in Cyprus. The Council gives its strongest support to the United Nations Committee on Missing Persons established in 1981, which is an appropriate forum for conducting the necessary investigations.

The Council noted with great concern the recent statement of Mr Denktash concerning the fate of the missing persons. It clearly shows the need to ascertain urgently the truth about the fate of the people who went missing in July 1974.

The Council will continue to follow the matter closely and will raise the issue with the appropriate authorities.

(96/C 280/89)

WRITTEN QUESTION E-0716/96

by Michèle Lindeperg (PSE) to the Commission

(26 March 1996)

Subject: Definition of 'refugee' under the Geneva Convention — temporary protection

The Council recently adopted a common position on the definition of 'refugee' within the meaning of Article 1(A) of the Geneva Convention.

This position contains a restrictive interpretation of persecution by third parties. It does not afford protection to persons persecuted by non-governmental groups in cases where the public authorities are involuntarily inactive.

Does the Commission intend to adopt a common means of temporary protection offering such persons a status enabling them both to be protected and to live in decent conditions in the European Union?

Answer given by Mrs Gradin on behalf of the Commission

(13 May 1996)

The Honourable Member refers to the joint position of 4 March 1996 (1) concerning a harmonised application of the definition of the term 'refugee' according to Article 1A of the Geneva Convention of 1951.

The joint position should be seen as an effort by the 15 Member States to agree on common principles for applying Article 1A in similar ways throughout the Union. The document does not attempt to change the conditions under which a Member State may or may not permit a person to remain within its territory.

The agreement specifically mentions the difficult question of persecution by third parties. By this is meant the situation where someone is threatened by an actor other than the government in the country concerned. If in such a situation a government deliberately fails to act, the joint position clearly states that this should give rise to individual examination of an asylum application for refugee status. If, on the other hand, a government involuntarily remains passive, the Member States will decide in accordance with national judicial practice whether a person will be granted refugee status or not. The document also states that asylum seekers may anyway be eligible for other forms of protection under national law. This joint position will therefore not in any way reduce the level of protection presently granted by Member States to victims of persecution by third parties.

The Commission has on several occasions pointed out the need to examine the question of granting temporary protection. Temporary protection schemes were rarely used in the Union prior to the Bosnian conflict. When that war erupted, the conditions for granting temporary protection were quickly developed in many Member States. There was, however, no time for coordination and consultation. It is therefore not surprising that the existing temporary protection schemes differ from one Member State to another. It is the Commission's view that the time has now come to take stock of the present situation and initiate a discussion on future temporary protection systems.

(1) OJ L 63, 13.3.1996.

(96/C 280/90)

WRITTEN QUESTION E-0726/96

by Concepció Ferrer (PPE) to the Commission

(26 March 1996)

Subject: Network of European consultants

The network of European consultants set up by the Commission is designed to provide a link between job vacancies and demand, thus making it possible for the right to freedom of movement to be exercised.

There are eight cross-border coordinators, and various projects are being launched.

Can the Commission say which cross-border associations have appointed a European consultant and can it provide information on their composition?

Answer given by Mr Flynn on behalf of the Commission

(19 April 1996)

Crossborder EURES is a network of collaborative structures designed to meet the need for information and consultation on mobility specific to border regions. It brings together the public employment and vocational training services, trade unions, employers' organisations, local and regional authorities and institutions concerned with employment and vocational training in the border regions, as well as the Commission.

On 20 March 1996, 12 Eures structures were being subsidised by the Commission and were operating in the following Member States and border regions:

1) Hainault / Nord-Pas-de-Calais / West Flanders / Kent (HNFK)
(Belgium, France, UK)

2) Scheldt / Kempen (IGA I)
(Belgium, Netherlands)

3) Euregio Gronau (Enschede)
(Germany, Netherlands)

4) Euregio Meuse / Rhine (IGA II)
(Belgium, Germany, Netherlands)

5) European Development Pole (EDP)
(Belgium, France, Luxembourg)

6) Lorraine / Saarland
(Germany, France)

7) Provence / Alpes-Côte d'Azur / Liguria (Eurazur)
(France, Italy)

8) Rhône-Alpes / Piedmont / Valle d'Aosta (Transalp)
(France, Italy)

9) Schleswig – South Jutland
(Denmark, Germany)

10) Carinthia / Friuli – Venezia Giulia (Euralp)
(Italy, Austria)

11) Rhine-Waal / Rhein-Meuse (North)
(Germany, Netherlands)

12) Bavaria / Voralberg – Tyrol – Salzburg-Upper Austria
(Germany, Austria)

The Euroadvisers are the principal actors in the Crossborder Eures network. In each cross-border structure, the Euroadvisers work within their own organisations, which may be public employment services, organisations representing employees or employers, and regional organisations.

(96/C 280/91)

WRITTEN QUESTION E-0732/96

by Reimer Böge (PPE) to the Commission

(26 March 1996)

Subject: Current state of the EU fishing fleet

What is the current state of the Community fishing fleet (tonnage, kW)?

To what extent have the agreed capacity targets (GRT and kW) been implemented and adhered to in the Member States?

Is the Commission considering suspending some aid to the fishing industry if individual Member States do not implement the capacity targets, so as to finally ensure equal opportunity among the fishing fleets?

Answer given by Ms Bonino on behalf of the Commission

(17 April 1996)

The Commission is sending direct to the Honourable Member and the Parliament Secretariat a table with the number, tonnage and power (KW) of ships in each Member State fleet at 1 January.

Another table sets the actual size of the Community fleet (again broken down by Member State) at 1 January last year against the targets of the third generation of multiannual guidance programmes (MGP).

Under Article 10 of Regulation (EC) No 3699/93, any Member State aid leading to increased catches must be suspended if the annual MGP targets — even interim ones — are not met. (1)

(1) OJ L 346, 31.12.1993.

(96/C 280/92)

WRITTEN QUESTION E-0736/96

by Bernie Malone (PSE) to the Commission

(26 March 1996)

Subject: Customs declarations on postage parcels

Why can the British postal authorities continue to require that all parcels posted between the United Kingdom and Ireland bear completed customs declarations?

Is this practice consistent with European law?

Answer given by Mr Bangemann on behalf of the Commission

(2 May 1996)

Customs declarations are not required on parcels between the United Kingdom and Ireland, or elsewhere in the Community.

The Honourable Member may be referring to a form called 'despatch pack PFU5' which is required by Parcelforce international, a branch of the British post office group, firstly to allow it to inform postal partners in advance about certain characteristics of parcels in order to facilitate their shipment and delivery and secondly because aviation security regulations require a content description.

(96/C 280/93)

WRITTEN QUESTION E-0738/96

by Peter Truscott (PSE) to the Commission

(26 March 1996)

Subject: Trade in live calves

Can the Commission list all legislation governing the intra-Community trade of live calves of under 15 days of age?

Answer given by Mr Fischler on behalf of the Commission

(22 April 1996)

The following legislation governs trade in live calves under the age of 15 days (as well as other bovine animals, except where indicated):

- Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine ([1]). Article 8 however exempts calves under 15 days for breeding and production from its provisions, except for additional requirements which may be agreed under the provisions of Articles 9 or 10.
- Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ([2]). In particular, Article 11 provides for safeguard measures to be taken in the event of an outbreak of certain diseases.
- Commission Decision 94/474/EC ([3]), as last amended by Decision 95/287/EC ([4]), concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC. This Decision is taken under the legal framework of Article 11 of Directive 90/425/EEC.
- Council Directive 91/628/EEC ([5]) on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC.
- Commission Decision 93/42/EEC ([6]) concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for Member States or regions of Member States free from the disease.
- Commission Decision 95/109/EC concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for certain parts of the territory of the Community ([7]).
- Council Directive 77/504/EEC on pure-bred breeding animals of the bovine species ([8]).

([1]) OJ 121, 29.7.1964 (consolidated version, OJ C 189, 20.8.1975).
([2]) OJ L 224, 18.8.1990.
([3]) OJ L 194, 29.7.1994.
([4]) OJ L 181, 1.8.1995.
([5]) OJ L 340, 11.12.1991.
([6]) OJ L 16, 25.1.1993.
([7]) OJ L 79, 7.4.1995.
([8]) OJ L 206, 12.8.1977.

(96/C 280/94)

WRITTEN QUESTION E-0739/96

by Caroline Jackson (PPE) to the Commission

(26 March 1996)

Subject: Great apes in West Africa

Given the concern about the slaughter of great apes in West Africa, of which the Commission is already aware, will the Commission confirm that it will use its review of funding under the EDF Ecofar programme to ensure that the endangered species of the region are protected as a condition of receiving EU assistance?

Will the Commission confirm that such funding could be suspended where these conditions are not met?

Answer given by Mr Pinheiro on behalf of the Commission

(10 May 1996)

The Commission is aware of the concern caused by the slaughter of great apes in Africa.

The first stage of the Ecofac project for the protection and rational use of forest ecosystems in Central Africa has produced encouraging results in the field of wildlife protection, particularly in the case of threatened species such as primates. The Commission feels that continuation of the programme is the most appropriate way of protecting these creatures in the more inaccessible parts of Central Africa. Discontinuing the programme would be tantamount, in the areas of operation, to sacrificing all that has been achieved to date for the protection of forest ecosystems in general and wildlife in particular.

(96/C 280/95)

WRITTEN QUESTION E-0740/96

by Robin Teverson (ELDR) to the Commission

(26 March 1996)

Subject: Community initiatives (ADAPT)

When 'Calls for Tender' are published by the Commission in the Official Journal for EU programmes and funding opportunities, the deadline for submitting applications is usually within two or three months.

In the context of the Community initiative ADAPT which is aimed at the SME sector, this time scale does not give sufficient time for those businesses who cannot afford extra staff to prepare a bid.

Does the Commission therefore intend to extend this time between publishing 'Calls for Tender' and the deadline for submitting proposals?

Answer given by M. Flynn on behalf of the Commission

(9 April 1996)

The calls for proposals under the Adapt Community initiative are launched exclusively by the Member State authorities responsible for the European social fund. There are no calls for proposals at Community level and therefore no announcements in the Official journal.

The Commission collaborates closely with the Member State authorities to coordinate the timetable for such calls for proposals. In 1995 (the first call under Adapt), Member State authorities generally allowed 3.5 months (end May — 15 September 1995). The arrangements for the next call for proposals in 1997 are currently under consideration, and the need to allow sufficient time for the preparation of bids, especially from the small and medium sized entreprises sector, is accepted by all parties. Although the timetable is not yet agreed, the current proposal is to allow a period of four months between the launch of the calls and the closing deadline for applications. Other amendments to the selection process are also under consideration in order to facilitate participation.

(96/C 280/96)

WRITTEN QUESTION E-0741/96

by Robin Teverson (ELDR) to the Commission

(26 March 1996)

Subject: EU incentives for good animal welfare farming practices

The failure of the EU to agree on many basic animal welfare issues can only be described as disappointing. In the agricultural area, there are nevertheless many farmers who would be willing to introduce better animal rearing practices but do not have the necessary funds to do so.

Is the Commission willing to look into the possibility of using structural funding in agriculture to compensate and encourage farmers to reach the highest animal welfare standards?

Answer given by Mr Fischler on behalf of the Commission

(22 April 1996)

The Community has, since 1974, adopted legislation on the protection of animals on farms, during transport and at the time of slaughter. A declaration annexed to the EC Treaty, specifically calls upon the Parliament, the Council and the Commission, as well as the Member States, when drafting and implementing Community legislation on the common agricultural policy, transport, the internal market and research, to pay full regard to the welfare requirements of animals. In its proposals to the Council in the field of animal protection the Commission has always sought the highest practicable standards.

Concerning programmes under the structural funds, the Commission has already agreed, with the Member States involved, a number of specific measures to promote animal welfare. For example in some objective 1 programmes the Commission has approved co-financed measures to secure improvements in the welfare in particular of laying hens, pigs, and bovines. In addition, specific provision exists under the objective 5(a) (agricultural structures) measures to allow both Community and state aid investment in animal welfare projects even in those sectors where investment is normally excluded.

(96/C 280/97)

WRITTEN QUESTION E-0743/96

by Robin Teverson (ELDR) to the Commission

(26 March 1996)

Subject: Animal welfare 'friendly' labelling system

There are great discrepancies in animal welfare standards between the Member States in the EU. Will the Commission look into the possibility of introducing a labelling system which could accompany animal products which would identify them as having come from animals bred and raised in recognized animal welfare 'friendly' conditions?

Given the concern over this issue by the majority of EU citizens, this would be a positive step in encouraging all farmers to introduce animal rearing practices conducive to good animal welfare standards in addition to giving consumers a more informed choice.

Answer given by Mr Fischler on behalf of the Commission

(22 April 1996)

The Commission accepts that there are currently discrepancies in animal welfare standards not only between Member States but also within Member States. One of the principal aims of the directives so far adopted in this domain is to reduce these discrepancies. However, the three directives ([1]) on conditions of rearing animals are based on minimum standards and it is therefore possible for a certain level of differing standards to remain.

As far as labelling is concerned, the Commission would refer the Honourable Member to its answer to Written Question No. E-1476/92 ([2]) by Mrs Pollack.

([1]) Directives 88/166/EEC – OJ L 74, 19.3.1988 – 91/629/EEC, 91/630/EEC – OJ L 340, 11.12.1991
([2]) OJ C 289, 5.11.1992.

(96/C 280/98)

WRITTEN QUESTION E-0747/96

by Giovanni Burtone (PPE) to the Commission

(26 March 1996)

Subject: Unjustified delay in approving the Urban national programme for Italy

The Italian Prime Minister's Department for Community Policies, in conjunction with the Commission's DG XVI, adopted the Urban national programme in November 1995 and submitted it to the Commission for final approval with a view to starting up the operational programmes.

Four months later, the Commission has still not approved the programme.

1. What are the reasons for the Commission's delay in granting final approval for the Urban national programme in Italy?

2. Does the Commission not consider that, as it has imposed strict deadlines and qualitative standards throughout the whole procedural process, the present delay is unjustified and is helping to fuel the public's image of an inefficient, over-bureaucratic Community?

3. Does the Commission not believe that the Community should pay for the costs incurred to citizens and the public authorities, following the bureaucratic delays and conflicts between its own departments, given that they have proceeded in good faith with commitments and payments in the sure hope that the Urban national programme would be approved in good time?

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

(24 May 1996)

The innovative and intricate nature of the Community's 'Urban' initiative required a careful process of appraisal by bodies at various levels acting jointly with the Italian authorities.

Appraisal took time because checks had to be made on the degree of Community added value and on the eligibility of expenditure. Suitable monitoring and control mechanisms also had to be found.

Certain aspects were not resolved until the end of March, after which the Commission was able to draw up the final version of the programme, adopted on 30 April 1996.

The Commission would point out that the period during which admissible programme activities can receive funding starts from the date the first proposal is submitted to it.

(96/C 280/99)

WRITTEN QUESTION P-0755/96

by Kenneth Collins (PSE) to the Commission

(21 March 1996)

Subject: Level of protection afforded by Habitats Directive

Is the level of protection afforded to Special Protection Areas supporting species listed on Annex I of Council Directive 79/409/EEC [1] on the Conservation of Wild Birds equal to that afforded to Special Areas of Conservation supporting priority habitats and/or species listed on Council Directive 92/43/EEC [2] on the Conservation of natural Habitats and Wild Flora and Fauna? If so, does the procedure set down in Article 5 of Council Directive 92/43/EEC apply equally to Special Protection Areas supporting Annex I species of bird and Special Areas of Conservation supporting priority habitats and/or species?

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[1] OJ L 103, 25.4.1979, p. 1.
[2] OJ L 206, 22.7.1992, p. 7.

Answer given by Mrs Bjerregaard on behalf of the Commission

(29 April 1996)

The protection afforded to special protection areas (SPAs) supporting species listed in Annex I of Council Directive 79/409/EEC on the conservation of wild birds is largely the same as the protection afforded to special areas of conservation (SACs) supporting priority habitats or species listed in Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna. However, there are certain differences. Article 6(1) of Directive 92/43/EEC applies to SACs, but does not apply to SPAs, and Article 6(4), second paragraph of Directive 92/43/EEC does not apply to SPAs unless they host priority habitats or species (no bird species constitutes a priority species for this purpose).

The classification process for SPAs is different from the designation process for SACs. The former is governed by rules set out in Directive 79/409/EEC, while the latter is governed by rules set out in Directive 92/43/EEC. Article 5 of Directive 92/43/EEC exclusively relates to the designation process for SACs.

(96/C 280/100)

WRITTEN QUESTION E-0759/96

by Nikitas Kaklamanis (UPE) to the Commission

(26 March 1996)

Subject: Restructuring programme for Olympic Airways

Almost all state airlines in the European Union are facing financial problems. The Greek national airline, Olympic Airways is no exception. This company has embarked on a restructuring programme in line with suggestions made by the Commission.

Can the latter say:

1. What are the basic principles of this programme?

2. What progress has it made so far?

3. Does it know whether this programme is being propoerly implemented, or will checks be carried out? What results have been achieved so far?

Answer given by Mr Kinnock on behalf of the Commission

(24 May 1996)

In its Decision 94/696/EC of 7 October 1994 [1], the Commission approved the package of state aids given to Olympic Airways, which accompanied a restructuring programme, summarized in this Decision. The detailed answer to the first two questions raised by the Honourable Member may be found in this text.
This restructuring programme is due to be completed by 1997 and is aimed at making Olympic Airways a sound and profitable company in the coming years. It entails substantial cost reductions, in particular in personnel costs, increase of productivity, and fleet and network reorganisation.

As provided in the above-mentioned Decision, and prior to payment of the second instalment by the Greek authorities to Olympic Airways, the Commission is now, in the customary fashion, examining the implementation of the programme and the question of whether the conditions which were attached to the Decision are being fully respected. In the framework of this examination, on 30 April 1996, the Commission re-opened the procedure in this case in accordance with Article 93.2 of the EC Treaty.

[1] OJ L 273, 25.10.1994.

(96/C 280/101)

WRITTEN QUESTION E-0768/96

by Ben Fayot (PSE) to the Commission

(1 April 1996)

Subject: Discriminatory provision in Belgian insurance law

Article 10(5) of the Belgian law of 27 March 1995 on insurance intermediaries and insurance distribution stipulates that intermediaries must guarantee that, among the products they offer, all insurance contracts concluded with insurance companies which have not been granted official approval in Belgium meet the public interest requirement laid down in Belgian laws and regulations.

Is this provision not discriminatory, in that it covers only those contracts concluded in accordance with Community rules on the freedom to provide services, and is the reference to approval in Belgium not just discriminatory but, indeed, contrary to the 'European passport' principle established in the third Directives?

Furthermore, does not the provision constitute a clear barrier to the freedom to provide services, in that it discourages insurance intermediaries based in Belgium from offering insurance products of companies based in other countries?

Answer given by Mr Monti on behalf of the Commission

(13 May 1996)

The Commission is currently examining the Belgian Act of 27 March 1995 on insurance intermediation and on the distribution of insurance.

The Commission is of the opinion that Article 10.5 of the Act is not in accordance with Community law, in particular Articles 52 and 59 of the EC Treaty. In order to be registered and authorized to operate as an intermediary in Belgium, an insurance intermediary has to guarantee that the insurance contracts it offers, which are concluded with insurers not licensed in Belgium, comply with all Belgian legal and regulatory provisions concerning the general interest. However, an intermediary does not have to guarantee that the insurance contracts it offers, which are entered into with Belgian licensed insurers, are in accordance with the Belgian provisions referred to above. It follows that Article 10.5 discriminates against those insurance undertakings which are licensed in other Member States and are operating in Belgium by way of the provision of services or by way of establishment.

The Commission will contact the Belgian authorities to inform them of its position and to ask for their comments.

(96/C 280/102)

WRITTEN QUESTION E-0769/96

by Jan Mulder (ELDR) to the Commission

(1 April 1996)

Subject: Protection of geographical designation of origin for agricultural products

A list of proposals for agricultural products with a protected designation of origin and generic products was published recently. Surprisingly, the list of products with a protected designation of origin did not include Dutch dairy products — such as Gouda and Edam cheese — which have been typical of the Netherlands for centuries. These two Dutch cheeses do appear on the list of generic products, however, but this is not very logical because they have been produced in accordance with a specific method in the Netherlands since the thirteenth century.

1. What are the Commission's reasons for putting Gouda and Edam cheese on the list of generic products, while cheeses such as Danablu, Feta and Parmigiano Reggiano are given a protected designation of origin?

2. In view of the foregoing, is the Commission prepared to review its proposals so that Gouda and Edam cheese are taken off the list of generic products?

3. Is the Commission prepared to enter Gouda and Edam on the list of products with a protected designation of origin, if so requested by the Member State in question?

Answer given by Mr Fischler on behalf of the Commission

(30 April 1996)

The list of generic products to which the Honourable Member refers is the indicative list the Commission is required to present to the Council under Article 3 of Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin, [1] names which have become generic not being entitled to registration and protection under that Regulation.

To guide it in this task the Commission asked the Member States themselves to submit names of products they considered might be recognized as generic, and it therefore compiled its Article 3 list in the light not only of the relevant legislation but of the Member States' own suggestions. The names Edam and Gouda (as well as Camembert, Brie, Cheddar and Emmental) were widely canvassed, *inter alia* by the Netherlands itself, and are not protected by bilateral or other international agreements. Note also that in its recent judgment in the Exportur case the Court stressed the importance of looking at the situation in the Member State of origin when deciding whether a product was generic.

Presumably a Member State which regards the name of one of its products as eligible for protection would not put forward that name for inclusion in the generic list. The Netherlands authorities did, however, ask for the names 'Noord-Hollandse Edammer' and 'Noord-Hollandse Gouda' to be registered as designations of origin. These comply with the requirements of Article 17 of Regulation (EEC) No 2081/92 and duly appear on the first list of geographical indications and designations of origin whose registration is proposed by the Commission.

[1] OJ L 208, 24.7.1992.

(96/C 280/103)

WRITTEN QUESTION E-0770/96

by Jan Mulder (ELDR) and Florus Wijsenbeek (ELDR) to the Commission

(1 April 1996)

Subject: Application of Directive 90/675/EEC: problems involved in the transhipment of veterinary goods with subsequent transport by air or sea

1. Is the Commission aware of the specific problems arising from application of Directive 90/675/EEC [1] in the case of transhipment of veterinary goods with subsequent transport by air or sea?

2. If so, is the Commission prepared to take account, in the forthcoming review of this Directive, of these unnecessary and serious obstacles to movements in ports, the considerable delays which this may involve, the risk of serious loss of value of perishable veterinary products and hence the additional costs involved in carrying out veterinary checks in the port of transhipment?

3. In the light of the foregoing, is the Commission prepared to amend the Directive so that the physical check, the identity check and the documentary check can be carried out in the port of destination in the case of transhipment with subsequent transport by air or sea?

4. If not, why not?

[1] OJ L 373, 31.12.1990, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(30 April 1996)

1-3. The Commission is aware that in the case of transshipment by sea or air, the industry is reluctant to make the original veterinary health certificate available to the veterinary authorities of the border inspection post of arrival.

The rules concerning transshipment in sea and air transport are laid down in Article 8(4) of Directive 90/675/EEC. This allows the physical check to be carried out in the port or airport of destination provided that the products are transported by sea or air.

The Commission has recently prolonged the so-called 'transitional measures' (Decision 96/105/EEC [1]) which facilitate the transition to the new system of checks. This Decision lays down that in the case of transshipment in an airport or seaport, the identity and physical checks shall be carried out in the border inspection post of destination.

The Commission is preparing an amendment to Directive 90/675/EEC to include, in the case of transshipment, that the documentary and physical check shall in principle be carried out in the border inspection post of destination. The authority may carry out a documentary check in the border inspection post of entry on the basis of the original certificate or document or an authenticated copy.

4. This formulation is needed in order to give the possibility to carry out a documentary check at entry for veterinary reasons. However, it is not necessary to have the original certificate or document available at the border inspection post of entry. An authenticated copy is sufficient.

It is the intention of the Commission to ensure that inspection requirements do not impinge on transshipment operations to a greater extent than is necessary to safeguard animal and public health in the Community.

[1] OJ L 24, 31.1.1996.

(96/C 280/104)

WRITTEN QUESTION E-0772/96

by Frode Kristoffersen (PPE) to the Commission

(1 April 1996)

Subject: Implementation of Directive 92/29/EEC on minimum safety and health requirements for improved medical treatment on board vessels

Council Directive 92/29/EEC (1) of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels requires that very extensive medical supplies to be carried at all times. The latter are highly expensive and in fact can only be properly used by persons with medical training. These onerous requirements also apply to commercial fishermen at sea for relatively short periods and within restricted geographical areas from which they may be evacuated by rescue helicopter in the event of serious accident. They include the Danish fishing fleet, which mainly operates in the North Sea and the Baltic and is therefore never going to use any of the many expensive and highly specialized medicines described in the annexes to the Directive, such as uterotonics for use after childbirth. The provisions of the directive are therefore regarded not only by the fishermen affected but also by the general public as an example of the excessive bureaucracy and perfectionism which has recently brought the EU institutions into disrepute.

Will the Commission therefore review Directive 92/29/EEC with a view to adapting it, as it so obviously needs, to the real world, and can the Commission quote examples of fisherwomen who have been obliged to give birth at the workplace?

(1) OJ L 113, 30.4.1992, p.19.

Answer given by Mr Flynn on behalf of the Commission

(22 May 1996)

Evacuation by helicopter, which is inevitably very costly, is not always possible owing to the weather. Vessels must therefore have medical supplies on board. The Commission drew up its proposal on the basis of recommendations made by medical staff of services providing radio assistance to vessels at sea. Neither this proposal nor the amended proposal included uterotonics. Antihaemorrhagics were required only for vessels sailing more than 100 nautical miles from the nearest port.

The Commission points out that the Directive also applies to merchant vessels, which are more likely to have women on board. This is why the Council wanted to take account of problems which might affect women. Uterotonics are prescribed only where there are female crew members on board. The Commission did not express any reservations about this point, as the cost-benefit analysis of its proposal shows the cost of maintaining medical supplies to be very small, compared with that of diverting a vessel or interrupting fishing to evacuate a crew member who cannot be treated on board. The disproportion justifies the requirement for less expensive medicines which are less commonly used, but are shown by medical assistance service statistics to be useful. The uterotonic recommended by several Member States in France costs around ECU 2.2 in injectable form and less than ECU 4 in the form taken orally. Under these circumstances there are no grounds for a review of the directive in respect of medical supplies.

(96/C 280/105)

WRITTEN QUESTION E-0773/96

by Freddy Blak (PSE) to the Commission

(1 April 1996)

Subject: Increase in occupational illness

New figures from the Occupational injuries and diseases board in Denmark show that occupational disease is on the increase, by a good 3000 cases over the last five years. Danish workers have been affected primarily by hearing and skin complaints, followed by back, shoulder and neck problems. Over the same period there has been an increase in the number of reported industrial accidents.

Have there been any European surveys revealing a similar trend, and is there any European research into the causes of the increase in occupational injury and disease? Is the Commission planning to submit any proposals for directives in this field?

Answer given by Mr Flynn on behalf of the Commission

(22 May 1996)

The Commission attaches the utmost importance to improving health and safety at work by reducing the number of accidents at work and occupational diseases.

Since 1978 the Commission has implemented four action programmes in this area; the fourth (1996-2000) ([1]) is currently under discussion at the Council.

As regards statistics, the data currently available in the Member States concerning occupational diseases and accidents at work are not standard and comparable, and therefore it is still impossible to analyse trends on a rigorous basis. Thus in 1995 a pilot project was launched to collect data on occupational diseases recognised in the Member States. A similar exercise has been conducted in regard to data on accidents at work.

The Commission considers that the existing legislation, based on Article 118a of the EC Treaty, is sufficient to address the main risks to safety and health at work. It does not envisage any specific proposal for a Directive concerning the questions raised by the Honourable Member, but will keep the situation under review.

In the context of research by the European Coal and Steel Community, several projects have been funded in specific sectors (notably occupational skin diseases and work-related osteomuscular problems) as well as in the context of the Biomed programme.

Finally, in 1996, the European Agency for Safety and Health at Work will be set up in Bilbao (Spain), with the objective of providing the Community authorities, Member States and interested parties with useful technical, scientific and economic information pertaining to health and safety at work, necessary for establishing priorities for action.

([1]) COM(95) 282.

(96/C 280/106) **WRITTEN QUESTION E-0776/96**

by Gerardo Fernández-Albor (PPE) to the Commission

(1 April 1996)

Subject: Promoting industrial processing of fishery products

Modernization, restructuring and diversification are the three key issues for the future of the fisheries sector in most areas of Spain.

However, greater profitability in the fisheries sector in most parts of Spain can best be achieved by means of the organization of markets, involving special promotional measures for fishery products, and the establishment of fish processing industries. This would at the same time lead to new jobs in the fisheries sector, which must realize that fishing involves more than simply catching fish.

Measures to promote industrial processing of fishery products therefore have a major role to play in the restructuring of the fisheries sector in many parts of Spain.

Would the Commission say to what extent its programmes providing support for business initiatives aimed at the diversification of fishing activities make provision for concerted action to promote initiatives likely to lead to the establishment of new fish processing industries?

Answer given by Ms Bonino on behalf of the Commission

(21 May 1996)

Among the structural intervention schemes for fisheries in Spain, processing and marketing constitute one of the priority subsectors for financing from the Financial Instrument for Fisheries Guidance (FIFG). Total investment of ECU 408 million in the processing sector is made up of ECU 273 million in public aid (ECU 223 million of this from the Community) and over ECU 134 million in private sector support. The aid goes mainly on improvements in competitiveness, health standard conformity and the embracing of new technologies.

The Commission believes that aid for processing industries should help smooth their way into the new globalizing market for fisheries products.

The Community's Pesca initiative is also designed to support restructuring of the industry in fish-dependent areas. Pesca, which complements IFOP, has a budget of ECU 41 million for the period 1994-99, including ECU 24 million in investment for preservation and processing of fisheries products.

(96/C 280/107)

WRITTEN QUESTION E-0782/96

by Amedeo Amadeo (NI) to the Commission

(1 April 1996)

Subject: Youth unemployment

In view of the high level of unemployment among young people and the social repercussions of this on society in the European Union, will the Commission assess the possibility of introducing, at European level, a voluntary community service programme open to all young people under the age of 25?

Such a programme could be based on a social partnership, at regional level, between the public and private sectors, the social partners and young volunteers, with the aim of combining the public-private partnerships, part-time working patterns and wage guarantees referred to in the white paper. Partnerships for activities which benefit the community would attract tax relief and social security cover and could be supported by cross-border pilot projects, as in the case of other programmes.

It would be useful, in this context, to determine whether, in addition to the existing Youthstart programme, endowed with ECU 300 million and designed to help young people under 20 by means of transnational measures, a programme of the type outlined above could be launched in 1996 when the interim budget for the current ESF programmes is negotiated. In this way, one of other objectives of the Youthstart programme, defined during the programme's development stage, would also be pursued.

Answer given by Mrs Cresson on behalf of the Commission

(20 May 1996)

The Commission agrees with the Honourable Member that the involvement of young people in community service activities in a European context may be conducive to their social and occupational integration, helping also to foster the development of genuine European citizenship.

This is precisely why the Commission is this year launching a new pilot scheme for European voluntary service whereby young people between the ages of 18 and 25, who are resident in a Member State, can participate in transnational activities of general interest in the social sphere or in the field of environmental protection as part of a locally run project lasting between six months and one year. This educational scheme will provide young people with opportunities for self-development and will open the door to new experiences and skills, while benefiting the community in which the voluntary service is performed.

The Commission welcomes the interest shown by Parliament and the support it has given for this initiative. A resolution adopted by Parliament on 22 September 1995 endorsed the idea of establishing European civilian service for young people [1]. Parliament also introduced a new heading (B3-1011) into the 1996 budget, with an allocation of ECU 15 million, for launching the European voluntary service pilot project.

A distinction should be made between the European voluntary service approach and vocational training activities. European voluntary service is intended to test new methods of social and occupational integration, and to offer young people new pathways into working life. The Commission is, however, in the process of studying possible areas of tie-in between European voluntary service and a series of measures geared to young people's integration and vocational training with support from the Structural Funds. In particular, the Youthstart programme (third strand of the Community's Employment initiative) provides for a series of measures to promote the integration of young people under the age of 20, especially those who are poorly skilled or have no qualifications.

(1) OJ C 269, 16.10.1995.

(96/C 280/108)

WRITTEN QUESTION P-0788/96

by Bernd Lange (PSE) to the Council

(22 March 1996)

Subject: Interpretation of Article 109j of the EC Treaty

1. Does the Council intend, pursuant to Article 109j(3) of the EC Treaty, to take the decisions referred to therein within the agreed period or does it consider such a decision to be obsolete in the wake of the position adopted at the Madrid European Council? If no decision is to be taken pursuant to Article 109j(3) of the EC Treaty, what are the deadlines for the reports to be submitted by the European Commission and the European Monetary Institute pursuant to Article 109j(1)?

2. What is the Council's view of the fact that, if it decides not to take a decision pursuant to Article 109j(3), Parliament is denied the opportunity of adopting a position, in the interests of Europe's citizens, on the question of participation by a majority of Member States and the appropriateness of entering the third stage? Would this not be a waste of an opportunity for reasoned debate on EMU, which is provided by the Treaty for a good reason?

3. What alternative, pursuant to Article 148 of the EC Treaty, is applicable, in the Council's view, to the decisions referred to in Articles 109j(3) and (4) of the EC Treaty? To what extent can the Ioannina compromise be applied to the establishment of a majority in Council?

Reply

(25 June 1996)

The conclusions of the Madrid European Council clearly do not oppose application of the provisions of the EC Treaty, including Article 109j(3). The Council attaches great importance to the exercise referred to in paragraph 1, which will be used to examine the progress made by Member States on convergence and the national legislation necessary for the achievement of economic and monetary union. There is therefore no need to seek an 'alternative'.

The 'Ioannina compromise'(1) may be invoked only when the Council acts by a qualified majority, without prejudicing obligatory time limits laid down by the Treaties and by secondary law, in each instance in compliance with the Council's Rules of Procedure.

(1) Council Decision of 29 March 1994 concerning the taking of decisions by qualified majority by the Council (94/C 105/01), as amended by the Decision of 1 January 1995 (95/C 1/01).

(96/C 280/109)

WRITTEN QUESTION E-0791/96

by Anita Pollack (PSE) to the Commission

(3 April 1996)

Subject: Delays to phasing out VOCs in UK

Is the Commission aware that the UK Government has postponed a series of deadlines for phasing out VOCs by the printing, leather, paint, paper, rubber, film and textile and fabric industries and does the Commission believe

this will harm the UK's ability to meet the deadline laid down in the EU directive to cut VOC emissions by 30 per cent by 1999?

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 May 1996)

The Commission is aware that the United Kingdom government has postponed certain deadlines for the phasing out of volatile organic compounds (VOCs) by the printing, leather, paint, paper, rubber, film and textile and fabric industries. For the industries in question, the Commission has made a commitment in the 1996 work programme to bring forward a directive controlling emissions from these installations. This directive will go further than the Economic commission for Europe of the United Nations (UNECE) protocol and will set the targets which the Commission considers should be met from this sector.

The question of compliance with the obligations of the UNECE protocol, which cover the totality of man-made VOC emissions, is in the first instance an obligation under international law of the ratifying country. The United Kingdom has stated that its action will not affect its ability to meet its obligations under the UNECE protocol.

(96/C 280/110) **WRITTEN QUESTION E-0794/96**

by Dominique Souchet (EDN) to the Commission

(3 April 1996)

Subject: WTO world conference

One of the main aims of the forthcoming Euro-Asian summit will be to prepare the first WTO world conference, to be held in Singapore in December 1996.

The issue of social clauses is to be raised, even though the Asian countries want it to be dealt with briefly. Commissioner Sir Leon Brittan recently indicated that he considered it necessary to revive the debate on respect for social clauses, while taking care not to give offence to Asian countries by imposing a social diktat.

Sir Leon Brittan has stated that the European Union does not intend to make its trade relations dependent on emerging countries' respect for minimum social clauses and that it is not a question of challenging the low wage level which represents a justified advantage for these developing countries.

How, in these circumstances, does the Commission intend to tackle the competitive disparities which penalize access by our manufacturers to Asian markets?

Is the creation of a European database designed to give our undertakings a clear picture of remaining customs barriers with Asia and the best means of surmounting them not a totally inadequate initiative, bearing in mind the urgency of the situation facing our labour-intensive industries, which will be required to shed more than 850 000 jobs in the coming 13 years in the textiles and clothing sectors alone if nothing is done?

Is it not necessary to take a much more resolute line with a view to restoring fair competition by demanding substantive negotiations on the social clauses, making European anti-dumping procedures more effective and introducing additional customs duties for Asian products whenever necessary?

Answer given by Sir Leon Brittan on behalf of the Commission

(29 May 1996)

The Commission put forward 'a market access strategy for the European Union' in a communication of 14 February 1996. ([1]) What it proposed was not merely the creation of a database, but a systematic approach to dismantling barriers to the Community's trade and external investment, involving coordination of the protagonists.

Adopting such a strategy naturally presupposes that the Community will fulfil its multilateral and bilateral obligations; otherwise, it will face dispute settlement procedures possibly culminating in demands for compensation or even retaliation by its trading partners, which could seriously damage Community exports and employment.

The proposed introduction of additional customs duties for Asian products originating in member countries of the World Trade Organization (WTO) would constitute a breach of Article 1 of the General Agreement on Tariffs and Trade (GATT), which makes customs tariffs subject to the 'most favoured nation' clause. The same principle applies to countries with which the Community has bilateral agreements based on granting 'most favoured nation' status.

Moreover, the fact that a country's low wage level gives it a competitive edge does not in itself constitute dumping under Community legislation, which must also adhere to the Community's obligations under WTO agreements. In cases that do call for antidumping action, the Commission sees to it that the legislation is firmly enforced.

With regard to trade and social clauses, the Commission believes that the debate should be pursued with all the countries concerned in a multilateral forum and, to this end, proposed in its communication that the Singapore ministerial conference set up a WTO working party on the subject. In the Commission's view, the debate should cover respect for certain basic standards set out in the International Labour Organization conventions, including freedom of association and free collective bargaining, the abolition of forced labour, non-discrimination in employment and an end to child labour. The Commission has made it clear that it has no wish to challenge the comparative advantage derived by developing countries from low wage costs, which would in any event jeopardize all hopes of successful multilateral discussions.

Moreover, the notion that the Community should promote respect for basic social rights has already been put into practice internally as a feature of the Generalized System of Preferences (GSP) scheme adopted by the Council in December 1994.

(1) COM(96) 53.

(96/C 280/111)

WRITTEN QUESTION E-0797/96

by Hartmut Nassauer (PPE) to the Council

(12 April 1996)

Subject: Convention on the use of information technology for customs purposes, adopted on 26 July 1995

For each Member State, will the Council give the progress of ratification procedures as at 1 March 1996 for the Convention on the use of information technology for customs purposes, adopted on 26 July 1995 (1).

(1) OJ C 316, 27.11.1995, p. 33.

Reply

(27 June 1996)

The Council can state that at 1 March 1996 no Member State had notified the General Secretariat of the Council of its completion of the procedures required for adoption of the Convention. Under Article 26(2) of the Convention the Secretary-General is required to publish information on the progress of the Convention's adoption in the Official Journal of the European Communities.

(96/C 280/112)

WRITTEN QUESTION E-0804/96

by Christoph Konrad (PPE) to the Commission

(3 April 1996)

Subject: International vehicle registration

1. Does the Commission believe that the introduction of 'Euro' number plates makes an important contribution to integration within the European Union?

2. Does the Commission agree that the 1968 Vienna Convention should be amended or revised so that it is permissible for IVR symbols to be incorporated in the number plate and in a different form from that specified hitherto?

3. Will the Commission take action as soon as possible to ensure that IVR letters on 'Euro' number plates in the European Union are in line with the current provisions of the Vienna Convention and if so, when?

Answer given by Mr Kinnock on behalf of the Commission

(20 May 1996)

1. The Commission considers that the European flag is an important symbol of membership of the Union and indicating the European flag on vehicle number plates makes a useful contribution to awareness of integration.

2. The so-called 'Euro-plate' was designed with experts from the Member States. The inclusion of the distinguishing sign of the Member State on a specific part of the plate (under the European flag), well separated from the registration number, is appropriate since it allows:

— no possibility of confusion with the registration number and

— certainty of having the information relating to the Member State of registration of the vehicle.

This is in line with the aims of Article 37 of the Vienna Convention of 1968 and has been implemented by several Member States (P, IRL, D) independently from the fact they are parties to the Convention.

3. Formally, however, Member States (mainly those which have not yet adopted the 'Euro-plate' model) could apply the Vienna Convention in requiring an additional distinguishing sign indicating the country of origin of foreign vehicles circulating on their territory. An amendment of the relevant provisions of the Convention would be necessary to avoid that situation. This would probably be a lengthy process to be initiated by one of the signatory states to the Vienna Convention.

The Commission is, meanwhile, re-examining the question of whether, while respecting the principle of subsidiarity, an initiative would be justified at Community level to provide an appropriate legal base for the use within the Community of the 'Euro-plate' without the accompanying distinguishing sign.

(96/C 280/113)

WRITTEN QUESTION E-0813/96

by Nel van Dijk (V) to the Commission

(3 April 1996)

Subject: New European Union regulation concerning marketing authorization for medicinal drugs

On 14 February 1996, the Commission issued a marketing authorization valid for the entire European Union for the medicinal product Fareston (toremifene). On the same day, the European Medicines Evaluation Agency published the Summary of Product Characteristics, as part of the European Public Assessment report (CPMP/730/95), in which it was stated that the therapeutic indication is 'first line treatment of hormone-dependent metastatic breast cancer in postmenopausal patients. Fareston is not recommended for patients with oestrogen-receptor-negative tumours'.

The B-user package leaflet which contains the patient information about the drug lists as indication: 'treatment of a certain type of breast tumour in women who have had their menopause'. This information is incorrect since breast tumour may refer to both benign and malignant tumours, whilst the use of Fareston (toremifene) should be restricted to the treatment of malignant breast cancer and not of benign tumours.

1. Is it correct that the decision not to use the word cancer in the text of the user package leaflet is a result of a dispute between members of the CPMP concerning the suitability of using the word 'cancer' in user package leaflets?

2. Is the Commission of the opinion that the indication 'treatment of a certain type of breast tumour in women who have had their menopause' for a product which may only be used for the treatment of breast cancer is in accordance with Council Directive 92/27/EEC (1) of 31 March 1992 on the labelling of medicinal products for human use and on package leaflet, particularly Article 7 which requires that 'the package leaflet shall be drawn up in accordance with the summary of the product characteristics'?

(1) OJ L 113, 30.4.1992, p. 8.

(96/C 280/114)

WRITTEN QUESTION E-0814/96

by Nel van Dijk (V) to the Commission

(3 April 1996)

Subject: New European Union regulation concerning marketing authorization for medicinal drugs

On 14 February 1996, the Commission issued a marketing authorization valid for the entire European Union for the medicinal product Fareston (toremifene). On the same day, the European Medicines Evaluation Agency published the Summary of Product Characteristics, as part of the European Public Assessment report, in which it was stated that the therapeutic indication of this product is 'first line treatment of hormone-dependent metastatic breast cancer in postmenopausal patients. Fareston is not recommended for patients with oestrogen-receptor-negative tumours'.

The B-user package leaflet which contains the patient information about the drug lists as indication: 'treatment of a certain type of breast tumour in women who have had their menopause'. This information is incorrect since breast tumour may refer to both benign and malignant tumours, whilst the use of Fareston (toremifene) should be restricted to the treatment of malignant breast cancer and not of benign tumours.

1. Does the Commission agree that failing to mention the correct indication may hamper a high degree of consumer protection, and may cause incorrect use of medicinal products because full information is lacking? (Council Directive 92/27/EEC). (1)

2. What measures does the Commission propose to ensure the highest level of information in the package leaflets for patients?

3. Does the Commission agree that this incident calls for greater transparency and openness in drug evaluation procedure and that minutes of the CPMP meeting should be made accessible along the lines of the United States Food and Drug Administration's advisory committees, where public access is permitted to around 90% of the FDA's records? (Gerald Deighton, FDA Commissioner for Freedom of Information, in National Consumer Council, Balancing Acts — Conflict of Interest in the Regulation of Medicine, London, 1993).

(1) OJ L 113, 30.4.1992, p. 8.

Joint answer to Written Questions E-0813/96 and E-0814/96 given by Mr Bangemann on behalf of the Commission

(7 May 1996)

In the Annex to the Commission's Decision of 14 February 1996 authorizing the medicinal product Fareston (Toremifene) to be placed on the market throughout the European Union, it is true that the user package leaflet for the drug does not mention the word 'cancer', although this term appears in the summary of the product characteristics which is also annexed to the Decision. The opinion of the Committee for proprietary medicinal products, which suggests not using the term 'cancer' in user package leaflets for this drug, has been unanimously adopted.

The Commission considers that this procedure is entirely in accordance with Council Directive 92/27/EEC of 31 March 1992 on the labelling of medicinal products for human use and on package leaflets (1). Indeed, Article 7(2) of this Directive provides that 'the competent authorities may decide that certain therapeutic indications shall not be mentioned in the package leaflet, where the dissemination of such information might have serious disadvantages for the patient'. Preparatory studies on Directive 92/27/EEC indicate that the thinking behind this particular legislative provision applies precisely to a case such as this. Article 9(3)(c) of Council Regulation (EEC) No 2309/93 of 22 July 1993 (2) laying down Community procedures for the authorization to place the medicinal products on the market, provides in particular that in the event of an opinion in favour of granting the relevant authorization to place the medicinal product concerned on the market, the Committee for proprietary medicinal products shall annex to its opinion 'the draft text of the labelling and package leaflet proposed by the applicant, presented in accordance with Directive 92/27/EEC, without prejudice to the provisions in Article 7 (2) of that Directive'.

The Commission considers that it is essential to mention the therapeutic indication of a medicinal product in the package leaflet, both for consumer information and so that such products are not misused, which is why Directive 92/27/EEC makes this compulsory. Thus it is only in exceptional circumstances such as those described in Article 7(2) of the Directive that this obligation may be waived, and only if it is in the patients' interest.

In the Commission's view, Directive 92/27/EEC ensures that patients are provided with comprehensive information. However, in the near future it intends to take certain steps to make package leaflets more legible and comprehensible for patients.

(1) OJ L 113, 30.4.1992.
(2) OJ L 214, 24.8.1993.

(96/C 280/115)

WRITTEN QUESTION E-0819/96

by Pieter Dankert (PSE) and Carlos Pimenta (ELDR) to the Commission

(3 April 1996)

Subject: Visit by the Commissioner for Regional Policy to Portugal

The Commissioner for Regional Policy is apparently to visit Portugal in the near future.

Will the Commissioner be visiting the site planned for the construction of a new dam (Alqueva)?

Is the Commission considering financing the construction of this dam from the Cohesion or Structural Funds?

If it is considering making money from the Cohesion Fund available, can it indicate the environmental significance of the project?

If it is considering making money from the Structural Fund available, can it indicate under which objective the funding will fall?

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

(3 May 1996)

During his recent trip to Portugal, the Commissioner for Regional Policy did in fact visit the Alqueva site in Alentejo on 25 March.

The Alqueva dam project is contained in the Community support framework (CSF) for Portugal for the period 1994-99, where reference is made to possible co-financing from the European Regional Development Fund (ECU 117 million), the European Agriculture Guidance and Guarantee Fund (ECU 70 million) and, if relevant, the Cohesion Fund.

The Portuguese authorities submitted an application for the co-financing of this project from the Cohesion Fund to the Commission on 5 September 1995 together with a package of information on its status as a 'major project' to be co-financed under the CSF programme to promote the regional development potential, the environmental impact study and the opinion of the Portuguese authorities with responsibility for the environment.

In view of the importance of this project to Portugal, and to the region of Alentejo in particular, the Commission has already stated its support in principle for the project to the Portuguese authorities on 18 December 1995.

However, the Commission's final decision will be subject to the independent environmental assessment of the project and to guarantees of sufficient water supplies, in terms of quality and of quantity, to ensure the project's economic viability.

The Commission has launched studies on these two factors in partnership with the Portuguese authorities.

(96/C 280/116)

WRITTEN QUESTION E-0823/96

by Mihail Papayannakis (GUE/NGL) to the Commission

(12 April 1996)

Subject: Money laundering

Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering [1] requires Member States to bring into force the legislation necessary to comply with the Directive before 1 January 1993 (Article 16).

Bearing in mind that the effectiveness of attempts to combat money laundering depends mainly on the coordination and harmonization of national implementing measures, what measures has Greece taken at national level to combat money laundering? Has it implemented the laws, regulations and administrative decisions necessary to comply with Directive 91/308/EEC? Has Greece communicated to the Commission the text of the main provisions of national law which it has adopted in the field governed by the Directive? And what steps will the Commission take if it finds that the Directive in question has been inadequately implemented by the competent Greek authorities?

[1] OJ L 166, 28.6.1991, p. 77.

Answer given by Mr Monti on behalf of the Commission

(13 May 1996)

Greece implemented Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering by law no 2331 of 24 August 1995 [1]. This law was formally notified to the Commission.

The Commission is in the process of studying the Greek legislation. Were it to have any doubts as to its conformity with the Directive it would follow the standard procedures.

[1] Government Gazette no 173, 24.8.1995.

(96/C 280/117)

WRITTEN QUESTION E-0824/96

by Mihail Papayannakis (GUE/NGL) to the Commission

(12 April 1996)

Subject: Construction of a sewage treatment plant on Samos

The construction of a sewage treatment plant in the commune of Pagondhas, Samos, was included in a joint Interior Ministry-North Aegean Region programme. The commune subsequently commissioned, and funded, a project study and an environmental impact assessment. It should be pointed out that the sewage treatment project

will benefit the region in many ways; not only will sanitary conditions be improved, the tourist industry and the economy will also gain (it will be possible to develop a longer stretch of the Heraion coast).

The North Aegean Region recently decided to allocate the appropriations earmarked for sewage treatment to other projects, probably road-building, so that all that remains of this essential sewage treatment project is the expenditure on the studies. Bearing in mind that such a decision defies both common sense and all scientific analysis (developmental, economic, environmental), that pollution hits the tourist industry and numerous professions which depend directly on tourism and the sea, that money has already been spent on the studies and that the hopes of the region's population have been raised, can the Commission confirm that the above is actually true? If so, what objective criteria were used to reallocate the appropriations, and what will the Commission do to support and implement the first investment project, which is recognized as a major priority as far as the tourist industry and the environment is concerned and which is closely bound up with the health of the region's inhabitants?

Answer given by Mrs Bjerregaard on behalf of the Commission

(24 May 1996)

The Commission is not aware of these projects which are apparently financed under the national budget. It is of course up to the Greek authorities to decide on the priority of the projects they finance in their regions.

(96/C 280/118)

WRITTEN QUESTION P-0830/96

by Miguel Arias Cañete (PPE) to the Commission

(28 March 1996)

Subject: Pension fund in Gibraltar

The authorities of the United Kingdom and Gibraltar decided to wind up the Gibraltar Social Insurance Fund as of 31 December 1993, thereby affecting thousands of Spanish pensioners who lost their right to draw a pension and violating Council Regulations 1408/71 (1), 574/72 (2) and Articles 48, 51 and 227 of the Treaty of Rome.

The European Parliament has repeatedly condemned this situation and the Commission has stated that it would ask the United Kingdom for information, with a view to taking appropriate measures.

More than two years have passed and this unjust situation has still not been remedied.

What representations has the Commission made to the United Kingdom and what results have been achieved so far?

When does the Commission expect Community law on freedom of movement and social security for migrant workers to be applied in full again and on what date does the Commission expect Spanish pensioners to be able to claim their rights once more?

(1) OJ L 149, 5.7.1971, p. 2.
(2) OJ L 74, 27.3.1972, p. 1.

Answer given by Mr Flynn on behalf of the Commission

(13 May 1996)

The Commission informs the Honourable Member that, with reference to the winding up of the Gibraltar Social Insurance Fund, it has delivered a reasoned opinion directed at the United Kingdom, in accordance with Article 169 of the EC Treaty.

The Commission is currently examining the UK's response to this reasoned opinion.

(96/C 280/119)

WRITTEN QUESTION P-0831/96

by Cristiana Muscardini (NI) to the Commission

(28 March 1996)

Subject: European Health Card

There has been a steady increase in certain serious infectious diseases such as hepatitis, HIV, and, in some countries at least, tuberculosis. Would it be possible to introduce a 'smart' health card which could be linked up to a central or regional data bank in the various countries and immediately provide full information on an individual's health background — a kind of detailed, effective, individual computerized health record?

Can the Commission find out whether such a scheme already exists in any Member State?

Does it not consider that it would be extremely useful, in view of the spread of the above-mentioned diseases, to introduce a compulsory European Health Card in all the Member States?

Answer given by Mr Flynn on behalf of the Commission

(31 May 1996)

The Commission is not aware that any Member State has installed 'smart card' systems on infectious diseases.

The Commission has put forward a proposal for a Parliament and Council decision to support Member States' efforts in this field by creating a network for the epidemiological surveillance and control of communicable diseases in the Community ([1]).

The Commission has no evidence that there is a need for such a card to be introduced at Community level and has therefore no intention of putting forward a proposal for a compulsory health card to support disease control.

([1]) COM(96) 78 final, 7.3.1996.

(96/C 280/120)

WRITTEN QUESTION E-0835/96

by Amedeo Amadeo (NI) to the Commission

(12 April 1996)

Subject: Usury

Usury has reached alarming proportions in the last few years. The number of Italian families brought to ruin by loan-sharks rose from 80 000 in 1987 to 342 000 in 1993.

In 1993 loans totalled around LIT 3 900 billion, and interest — which ends up in the pockets of loan-sharks — now amounts to around LIT 3 500 annually as opposed to LIT 820 billion in 1987. The rate of interest varies from a monthly minimum of 4% to a maximum of 12,5%. The interest rate usually doubles if borrowers are unable to meet the repayment deadline.

Great attention must be paid to the spread of crime in the clandestine money market.

Can the Commission provide any statistics on usury in the Community? Can it set up an *ad hoc* monitoring unit to coordinate all anti-racketeering measures and keep a tight watch on the phenomenon?

Answer given by Mrs Bonino on behalf of the Commission

(24 May 1996)

In connection with the discussions in Italy about usury, the Honourable Member is referred to the replies given by the Commission to Written Questions E-3652/95 (Mrs Graenitz) ([1]) and E-675/96 (Mr Tajani) ([2]), and to the following Oral Questions: H-599/95, put at Question Time during the September 1995 part-session ([3]), and H-275/96, H-281/96 and H-282/96, put at Question Time during the April 1996 part-session ([4]).

As usury is the 'black market' of the consumer credit sector, the Commission has no precise statistics and does not plan to set up a monitoring unit for this purpose.

(1) OJ C 112, 17.4.1996.
(2) OJ C 183 of 24.6.1996, p. 45.
(3) Debates of the European Parliament (September 1995).
(4) Debates of the European Parliament (April 1996).

(96/C 280/121)

WRITTEN QUESTION E-0836/96

by Cristiana Muscardini (NI) to the Commission

(12 April 1996)

Subject: Practising dentistry

The Commission is undoubtedly well aware of the problems involved in interpreting certain points of Laws Nos. 409/85 and 471/88 (Italy) in relation to Directives 78/686/EEC (1), 78/687/EEC (2) and 93/16/EEC (3) as regards practising dentistry. For example, it is unclear whether or not Law No. 471/88 prevents all doctors who practise stomatology from working as dental practitioners if they are included in the register of doctors, as is the case in France.

Can the Commission therefore state whether the Court of Justice's judgment of 1 June 1995 (Case C 40/93) has the effect of depriving doctors registered as dental practitioners in application of Law No. 471/88 of the right to practise dentistry?

(1) OJ L 233, 24.8.1978, p. 1.
(2) OJ L 233, 24.8.1978, p. 10.
(3) OJ L 165, 7.7.1993, p. 1.

Answer given by Mr Monti on behalf of the Commission

(24 May 1996)

The Commission is aware of the problems involved, for the Italian authorities, in interpreting certain points of Laws Nos 409/85 and 471/88. It would point out that Italian courts have sole jurisdiction for interpreting legislation, but that they may refer a matter to the Court of Justice for a preliminary ruling whenever they are called on to interpret points of Community law.

In the judgment handed down on 1 June 1995 in Case C-40/93 Commission v Italy, the Court of Justice found that, by putting back the deadline (28 January 1980) laid down in Article 19 of Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry (1) to the academic year 1984/85 as regards qualifications in medicine and surgery, Italy failed to comply with its obligations under Article 19 and under Article 1 of Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners.(1) At the time of adoption of Directives 78/686/EEC and 78/687/EEC, which required Italy to create the specific profession of dentist, dentistry was practised in that country by doctors. By way of derogation, Article 19 of Directive 78/686/EEC authorized such doctors to continue practising dentistry and to move to other Member States as dentists, one condition being that they had begun training as doctors before 28 January 1980.

This judgment has purely declaratory value and could not of itself produce in national law the effect mentioned by the Honourable Member, namely to deprive doctors registered as dental practitioners in Italy under Law No 471/88 of the right to practise dentistry. Indeed, pursuant to Article 171 of the EC Treaty, if the Court of Justice finds that a Member State has failed to fulfil an obligation under the Treaty, that Member State is required to take the necessary measures to comply with the Court's judgment. The onus is therefore on the Italian authorities to bring Italian law into line with Community law. Nevertheless, the Italian courts must be able, where appropriate, to draw the conclusions that this judgment will have at national level and, in the event of any difficulties in interpreting Community law, to refer the matter to the Court of Justice for a preliminary ruling.

(1) OJ L 233, 24.8.1978.

(96/C 280/122)

WRITTEN QUESTION E-0842/96

by Brendan Donnelly (PPE) to the Commission

(12 April 1996)

Subject: Failure of Greek social security authorities to implement EC Regulation 1408/71

On 12 January 1996 I put down a Written Question (E-3636/95) ([1]) asking when the Commission would be taking legal action against the Greek Government for non-implementation of EC Regulation 1408/71 ([1])([2]) in the matter of my constituent Mr A. Zafiropoulos. On 1 March 1996 I received an assurance that the Commission intends to bring legal action. Is the Commission now in a position to answer my question of 12 January as to when these proceedings will commence?

([1]) OJ C 326, 6.12.1995, p. 45.
([2]) OJ L 149, 5.7.1971, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(4 June 1996)

The Commission can confirm that it has brought the matter before the Court of Justice.

(96/C 280/123)

WRITTEN QUESTION P-0850/96

by Elisabeth Schroedter (V) to the Commission

(2 April 1996)

Subject: Competitive advantages for the lignite industry and the power-supply industry in the new German Länder

1. Is the Commission aware that the German federal government, collaborating with the new Länder governments concerned in talks designed to reach a consensus on the energy sector in eastern Germany, has concluded contractual agreements with undertakings that have interests in the eastern German lignite mining and power-supply industries, which could give lignite artificial competitive advantages as an energy source?

2. To what extent is this compatible with the European Union's competition rules?

3. Does the European Energy Charter allow a government to impose contractual obligations requiring an undertaking to discount some of its prices?

4. Do the European competition rules permit a government to suspend its obligation to implement the Community's environmental policy for the benefit of individual undertakings and thereby give those undertakings an opportunity to improve their market position?

5. If not, what is the Commission going to do about the lignite industry in eastern Germany, which can hold its costs down because its mining operations were not required to meet conditions that would have been imposed had the legally required environmental impact assessment been carried out?

Answer given by Mr Van Miert on behalf of the Commission

(8 May 1996)

1. The purpose of the contractual agreements concluded during the 'consensus talks' on energy in the new Länder is to prevent electricity prices there from rising substantially above those elsewhere in Germany as a result of the huge costs involved in upgrading and modernizing supply networks and power stations. Lignite's role in electricity generation is covered by those agreements.

2. Since it has not been notified of the agreements in accordance with Article 93(3) of the EC Treaty, the Commission has not yet examined whether they are compatible with the rules on competition. It will raise the matter with the German authorities.

3. The European energy charter is designed to coordinate relations between energy suppliers and electricity users, with particular attention to reliability of supply. The agreements referred to by the Honourable Member are not prohibited under the charter.

4. Although restructuring the lignite industry in the new Länder presents Germany with a major challenge, it will also result in significant environmental benefits. Annual expenditure on cleaning up and rehabilitating old lignite workings currently amounts to DM 1 500 million. Modern, efficient power stations of which the environmental impact has been assessed — such as the Schwarze Pumpe station — are being built. The second assessment report on national programmes for monitoring CO_2 emissions in the Community noted that one of the main reasons why they fell by 2,2% between 1990 and 1993 was that a substantial proportion of eastern Germany's lignite production was discontinued.

5. These developments have been supported by the Commission under the Rechar programme, through aid under Article 56 of the ECSC Treaty to promote workers' reintegration into employment and by way of regional conversion plans (in connection with products covered by the Treaty, such as briquettes and lignite low-temperature coke). The Commission has not approved any additional forms of support that might lead to a reduction in the costs of lignite mining.

(96/C 280/124)

WRITTEN QUESTION P-0856/96

by Odile Leperre-Verrier (ARE) to the Commission

(2 April 1996)

Subject: Appropriations for the URBAN programme — Objective 1

Can the Commission say what action will be taken on the appropriations placed in reserve for the period 1994-1999 under the URBAN programme?

Can it confirm that, where France is concerned, only cities coming under Objective 1 will be retained, which would exclude Bastia, for example, even though it was designated a priority?

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

(8 May 1996)

The Commission presented an initial proposal for allocations from the reserve for Community initiatives on 4 October 1995. A consultation procedure is now under way, involving Member States, Parliament, the Economic and Social Committee, the Committee of the Regions and others. Only when this procedure is complete, which should be some time in May, will the Commission take a final decision on allocations from the reserve.

(96/C 280/125)

WRITTEN QUESTION E-0857/96

by Hiltrud Breyer (V) to the Commission

(12 April 1996)

Subject: Tinned petfood

1. Is the Commission aware that tinned food for dogs and cats is reported to contain meat contaminated by parasites and viruses?

2. Is it aware that a large number of dogs and cats kept as pets fall ill and die as a result of bad food?

3. Is it aware that petfood manufacturers are using industrial waste, damaged agricultural produce and abattoir waste from sick animals?

4. Does a legal basis exist for putting an end to this practice?

Answer given by Mr Fischler

on behalf of the Commission (6 May 1996)

The raw materials of animal origin from which the petfood is manufactured are obtained either from healthy slaughtered animals, the meat from which has been passed as fit for human consumption, or from low risk material, as defined by Council Directive 90/667/EEC (1), which does not present serious risks of spreading communicable diseases to animals or man. Furthermore, Council Directive 92/118/EEC (2) lays down specific animal health requirements for petfood containing low risk materials. In particular the petfood in hermetically sealed containers must be subjected to heat treatment to a minimum Fc value of 3,0.

(1) OJ L 363, 27.12.1990, Directive as last amended by the Act of Accession of Austria, Finland and Sweden.
(2) OJ L 62, 15.3.1993, as last amended by Commission Decision 96/103/EC of 29.1.1996 – OJ L 24, 31.1.1996.

(96/C 280/126)

WRITTEN QUESTION E-0860/96

by Stephen Hughes (PSE) to the Commission

(12 April 1996)

Subject: Unlawful practices when building workers are employed in another Member State

Further to its reply to Written Question E-2389/95 (1), could the Commission forward a copy of its findings, presented at the symposium organized by the Greek authorities on 12 and 13 October 1995, to the Secretariat of Parliament and to me?

(1) OJ C 300, 13.11.1995, p. 57.

Answer given by Mr Flynn on behalf of the Commission

(15 May 1996)

The Commission is directly forwarding a copy of the study on the application of the provisions of Regulation (EEC) No 1408/71 (2) in the field of postings and utilisation of form E 101 to the Honourable Member and the Secretariat General of the Parliament.

The Commission will also request the Greek organisers of the conference of 12 and 13 October 1995 to send a copy of the proceedings of this colloqium to the same addressees.

(1) OJ L 149, 5.7.1971; consolidated version in OJ C 325, 10.12.1992.

(96/C 280/127)

WRITTEN QUESTION E-0862/96

by Christine Crawley (PSE) to the Commission

(12 April 1996)

Subject: Sri Lanka

Would the Commission report on the outcome of its talks at the EU-Asia meeting and whether the question of human rights abuses in Sri Lanka was raised?

Answer given by Mr Marín on behalf of the Commission

(7 May 1996)

The Commission has already reported to Parliament on 12 March 1996 on the outcome of the Bangkok meeting. The text of President Santer's speech will be forwarded to the Honourable Member immediately, as well as to the Secretariat-General of the Parliament.

While the question of human rights was indeed raised, the specific case of human rights in Sri Lanka was not mentioned given that this country did not take part in the talks.

(96/C 280/128)

WRITTEN QUESTION E-0863/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(12 April 1996)

Subject: Management of the PHARE and TACIS programmes

At its meeting of 11 March 1996 the Ecofin Council called for improved management of the PHARE and TACIS programmes, pointing out that most of the money allocated thereto is spent on studies carried out by western consultants and does not benefit the countries for which the programmes are intended.

What does the Commission think of Ecofin's views? Does it consider that the management of the programmes needs to be improved?

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

(13 May 1996)

The Commission does not share the view that most of the money allocated to the PHARE and TACIS programmes is spent on studies carried out by Western consultants. It is true that at the outset of both programmes the Commission needed to have a clear picture of the situation of the different economic and social sectors in the countries concerned. For this purpose, the Commission contracted Western consultants specialising in the various fields. However, as knowledge of the situation has been acquired, the Commission has progressively shifted the funds to projects with a direct on-the-spot impact in the PHARE and TACIS countries.

The Commission is now reviewing the management systems of both programmes by way of increasing transparency in the awarding of contracts and including a review of the implementation of the programmes so as to involve more closely the local authorities and non-governmental organisations. Appropriate proposals are made in the framework of the draft TACIS regulation (1) and the new approach given to Phare by the recent European Councils.

(1) COM(95) 12.

(96/C 280/129)

WRITTEN QUESTION E-0866/96

by Miguel Arias Cañete (PPE) to the Commission

(12 April 1996)

Subject: EU wine imports

During the current marketing year, Spanish winegrowers have immobilized something over one million hectolitres of wine under the private storage arrangements in addition to 400 000 hectolitres of grape must, 15 000 hectolitres of concentrated must and 11 000 hectolitres of rectified concentrated must. These figures clearly show that the Spanish market is stagnant, despite the fact that the Spanish grape harvest was exceptionally short on account of drought and frost.

This state of affairs is due to the massive increase in imports of wines from non-member countries, in particular Argentina.

Could the Commission therefore say whether or not it is in a position to guarantee that such imports are in accordance with minimum quality and alcoholic content standards and that they are cleared through customs under the correct tariff headings?

Answer given by Mr Fischler on behalf of the Commission

(29 April 1996)

While the figures quoted by the Honourable Member for storage arrangements in Spain during the current market year are correct, the Commission would point out that they are 50% below the level prevailing in the years immediately following accession (2 million hectolitres). The storage contracts were in any case concluded in December and January, at a time when prices in Spain were particularly high, which suggests that operators were not electing to place goods in storage because of market considerations alone.

The Commission is aware of press rumours about irregularities affecting imports, but would point out that the clearance of imports is the responsibility of the Member States. It has repeatedly reminded Member States' delegations on the Management Committee for Wine how important it is for the competent supervisory bodies to keep a strict check on imports.

Though the Commission has not yet received any official complaint it is carrying out a pre-emptive investigation, the results of which should shortly be to hand.

(96/C 280/130) **WRITTEN QUESTION E-0867/96**

by Miguel Arias Cañete (PPE) to the Commission

(12 April 1996)

Subject: EU imports of Mexican avocados

EU imports of Mexican avocados are increasing at an alarming rate, thus jeopardizing the development of Community production. However, the proposed reform of the COM in fruit and vegetables does not refer to avocados in the section on the quality standards applicable to Annex N.1 products.

If this situation remains unchanged it will not be possible to control imports of products from Mexico (under more favourable price conditions), the flow of which will be impossible to control unless quality standards similar to those applicable to Community produce are imposed.

Could the Commission say whether there are any proposals for including avocados amongst the Annex 1 products and defining quality and other standards relating thereto?

Answer given by Mr Fischler on behalf of the Commission

(2 May 1996)

The Commission is indeed aware of the rise in avocado imports from Mexico during 1993 and 1994. The figures it has for 1995, though incomplete, bear out this trend. However, the rise appears to be at the expense of other traditional suppliers since total imports of avocadoes have remained stable over the period and show that the non-member country share of the Community market is stagnating. As a result, the Commission does not believe that the rise in Mexican imports could disrupt the Community market.

The Commission agrees that standards are a valuable tool in achieving fair trade and transparent markets. The inclusion of avocados in the list of products classified under a system of standards is being looked into by the Council as part of its work on reform of common organization of the markets for processed fruit and vegetables. ([1])

([1]) COM(95) 434 final.

(96/C 280/131)

WRITTEN QUESTION E-0868/96

by Gianni Tamino (V) and Daniel Cohn-Bendit (V) to the Commission

(12 April 1996)

Subject: Extension of the right of conscientious objection

Mrs Elva Agosta, an officer in the Viadana, Modena, police force, was brought before the local disciplinary committee at the end of February 1996 for insubordination, having refused to regularly carry the gun given to her for night duty. The matter was also referred to the magistrate's court on the grounds that her failure to obey her superiors constituted an offence. Mrs Agosta does not have a gun licence and has publicly said that she does not feel confident enough to use the gun she might at times be required to carry. When she signed the employment contract she was also not aware that she could be exempted from armed service duties if she declared that she was a conscientious objector to the use of weapons.

Does the Commission not think that the right of conscientious objection should apply at all times and not just at the time of entry into service?

Does it not think that there should be proper rules on conscientious objection, which should also apply to cases such as the above?

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

(13 May 1996)

As it has already had occasion to point out, in answers to written and oral questions and during Parliament's debate on the report by Mr Bandrés Molet and Ms Bindi in January 1994, [1] the issue of conscientious objection is a matter for the Member States; it is not for the Commission to interfere in an issue which it has no specific competence to deal with.

Respect for human rights is essentially a matter for the Member States individually, and they must exercise that competence in accordance with their international and regional commitments, particularly the European Convention for the Protection of Human Rights and Fundamental Freedoms.

This is clearly stated in the Common Provisions of the Treaty on European Union, and Article F(2) in particular.

[1] OJ C 44, 14.2.1994.

(96/C 280/132)

WRITTEN QUESTION P-0871/96

by Fernando Fernández Martín (PPE) to the Commission

(2 April 1996)

Subject: European investment in Cuba

In its communication of 28 June 1995 on relations between the European Union and Cuba (COM(95)0306), the Commission draws attention to the process of liberalization and reform currently in progress in Cuba and the major role which the European Union has to play in that process, and states that trade relations should be based on the principle of freedom. It transpires, none the less, that there have been a number of irregularities by the Cuban authorities regarding investment in the tourist sector by European operators which, as a result, has been cut back, despite its economic importance to Cuba.

How does the Commission propose to react to the repeated infringement of international commercial law by the Cuban authorities, instances of which have become so common as to make it impossible for European investors to operate in a normal fashion in Cuba?

Answer given by Mr Marín on behalf of the Commission

(26 April 1996)

The Commission is not aware of the Cuban authorities' repeated infringements of international commercial law in their handling of investment by European operators in the island's tourism industry.

Moreover, the Commission would like to remind the Honourable Member that the question of foreign investment still lies mainly within the jurisdiction of the Member States, so the Commission has very limited scope to act in this area.

Nevertheless, if the Commission continues to receive regular reports of such infringements, the matter will certainly be raised during the current talks between the Community and Cuba.

(96/C 280/133)

WRITTEN QUESTION E-0878/96

by James Provan (PPE) to the Commission

(17 April 1996)

Subject: Battery cages

Under Article 7 of Directive 88/166/EEC (1) on minimum standards for the protection of laying hens kept in battery cages, the Commission is required to carry out inspections to ensure uniform application. Since 1 January 1995 the minimum requirements laid down in the directive have applied to all battery cages.

How many inspections have been carried out since 1 January 1995 and did those inspections confirm rumours that not all Member States are properly enforcing this directive and that battery cages on many farms still do not comply fully with the minimum requirements?

(1) OJ L 74, 19.3.1988, p. 83.

Answer given by Mr Fischler on behalf of the Commission

(21 May 1996)

The Commission regrets to inform the Honourable Member that it has been unable to organize inspections to ensure uniform application of Directive 88/166/EEC since it currently has insufficient personnel to carry out such inspections.

(96/C 280/134)

WRITTEN QUESTION E-0879/96

by James Moorhouse (PPE) to the Commission

(17 April 1996)

Subject: Electrical safety

In view of the continuing negotiations in Cenelec to harmonize plugs and sockets across the EU, and the concern this has caused consumers, does the Commission have any detailed data on electrocutions?

Does the Commission have any estimates of the total cost for householders and businesses of adapting to a common electrical system?

Answer given by Mr Bangemann on behalf ofthe Commission

(15 May 1996)

The Commission and the Member States collect detailed information on home and leisure accidents in the framework of the Ehlass decision (1). The Commission's data indicates the number of accidents in which the accident mechanism was electrocution. These data also show the product involved in the accident. However plugs and sockets are not registered as products themselves, but are considered as parts of a product i.e. a lamp or a washing machine.

Furthermore, it is not possible – due to the way national reports are made – to link a certain accident mechanism to a certain product. The conclusion is that the data in the possession of the Commission is not very useful in showing whether plugs or sockets constitute a hazard for consumers.

For the second part of the question on cost involved, the Honourable Member is invited to refer to the reply to Written Question P-325/96 by Mr Mombaur [2].

[1] OJ L 331, 21.12.1994 as modified by OJ L 120, 31.5.1995.
[2] OJ C 217 of 26.7.1996, p. 22.

(96/C 280/135)

WRITTEN QUESTION E-0880/96

by Antoni Gutiérrez Díaz (GUE/NGL) to the Commission

(17 April 1996)

Subject: Compulsive gambling

On 13 December 1989 the Commission announced, in reply to various questions by Socialist MEP Mr Llewellyn Smith on addiction to gambling (amongst children and in general), that it did not intend to take initiatives in that field at that stage [1].

There have since been further questions on gambling, betting and lotteries, but they have invariably referred to the law on the single market and competition rather than the addictive effect on people.

Compulsive gambling is a serious problem, and has led to the formation of a number of support organizations throughout Europe. Spain is third highest on the list of countries which spend most on gambling per year, after the United States and the Philippines, and in Catalonia alone more than 160 000 people are affected by this psycho-pathological disorder.

For these reasons does the Commission not agree that there is now a need for the Community institutions to tackle the problem of compulsive gambling, by studying the causes, prevention and treatment of this serious disorder affecting a large number of people, with serious consequences for individuals and their families, rather than confining themselves to dealing with the issue solely in terms of its impact on economic law concerning the Community single market?

[1] OJ C 303, 3.12.1990, p. 6.

Answer given by Mr Flynn on behalf of the Commission

(22 May 1996)

The Commission is aware of the problems posed by gambling addiction and the damage which this behaviour does to individuals and those around them in the more serious cases.

However it is not at present possible to include this issue in its programme of public health activities, the priorities of which were fixed in its communication [1] on the framework for action in the field of public health.

[1] COM(93) 559 final.

(96/C 280/136)

WRITTEN QUESTION E-0887/96

by Odile Leperre-Verrier (ARE) to the Commission

(17 April 1996)

Subject: Kaleidoscope – application of the new programme

Can the Commission say when the new Kaleidoscope programme, as adopted in accordance with the co-decision procedure, will enter into force and what the practical arrangements will be?

Can it also say how it intends to inform the cultural authorities concerned about the changes made in the management of this programme?

Answer given by Mr Oreja on behalf of the Commission

(20 May 1996)

The Commission reminds the Honourable Member that the Kaleidoscope programme was formally adopted by Parliament and the Council on 29 March 1996 (1) with effect from 1 January 1996 and is already operational.

The extract from the Official Journal describing the new terms of participation in the programme, and the forms for participation with an explanatory note, are available from the Cultural Action Unit and the Commission Offices. The deadline for the submission of applications is 14 June 1996.

The above documents were sent direct to all the cultural operators who had expressed an interest in the Kaleidoscope programme.

(1) OJ C 114, 19.4.1996.

(96/C 280/137) **WRITTEN QUESTION E-0888/96**

by Odile Leperre-Verrier (ARE) to the Commission

(17 April 1996)

Subject: Creation of a European service for young people

Can the Commission say what kinds of activity will be given priority in the first phase of implementation of the plan to set up a European voluntary service for young people?

With regard to general activities in the social sphere (educational support and the integration of young or disabled people) are there plans to develop activities to train people in the new technologies (data processing, multimedia, etc.)?

Can the Commission also give details about the profile of the young candidates for voluntary work? Is a breakdown by country, age, sex and level of education envisaged? Similarly, does it have information about the structures likely to take on the volunteers?

(96/C 280/138) **WRITTEN QUESTION E-1065/96**

by Carlos Robles Piquer (PPE) to the Commission

(13 May 1996)

Subject: Voluntary service for young Europeans

The Commission approved Mrs Cresson's report on a European voluntary service for European young people at the end of January this year. Can the Commission say how it is implementing the pilot project announced at that time for involving 2 500 young people in the service, specifying the steps taken to select them, where they are to be sent and what tasks will be assigned to them?

Joint answer to Written Questions E-0888/96 and E-1065/96 given by Mrs Cresson on behalf of the Commission

(28 May 1996)

The Commission has now begun implementation of the pilot action for European voluntary service for young people, to be launched this year as a result of support from Parliament in particular.

The Commission has identified a series of networks which will accept around 50 young volunteers in innovative voluntary service activities in a number of clearly-defined areas (environmental protection, cultural activities and voluntary service, involvement of disadvantaged young people in transnational voluntary service measures). In addition, projects will be selected at the end of June 1996 from among those submitted by European voluntary service organisations. Finally, the Commission is in the process of introducing, in conjunction with the national agencies of the Youth for Europe programme, a decentralised project selection process, the results of which will be announced in autumn 1996.

The Commission has provided the general framework with regard to the activities likely to fall within the scope of this action in its working document 'Guidelines for a European voluntary service for young people' (1), which has been sent to Parliament for information. The nature of the activities offered to volunteers will clearly depend in part on the offers taken up by the Commission. The Commission can endorse the Honourable Member's opinion on the value of including measures providing access to new technologies as part of the pilot action, provided that these projects fall within the general framework set out above.

The Commission has adopted the principle of providing access to European voluntary service for all young people interested in taking part, without discrimination of any kind. In monitoring and evaluating the scheme, the Commission will devote particular attention to participation by young people of both sexes, of different ages and from different Member States and social environments. In addition, positive measures will be developed in order to facilitate participation by disadvantaged young people.

(1) Doc. SEC (95) 2268.

(96/C 280/139)

WRITTEN QUESTION P-0895/96

by Herbert Bösch (PSE) to the Commission

(11 April 1996)

Subject: Fight against fraud

On page 13 of the Fight Against Fraud Work Programme 1996, the Commission says that it will evaluate all positive and negative incentives to the Member States to detect and report fraud and irregularity cases to ascertain whether these incentives are adequate.

1. What positive and negative incentives for the Member States currently exist?

2. What incentives of this nature are currently in the pipeline?

Answer given by Mrs Gradin on behalf of the Commission

(20 May 1996)

Member States report more than 4 000 cases of irregularities to the Commission each year. The question of incentives to report such cases must be seen in the context of the Member States' legal obligations in this area. Reporting obligations exist for traditional own resources (irregularities involving more than ECU 10 000) as well as for expenditure in European agricultural guidance and guarantee fund – guarantee section (EAGGF-guarantee), structural policies and the Cohesion fund (irregularities involving more than ECU 4 000).

As far as EAGGF-guarantee expenditure is concerned, Member States may retain 20% of the amounts recovered and placed at the fund's disposal (1). In the area of structural policies, Member States can re-allocate the amounts recovered provided they have reported the case to the Commission. For EAGGF-guarantee, structural policies and the Cohesion fund, where a Member State initiates or continues proceedings, at the request of the Commission and with a view to recovering amounts wrongly paid, the Commission may reimburse to it all or part of the costs arising from the proceedings (2). Moreover, in the framework of the clearance of accounts procedure for EAGGF-guarantee expenditure, the Commission may reduce payments to Member States which did not fulfil their obligation to control expenditure effectively, to detect and report irregularities as well as to recover the amounts involved. In the area of structural policies, the Commission may reduce or suspend assistance under certain conditions (3).

The legislation currently in force (4) in the area of traditional own resources does not include any direct incentives. An amendment proposed by the Commission could change this situation by authorizing Member States to retain 10% of the amounts recovered in reported cases. The Council has not yet accepted the Commission's proposal.

The Commission would also point out that, for all sectors, if a Member State fails to fulfil its obligation in relation to the detection and reporting of fraud or irregularities, the Commission may bring the matter before the Court of Justice (Article 169 of the EC Treaty). The Court may impose a lump sum or penalty payment if a Member State is found to have failed to fulfil its obligation and not to have taken the necessary measures to comply with the previous judgement of the Court (Article 171 of the EC Treaty).

A detailed evaluation of the effectiveness of the existing incentives will take place during 1996 as indicated in the Commission's 1996 anti-fraud work programme. Where appropriate, the 1997 work programme will contain concrete proposals.

(1) Article 7§1 of Regulation (EEC) No 595/91, OJ L 67, 14.3.1991.
(2) Article 7§2 of Regulation (EEC) No 595/91; article 7 of Regulations (EEC) No 1681/94 (OJ L 178, 12.7.1994) and in (EEC) No 1831/94 (OJ L 191, 27.7.1994).
(3) Article 24 of Regulation (EEC) 4253/88 as amended by Regulation (EEC) No 2082/93 (OJ L 193, 31.7.1993).
(4) Regulation (EEC) No 1552/89, OJ L 155, 7.6.1989.

(96/C 280/140)

WRITTEN QUESTION P-0896/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(11 April 1996)

Subject: AIDS screening for sperm banks

Following allegations made by a woman who took legal action because she claims she was infected by the HIV virus which leads to AIDS after artificial insemination by a sperm donor, it has emerged that:

— there are no established rules for microbiological laboratories/sperm banks aimed at screening for, and preventing the spread of, the HIV virus and AIDS;

— potential recipients of sperm by artificial insemination are obliged to sign a personal statement of consent which reads: 'We also accept and understand that the use of sperm from a donor may entail the transmission of venereal diseases such as gonorrhoea, syphilis, herpes, hepatitis, AIDS, etc. The laboratory which provides our doctor with sperm has, of course, assured us that donors are examined, as is only natural, for all the above diseases. We accept the assurances given by the laboratory...'

Will the Commission say:

1. Do Community or international AIDS prevention rules exist which these microbiological laboratories/ sperm banks and artificial insemination centres should respect?

2. Does the Commission intend to take additional measures as part of the 'Europe against AIDS' programme?

Answer given by Mr Flynn on behalf of the Commission

(6 June 1996)

Article 129 of the EC Treaty provides that Community action in the field of public health is to be directed towards the prevention of diseases, in particular the major health scourges, by promoting research into their causes and their transmission, as well as health information and education.

However, the same Article expressly excludes any harmonisation of the laws and regulations of the Member States. There is therefore no Community provision aimed at preventing the transmission of the human immunodeficiency virus (HIV) in micro-biology laboratories, sperm banks or IVF centres.

The programme of Community action on the prevention of AIDS and certain other communicable diseases, adopted on 29 March 1996 by the Parliament and the Council (1), provides for support for measures aimed at preventing the transmission of HIV and other sexually transmissible diseases. Projects supported must be in line with the programme's objectives and have Community added value.

Within the framework of research on biomedical ethics, which is one of the areas covered by the programme of research in the field of biomedicine and health, two European conferences have been held on sperm donation, one in Paris in November 1993 and the other in Brussels in April 1995, to compare the legislation and codes of practice of the individual Member States. Following these meetings, the participants, all professionals working in the field of sperm bank management, agreed to draw up a European code of practice on the donation of gametes, which will of course cover the health aspects. The code is an initiative of the professionals working in the field and not a Community regulation.

(1) OJ L 95 of 16.4.1996.

(96/C 280/141)

WRITTEN QUESTION P-0897/96

by Ernesto Caccavale (UPE) to the Commission

(11 April 1996)

Subject: Situation of commercially-grown tomatoes

Since the 1985-86 marketing year (with the exception of the 1992-93 marketing year when the threshold arrangements were in force) the tomato sector has been regulated by a system of national quotas subdivided into three parts allocated to the various industries on the basis of the quantity processed in the three previous marketing years.

This system, which has had the merit of preventing the production surpluses recorded in the mid-80s, has, however, removed all bargaining power from producers' associations which, in order to sell their produce, are obliged to assign it to the quota-holding industries, even in cases where the latter have a disruptive effect on the sector.

Does the Commission not think that a reform of the rules on tomato processing is now long-overdue, at least as regards three important aspects of Community law:

1. transfer of the quotas to the actual producers;

2. increase in the Community quota from 65 million quintals to 75 million, in view of the accession of new countries to the Union and the gradual increase in consumption;

3. a review of the three industries (fresh tomatoes, peeled tomatoes and tomato concentrate) to which quotas are currently allocated?

Answer given by Mr Fischler on behalf of the Commission

(26 April 1996)

With regard to processed tomatoes, the Commission's proposal for the reform of the common organization of the market in processed fruit and vegetable products (1) provides for the following.

1. Production quotas and production aid will be administered by the processing industries, as at present. Alternative systems involving the transfer of quotas to producers (who are many and widely scattered) would be unmanageable and therefore inefficient.

2. The quota will be held at its present level. The enlargement of the Community provides no grounds for increasing the Community quota beyond the present figure of one million tonnes, since the new Member States already obtain the bulk of their supplies on the Community market.

3. The three product groups will continue to be: tomato concentrate, whole peeled tomatoes and other tomato products. Abolishing the third group would penalize peeled tomato processing industries which manufacture other products from peeled tomatoes.

(1) OJ C 52, 21.2.1996.

(96/C 280/142)

WRITTEN QUESTION E-0900/96

by Michl Ebner (PPE) to the Commission

(23 April 1996)

Subject: Confusion between geographical descriptions of table wines in Italy

In a decree issued by the Ministry for Agriculture, Food and Forestry on 22 November 1995, published in the Official Journal of the Italian Republic on 27 December 1995, Italy authorized the wine producers of the province of Trento to use the geographical description Atesino to identify their own table wines.

This is despite the fact that the European Union established the principle, in Article 4 of Council Regulation (EEC) No 2392/89 (1), that a geographical name cannot be used for a table wine if it can be confused with the name of a quality wine psr.

The term Atesino is the adjective from the noun Adige, under which both the South Tyrol quality wines psr and the Valdadige quality wine psr are registered. The South Tyrol quality wines psr, in particular, are placed on the market under the name Alto Adige. To the Italian consumer, a wine from the South Tyrol is therefore a vino altoatesino. Furthermore, the consumer will hardly make a distinction between Atesino and Altoatesino since there is no Adige Region in Italy and there are no products described as Atesino although there is the Alto Adige (South Tyrol) Autonomous Region which means that there are products described as Altoatesino.

Furthermore, it must be stressed that the harm caused to wine producers in the South Tyrol as a result of the confusing table wine description Atesino is huge as they have protected almost the whole of their production under the name Alto Adige (or South Tyrol) quality wine psr.

What does the Commission intend to do to protect the consumer from the danger of confusing the Atesino table wine designation with the Alto Adige and Valdadige designations for quality wines psr, which have already been registered and are economically important, and to mitigate the damage done to South Tyrolean wine producers?

(1) OJ L 232, 09.08.1989, p. 13.

Answer given by Mr Fischler on behalf of the Commission

(15 May 1996)

The Commission ventures to remind the Honourable Member that Community law applying to table wines which are geographically designated lays down that it is the producer Member States which decide on the rules for their use (subject to complying with the minimum conditions set by Community rules) and recognize the list of names of geographical units smaller than the Member State that may be used in connection with these wines.

In the process of granting recognition to these geographical designations Member States take all material points into consideration, including the point of not causing confusion in the minds of consumers, and must ensure that Community rules are applied.

The Commission takes note, however, of the points which the Honourable Member has brought to its attention; they will be analysed and taken into consideration when this matter — on which the Commission has received a complaint — is under examination.

(96/C 280/143)

WRITTEN QUESTION P-0909/96

by Noël Mamère (ARE) to the Commission

(11 April 1996)

Subject: Implementation by France of Directive 79/409/EEC

Does the Commission consider that France has properly implemented Council Directive 79/409/EEC [1] on the conservation of wild birds and, if not, what action does it intend to take?

[1] OJ L 103, 25.4.1979, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 May 1996)

The Commission considers that France, like other Member States, is failing to implement all the provisions of Council Directive 79/409/EEC on the conservation of wild birds properly and effectively.

It has failed to designate enough special protection areas in accordance with Article 4 of the Directive, and several infringement proceedings are under way for failure to designate, or insufficient designation of, certain areas of Community interest.

The Commission trying hard, through the infringement proceedings and through its contacts with the French authorities, to get things moving in the right direction. It is taking the same approach with the other Member States.

(96/C 280/144)

WRITTEN QUESTION E-0923/96

by Wilmya Zimmermann (PSE) and Annemarie Kuhn (PSE) to the Commission

(23 April 1996)

Subject: Suggestions procedure at the Commission

Is the Commission aware that there are successful suggestions procedures in operation in many private companies, as well as in the administrations of most of the Member States? Is it aware that such procedures enable employees to make practical suggestions for improvements outside of the usual channels, via a committee set up by mutual agreement between staff representatives and management? Is it aware that employees and employers are represented in equal numbers on such committees, that they have decision-making powers, and that the suggestions they adopt lead to considerable savings and greater efficiency?

Is the Commission aware that a suggestions procedure can increase employees' motivation as well as helping to realize their creative potential? If so, why has the Commission not already introduced such a procedure in its own administration?

Does the Commission take the view that, particularly in this time of financial shortages, a suggestions procedure could lead to more efficient use of resources, thus reducing the percentage of the budget spent on administration?

Is the Commission prepared to move forward with the introduction of a suggestions procedure in consultation with staff representatives, with a view to making its administration more efficient, accessible, environmentally friendly and energy-conscious? If so, will it abide by the principles of unprejudiced, appropriate, rapid assessment of suggestions for improvements in its negotiations with staff representatives? Will it ensure that successful suggestions leading to economies and greater efficiency are suitably rewarded?

Can the Commission name a time at which it could begin negotiations with staff representatives with a view to introducing such a procedure (possibly on an experimental basis)?

Answer given by Mr Liikanen on behalf of the Commission

(29 May 1996)

The suggestions procedure is not new; it is well established in both private firms and public organizations. Its success varies with the organization and the way in which it is set up.

The staff representatives have already approached the Commission regarding a suggestions procedure. At the request of the Member responsible for Personnel and Administration and Budgets, the questions of feasibility and implementation procedures are currently being examined.

(96/C 280/145)

WRITTEN QUESTION E-0931/96

by Shaun Spiers (PSE) to the Commission

(23 April 1996)

Subject: Extradition procedures within the EU

What plans does the Commission have to introduce proposals to harmonize extradition procedures between the Member States of the EU?

Answer given by Mrs Gradin on behalf of the Commission

(15 May 1996)

Judicial cooperation in criminal matters is a matter of common interest under Article K.1(7) of Title VI of the Treaty on European Union. The Commission is fully associated with the work in this area in accordance with Article K.4 but it does not have a right of initiative in this area under Article K.3 and cannot, therefore, introduce proposals to harmonize extradition procedures.

A Convention on simplified extradition procedures between the Member States was signed on 10 March 1995(1) and work is in progress on drawing up a further, more comprehensive convention on the improvement of extradition between the Member States.

(1) OJ C 78, 30.3.1995.

(96/C 280/146)

WRITTEN QUESTION E-0935/96

by Shaun Spiers (PSE) to the Commission

(23 April 1996)

Subject: Proposal for a White Paper on Associations

When does the Commission propose to publish its White Paper on associations which is eagerly awaited by associations across the European Union and would the Commission explain its reasons for the apparent delay?

Answer given by Mr Papoutsis on behalf of the Commission

(28 May 1996)

The proposed white paper on associations and foundations is likely to be agreed by the Commission in the very near future. It has been necessary for the Commission to consult with the association and foundation movements in order to ensure that the white paper takes on many of the issues that concern the movements in their European work. It has also been important to include further information on this sector in Finland, Sweden and Austria in order to ensure that the white paper is relevant to organisations in these Member States.

The white paper will be discussed at a forthcoming meeting of the Commission, and will be published in the near future, thus making a substantial contribution to the construction of a Europe which is closer to citizens.

(96/C 280/147)

WRITTEN QUESTION E-0939/96

by Jesús Cabezón Alonso (PSE) to the Commission

(26 April 1996)

Subject: SMEs and the international economy

What initiatives has the Commission launched or does it intend to launch in the future to promote the competitiveness of European SMEs and their access to international export markets and the international economy?

Answer given by Mr Papoutsis on behalf of the Commission

(7 June 1996)

The activities of the Commission to enhance the competitiveness of European small and medium sized enterprises (SMEs) and to improve their access to export markets and the international economy cover a wide range of policies. The Commission has recently published a report [1] covering both actions in the framework of enterprise policy intended to benefit SMEs, notably those arising under the structural funds, research and technological development and international cooperation with some third countries.

The third multiannual programme in favour of SMEs (1997-2000) [2] sets out the actions which the Commission intends to undertake within the context of European enterprise policy. Internationalisation of SMEs is a priority issue of this programme, where specific measures are envisaged supporting SMEs in their strategies to internationalise their activities. Moreover, the integrated programme in favour of SMEs and the craft sector [3] brings together in a coherent framework SME-related actions under other Community policies.

Within the framework of the market access strategy for the Community, the Commission will also develop initiatives aimed at promoting the internationalisation of SMEs. These will always be a complement to Member States' activities in this field. Existing programmes, such as 'Gateway to Japan' will be integrated into this approach.

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[1] COM(95)362 final.
[2] COM(96) 98 final.
[3] COM(94)207 final.

(96/C 280/148)

WRITTEN QUESTION E-0943/96

by Jean-Pierre Bazin (UPE) to the Commission

(26 April 1996)

Subject: European Union subsidies for the MTW-Wismar shipyard

Can the Commission confirm the various reports published in the European Union press to the effect that DM 730 million in subsidies for the MTW-Wismar shipyard have been misappropriated and the Commission is currently carrying out an investigation into the matter?

The press is now reporting that the shipyard might be nationalized; so at this difficult time, coming after the bankruptcy of Bremer Vulkan, can the Commission keep the European Parliament informed of developments at Wismar and how it is applying, particularly in relation to this shipyard, Council Directive 92/68/EEC [1] of 20 July 1992?

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[1] OJ L 219, 4.8.1992, p. 54.

Answer given by Mr Van Miert on behalf of the Commission

(22 May 1996)

The Commission decided on 28 February 1996 to open the formal investigation procedure under Article 93 (2) of the EC Treaty concerning a spill-over of up to DM 475,7 million of aid approved for the restructuring of the MTW-shipyard to other parts of the Bremer Vulkan group, as well as on the unauthorized disbursement of an investment loan of DM 112,4 million to MTW which was subsequently used for other parts of the Bremer Vulkan group as well (1).

MTW-Schiffswerft GmbH separated from the Bremer Vulkan group at the beginning of April 1996 and is now owned by a 'Auffanggesellschaft' (temporary holding company) under state control. The German government informed the Commission of steps towards an early re-privatization of the company.

The German government and the Land Mecklenburg-Vorpommern have not yet decided on the terms of the completion of the restructuring of MTW and the other former Bremer Vulkan companies in Mecklenburg-Vorpommern. Therefore, no notification of an envisaged aid programme has been received by the Commission yet. The Commission will investigate any notification on the basis of the legal provisions applicable for the shipbuilding sector and inform the public on the outcome in line with the well established practice in state aid cases.

(1) The text of this decision will be published in the Official Journal as soon as possible.

(96/C 280/149)

WRITTEN QUESTION E-0947/96

by Cristiana Muscardini (NI) to the Commission

(26 April 1996)

Subject: Property owned by the City of Milan

The property owned by local authorities is a valuable asset, the usefulness of which is all too often underestimated, not only from the point of view of meeting housing demand in the various European cities, but also as a means of straightening out the financial muddles of local government in large conurbations.

The City of Milan owns some very impressive property, but detailed records have never been compiled and the buildings are being appallingly neglected. Many of the grants awarded by the EU to preserve the architectural heritage have been wasted because of the ineptitude and laxness of the city council, headed by a mayor who is also a Member of the European Parliament.

When addressing itself to conservation of historic monuments and cultural assets, will the Commission compile a list of buildings owned by the City of Milan, set up machinery to monitor the city's property market, and issue a Directive laying down clear-cut forms of regulation?

Answer given by Mr Oreja on behalf of the Commission

(21 May 1996)

The Commission agrees with the Honourable Member about the importance of the architectural heritage of the city of Milan but would add that the only measures it can take to encourage the preservation of the European architectural heritage are those included in the commentary of the financial resources allocated for culture (budget line: B3.2000) in 1996 by the budgetary authorities. It is on the basis of this commentary, and waiting for the adoption of the Raphael programme, that the Commission launched recently a series of pilot actions which aim at encouraging cooperation in the field of cultural heritage through European networks and partnerships (1).

Furthermore, as the Honourable Member is aware, competence for the cultural heritage belongs exclusively to the Member States. The Commission's role is based on the principle of subsidiarity as clearly stipulated in Article 128 of the EC Treaty.

In this context, the Commission would like to inform the Honourable Member that it has no competence to deal with the points raised in her question.

(1) OJ C 67, 5.3.1996.

(96/C 280/150)

WRITTEN QUESTION P-0955/96

by David Bowe (PSE) to the Commission

(22 April 1996)

Subject: United Utilities

United Utilities and the US construction group Bechtel, are currently involved in a trades union de-recognition dispute in the UK involving the GMB, AEEU, and the TGWU.

Has the Commission granted any current contracts to United Utilities and/or Bechtel and/or their subsidiaries? If so, what does this say about the EU's attitude to a social Europe?

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

(30 May 1996)

The Commission confirms that contracts were granted for oil equipment in Russia under the 1993 TACIS programme and for technical assistance in the energy sector in Uzbekistan under the 1994 TACIS programme.

A company or consortium is included in the short list on the basis of its capability to implement a projet in the Commonwealth of independent states. Companies or consortia respond to a call to tender based on a set of technical terms of reference. Disputes between companies and trade unions are subject to the law of the Member States.

(96/C 280/151)

WRITTEN QUESTION E-0957/96

by James Provan (PPE) to the Commission

(26 April 1996)

Subject: Financial compensation for UK meat exporters

Bearing in mind that the Commission's ban on British beef exports left stranded thousands of containers of beef already in transit, with an average value of £25 000 to £30 000 per container, will the Commission entertain claims from British meat exporters for financial compensation for the loss of those containers of beef, which were perfectly legally exported at the time they left UK shores?

Answer given by Mr Fischler on behalf of the Commission

(13 May 1996)

Commission Decision 96/239/EC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy (BSE) (1), prohibits exports of meat of bovine animals to third countries from the United Kingdom. Several measures have been put forward by the Commission in order to limit the negative impact that has occured due to BSE for Community exporters. It has been decided to increase the validity of the export licences and to release operators from obligations entered into the context of incomplete export transactions. The exporter has to repay any refund paid in advance and the securities relating to the operations have to be released.

The Commission is well aware of the difficult conditions for Community exporters and is following the situation closely.

(1) OJ L 78, 28.3.1996.

(96/C 280/152)

WRITTEN QUESTION E-0964/96

by Christine Oddy (PSE) to the Commission

(26 April 1996)

Subject: Street children in Guatemala

A ECU 2,5 million project was approved for street children in 1994. Some 10% has been earmarked for Casa Alianza and almost 50% is to pay for legal staff at its Legal Aid Office.

It has now been informed that these funds cannot be used to pay staff. Bearing in mind the vital work of Casa Alianza with street children, will the Commission waive this ruling?

Answer given by Mr Marín on behalf of the Commission

(21 May 1996)

The Commission thanks the Honourable Member for the interest shown in the programme on behalf of street children, signed in Guatemala on 6 April 1995 by the ombudsman for human rights.

According to the Financing Agreement, the sum of ECU 160 000 allocated to Casa Alianza for the three years of the financing period is intended to help fund the legal aid department. As originally stipulated by Casa Alianza, the Community aid will finance one adviser, one consultant, one researcher and three promotion staff. Casa Alianza pays the salaries of the administrative staff.

(96/C 280/153)

WRITTEN QUESTION E-0972/96

by Christine Oddy (PSE) to the Commission

(26 April 1996)

Subject: Grameen Bank

Further to my Question (P-2354/94 (1)) regarding the Grameen Bank, which offers small loans to very poor people to set up their own businesses: the bank has been given $2 million by the World Bank and a similar amount by the USA to extend its work outside Bangladesh. What aid will the EU give?

(1) OJ C 81, 3.4.1995, p. 26.

Answer given by Mr Marin on behalf of the Commission

(20 May 1996)

The Commission is aware of the grants to the Grameen Trust by the United States Agency for international development (USAID) and the World Bank. An independent consultant's report is currently under review by the Commission and its delegation in Dhaka. Subsequently the Commission will approach the Grameen Trust to discuss the findings and the recommendations of the mission reports with a view to possible Community support to Grameen Trust's work outside Bangladesh.

(96/C 280/154)

WRITTEN QUESTION P-0974/96

by Michael Elliott (PSE) to the Council

(16 April 1996)

Subject: Visa lists

Can the Council confirm that the Council Regulation No. 2317/95 [1] of 25 September 1995 which established a Visa list for Third Country Nationals crossing the external borders of the Member States was adopted unanimously by the European Council?

[1] OJ L 234, 3.10.1995, p. 1.

Reply

(27 June 1996)

The Council can confirm that Regulation (EC) No 2317/95, determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States, was adopted unanimously, in accordance with the rule laid down in Article 100c(1) of the EC Treaty which is the legal basis for that act.

(96/C 280/155)

WRITTEN QUESTION P-0977/96

by Heidi Hautala (V) to the Commission

(22 April 1996)

Subject: Ban on the battery farming of hens

In 1992 the Commission's Veterinary Advisory Committee published a report on the well-being of layers kept under a variety of conditions. The report demonstrated clearly that the well-being of layers is endangered if they are kept in batteries. In Finland the matter came to the fore recently when the Finnish Parliament, decided on animal health protection grounds, to ban the battery farming of hens in Finland as from 2005, unless developments in the EU and its Member States warranted a longer transitional period.

Does the Commission intend to complete the groundwork carried out in the early 1990s and put forward a proposal for a ban on the battery farming of hens in the Union?

Answer given by Mr Fischler on behalf of the Commission

(14 May 1996)

Under Council Directive 88/166/EEC [1] providing minimum standards for the protection of laying hens kept in battery cages the Commission has to submit a report on scientific developments regarding the welfare of hens under various systems of rearing, accompanied by any appropriate adjustment proposals.

In May 1992 the scientific veterinary committee adopted a report setting out the latest available scientific information on the welfare of hens. The Commission has requested the committee to update and review that report before August this year. It is the intention of the Commission to present its own report, together with any proposals, to the Council later this year.

[1] OJ L 74, 19.3.1988.

(96/C 280/156)

WRITTEN QUESTION E-0989/96

by Richard Howitt (PSE) to the Commission

(26 April 1996)

Subject: Year of the Pier

Is the Commission aware that 1996 is the 'Year of the Pier' and that the world's longest pleasure pier is situated at Southend, in my constituency? Will the Commission consider an initiative to mark this important event in promoting tourism in the European Union, and further consider holding such an event or initiative in Southend?

Answer given by Mr Papoutsis on behalf of the Commission

(7 June 1996)

The Commission has taken note of the designation of 1996 as the 'Year of the Pier' and is aware of the renown of the pier at Southend.

Despite the interest of the Commission in promoting different kinds of tourism, the Commission regrets that, given its very limited resources, the priorities which have been identified for 1996 do not permit it to undertake any special promotional activity relating to piers.

(96/C 280/157)

WRITTEN QUESTION E-1005/96

by Richard Howitt (PSE) to the Commission

(26 April 1996)

Subject: EU development programmes in Latin America

What proportion of the EU's development cooperation programmes in Latin America in number, by cost, and by percentage are specifically devoted to anti-poverty measures? Given the rising number of people living in absolute poverty in the region, what initiatives will the Commission take to improve the anti-poverty focus of its programmes? What arrangements does the Commission make to ensure consideration of anti-poverty issues in all its development cooperation programmes in the region?

Answer given by Mr Marín on behalf of the Commission

(24 May 1996)

The Commission's action is rooted in Regulation (EEC) No 443/92 ([1]), according to which aid is aimed chiefly at the poorest sections of the population and the poorest countries. This imperative is reflected in the conclusions of the Madrid European Council, which stated that the Community would attach particular importance and priority to the fight against poverty and social exclusion by stressing the main thrust of the guidelines defined in its communication to the Council and Parliament dealing with the prospects for strengthening the partnership between the European Union and Latin America over the period 1996-2000 ([2]). In fact, the fight against poverty and social exclusion is one of the partnership's main planks and the Commission would stress that this should continue, in financial terms, to be the top priority of development cooperation with Latin America.

The Commission can draw on a number of budget headings ([3]) to carry out anti-poverty schemes. In 1995 commitments from those headings easily topped ECU 300 million.

Anti-poverty measures form part of special cooperation programmes, chiefly targeted on health, education or housing. The Commission advocates an integrated approach militating in favour of sustainable development: this entails making the fight against poverty an underlying objective of virtually all its operations. It feels that economic development cannot be divorced from social progress and the fight against poverty and it is against that background that it will carry out the schemes planned as part of the support for economic reforms and enhanced international competitiveness. These include support for institutions and consolidation of the democratic process, on which equitable development hinges.

Finally, the Commission feels that operational conclusions must be drawn from the action programme spawned by the Copenhagen social summit of March 1995; it is supporting the debate and mobilization exercise being conducted by Latin American decision-makers under the auspices of the South American Peace Commission, which was assigned the task of formulating a social agenda for Latin America for the next century.

(1) OJ L 52, 27.2.1992.
(2) COM(95) 495 final.
(3) In 1995 these budget headings were B7-3010, B7-3020, B7-5076, B7-5041, B7-5040, B7-5080.

(96/C 280/158)

WRITTEN QUESTION E-1010/96

by Concepció Ferrer (PPE) to the Commission

(26 April 1996)

Subject: Developments in the market deregulation process in Japan

The Union suffers from a considerable trade deficit in bilateral trade between the EU and Japan and greater deregulation of the Japanese market needs to be achieved with a view to stimulating and increasing Community exports to Japan.

On the occasion of the meeting held at the beginning of November 1995, the Union submitted a new list containing 184 specific proposals and recommendations (affecting 98 different sectors) to the Japanese authorities.

1. Which sectors are most adversely affected by insufficient deregulation?

2. Has the Commission observed a positive reaction on the part of the Japanese authorities which might satisfy the Union's demands?

3. In relation to which sectors do the Japanese authorities show the greatest willingness to give way?

Answer given by Sir Leon Brittan on behalf of the Commission

(24 May 1996)

The Japanese government announced the revision of the 1995 deregulation programme on 29 March 1996. This followed extensive discussions between the Commission and the Japanese authorities on the Commission's list of deregulation proposals. The Commission is reasonably satisfied with the revised programme. Even though the Community had hoped for more rapid progress in this exercise, some positive steps have been decided, notably in the areas of construction, telecommunications and financial services. It should also be remembered that in 1995 Japan made particular efforts to deregulate in the automobile sector. The deregulation programme is undoubtedly a step in the right direction and it is crucially important that it is now translated rapidly into specific action.

Progress in the field of deregulation is reflected in trade figures. Trade between the Community and Japan, which has recently grown more than twice as fast as global trade, is increasingly developing differently from what one has learned to expect. Trade from the Community to Japan is growing faster that trade from Japan to the Community. The import cover ratio *vis-à-vis* Japan for the Community (Japanese imports from the Community/ Japanese exports to the Community) over the period 1985-95 has increased from 0,44 in 1985 to 0,70 in 1995, reflecting the success of Community trade policy towards Japan. This can be compared with an increase in the import cover ratio *vis-à-vis* Japan for the United States from 0,40 in 1985 to 0,62 in 1995.

Nevertheless, a significant number of market access problems remain. These include problems in the fields of cosmetics, aircraft, food additives, pork and fresh fruit and vegetables. A year from now, the current 3 year deregulation programme will be reviewed prior to the start of its final year. Only then will it be possible to assess the significance of the current programme. The Commission will of course continue to press the Japanese authorities to increase the scope and the speed of deregulation, and to provide constructive input into the deregulation process.

(96/C 280/159)

WRITTEN QUESTION E-1013/96

by Luciano Vecchi (PSE) to the Commission

(26 April 1996)

Subject: Delay in adopting Eco-label legislation for ceramic tiles

Some years ago procedures were initiated for the definition of Community rules on an Eco-label, a seal of quality which already existed for other products, for ceramic tiles.

Since exhaustive studies have been carried outon the subject, why has no legislation yet been adopted, and when will the state of appanent inertia be brought to an end?

Answer given by Mrs Bjerregaard on behalf of the Commission

(20 May 1996)

Under Council Regulation (EEC) No 880/92 on a Community eco-label award scheme [1] procedures to establish ecological criteria for the awarding of the Community eco-label for specific product groups are started by the Commission at the request of a competent body or at its own initiative. Before submitting a request to the Commission, a competent body conducts appropriate consultations of interest groups and informs the Commission of the results.

An Italian organization, Enea, has conducted a study on possible eco-label criteria for ceramic tiles. However, Italy has so far failed to establish an operational competent body, under Article 9 of the Regulation. Therefore, no request to start the procedure for establishing criteria for that product group has been received by the Commission. Moreover, informal discussion of the study has shown several difficulties with a possible development of eco-labelling criteria for ceramic tiles.

Finally, a review of the eco-label Regulation is presently being prepared. The Commission will consider the interest of further work on ceramic tiles in the light of orientations for the revision of the Community eco-label scheme.

[1] OJ L 99, 11.4.1992.

(96/C 280/160)

WRITTEN QUESTION E-1022/96

by David Thomas (PSE) to the Commission

(3 May 1996)

Subject: Tied houses

Recognizing the importance of the tied house to the brewing industry, not just within the UK but in other parts of the EU, would the Commissioner indicate how many observations he has received to the Green Paper on the Block Exemption and their nature?

Answer given by Mr Van Miert on behalf of the Commission

(23 May 1996)

Commission Regulation (EEC) No 1984/83 [1] of 22 June 1983 on the application of Article 85(3) of the EC Treaty to categories of exclusive purchasing agreements contains general rules on exclusive purchasing agreements and special provisions for beer-supply agreements (the so-called beer block exemption) and service station agreements. This Regulation and Regulation n° 1983/83[1] on exclusive distribution agreements both expire in December 1997. In addition the franchise block exemption is expiring at the end of 1999.

The Commission has therefore considered it useful to envisage consultations on the application of the Community competition rules on vertical restraints (the common element of the above block exemptions), and to this effect to prepare a green book on vertical restraints which will contain several possible options. This green book is currently under preparation by the Commission and thus no observations on it have yet been received.

However, in preparing the draft green book, the Commission had informal contacts with all sectors of industry. With regard to brewing, these contacts included representatives of the European federations of brewers (who have requested a renewal of the current block exemption), beer consumers and tenants. Also some individual brewers have been seen and the United Kingdom Brewers and licensed retailers federation has already forwarded a submission supporting their case for the renewal of the beer block exemption.

The consultation process on the green book has therefore not yet started. It is however the intention of the Commission to allow several months for all interested parties to make their submissions on the green book, once it has been published, and the options it contains for the future orientation of Community competition rules with regard to vertical restraints, of which exclusive beer-supply agreements form a part.

(1) OJ L 173, 30.6.1983.

(96/C 280/161)

WRITTEN QUESTION E-1038/96

by Glyn Ford (PSE) to the Commission

(3 May 1996)

Subject: Entitlement to statutory holidays

What is the entitlement to statutory holidays on a country-by-country basis in the Member States?

What rights do workers have to these holidays, on a country-by-country basis?

Answer given by Mr Flynn on behalf of the Commission

(10 June 1996)

The Commission understands the Honourable Member's question to refer to public holidays, rather than to paid annual leave which is provided for in Article 7 of Council Directive 93/104/EC concerning certain aspects of the organization of working time (1).

The situation with regard to entitlement to public holidays is complex. In twelve Member States there is specific legislation in respect of public holidays. In Denmark and Sweden this right is recognised in collective agreements, while in the United Kingdom it depends on the contract of employment. Where there is legislation, collective agreements sometimes provide for further public holidays. There are different rules in different Member States covering the situation when the public holidays falls on another day of rest.

The Commission has published a list of holidays in 1996 (2).

The rights relating to entitlement to public holidays and the payment of wages on those days also vary. However some features are common in a number of Member States, namely workers normally have a right to be paid in respect of public holidays, the payment is made by the employer and no other body, and such holidays are paid in addition to paid annual leave. In most Member States public holidays are treated in the same way as Sundays in respect of the rules regarding working on these days and payment or compensatory rest for such work.

(1) OJ L 307, 31.12.1993.
(2) OJ C 45, 17.2.1996.

(96/C 280/162)

WRITTEN QUESTION E-1066/96

by Glyn Ford (PSE) to the Commission

(13 May 1996)

Subject: Proposed anti-dumping proceedings (96/C 50/04)

Has the Commission revised its intention to initiate anti-dumping proceedings concerning imports of unbleached cotton fabrics originating in the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey in the light of evidence supplied to it by the Textile Finishers Association, and the submission on behalf of the dyers and finishers Naylor Jennings?

Answer given by Sir Leon Brittan on behalf of the Commission

(24 May 1996)

The anti-dumping procedure concerning unbleached cotton fabrics originating in the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey was initiated on 21 February 1996 after a complaint, submitted on behalf of the Community cotton producers by Eurocoton, containing sufficient *prima facie* evidence of dumping and injury, was lodged with the Commission on 8 January 1996.

In accordance with Article 21 of the Basic anti-dumping regulation (1), the Commission will ensure that the views and submissions of all interested parties to the case, including those of the Textile finishers association and the company Naylor Jennings, are taken into account in determining if the Community interest is served by the introduction of measures.

(1) Council Regulation (EC) No 384/96 of 22.12.1995 on protection against dumped imports from countries not members of the European Community — OJ L 56, 6.3.1996.

(96/C 280/163)

WRITTEN QUESTION E-1087/96

by José Barros Moura (PSE) to the Commission

(13 May 1996)

Subject: European collective agreements

Article 4(2) of the Agreement on social policy annexed to the EU Treaty lays down that European collective agreements shall be implemented either in accordance with national procedures and practices (those of management and labour or of the Member States) or, in matters covered by Article 2, at the joint request of the parties, 'by a Council decision on a proposal from the Commission'.

With regard to the framework agreement on parental leave, the Council has adopted a directive whose intention (Article 2(1)) is not to make the agreement binding in all the Member States but to oblige the Member States to achieve the result by adopting internal arrangements for applying collective agreements (conventional collective agreements or state agreements) within a given time limit.

This being the case, in what does the notional and practical autonomy of the second part of Article 4(2) of the Agreement on social policy annexed to the EU Treaty consist in relation to the first part of that paragraph?

Why was this measure not given the form of a decision, which, under Article 189 of the EU Treaty, is 'binding in its entirety upon those to whom it is addressed'?

Answer given by Mr Flynn on behalf of the Commission

(10 June 1996)

There are two procedures for implementing agreements at Community level, either according to the social partners' internal procedures and practices or by a Council act on a proposal from the Commission and at the joint request of the signatory parties.

The second procedure for implementing agreements between the social partners at Community level is likely to create obligations for the Member States, particularly concerning the mandatory direct application of these agreements or the need to draw up transposition provisions. In view of the wide range of provisions applicable to collective conventions at national level, this implementation procedure should enable agreements to be applied in a more uniform fashion.

The term 'decision' within the meaning of Article 4(2) of the Agreement on social policy is a generic one referring to binding legislative acts under Article 189 of the EC Treaty. It is up to the Commission to propose to the Council which of the three binding instruments under the aforementioned article (regulation, directive or decision) would be the most appropriate. In this particular case, considering the nature (outline agreement) and the content of the social partners' text, it is clear that this outline agreement is destined to be applied indirectly by way of measures to be transposed, by the Member States or the social partners, into the Member States' national law. Consequently in this case the most appropriate instrument is a Council directive. Furthermore, in accordance with the commitments it has entered into, the Commission considers that the text of the agreement should not form part of the act, but be annexed to it.

(96/C 280/164)

WRITTEN QUESTION E-1098/96

by Jesús Cabezón Alonso (PSE) to the Commission

(13 May 1996)

Subject: Tax arrangements for SMEs

With a view to promoting investment in SMEs in the European Union, what initiatives will the Commission take to recommend a less complex tax system for such undertakings and introduce mechanisms which will prevent tax discrimination, which might distort free competition in the setting-up of small and medium-sized undertakings?

Answer given by Mr Papoutsis on behalf of the Commission

(18 June 1996)

In its communication of 25 May 1994 on the improvement of the tax environment of small and medium sized enterprises (SMEs) ([1]), the Commission stated that, in accordance with the principle of subsidiarity, the problems faced by SMEs concerning their capacity to attract sufficient financial resources and their inability to cope with administrative complexity need to be addressed at national level.

However, the Commission has made recommendations to Member States to encourage specific improvements in the tax environment of SMEs. The recommendation concerning the taxation of SMEs ([2]) invited Member States to adopt tax measures needed to correct dissuasive effects of progressive income tax on the reinvested profits of unincorporated enterprises and to eliminate tax obstacles to changes in the legal form of enterprises. The recommendation on the transfer of SMEs ([3]) included an invitation to Member States to reduce the burden of taxation on the transfer of businesses, especially inheritance and gift tax, with the aim of ensuring that their taxation policy is better adapted to ensuring the survival of businesses.

Furthermore, the Commission asked the Member States to encourage, through appropriate fiscal measures, the reinvestment of the proceeds from the sale of an enterprise into another enterprise, and hence to encourage the continuity of the enterprise when its ownership changes.

In its report on SMEs ([4]) to the Madrid European Council, the Commission recommended that Member States should develop a bold strategy of administrative and regulatory simplification in favour of SMEs, including a simplified VAT system. Furthermore, the Commission called for a convincing initiative on the part of Member States in order to make equity financing for SMEs more attractive than debt financing, thereby improving their financial stability and their survival rate under difficult economic conditions.

Finally, the Commission underlines the importance of taking forward the work on taxation set out in the document on taxation in the European Union ([5]) discussed by economic and finance ministers at Verona. The

document proposes a new global approach to taxation and social security issues which takes into account the objectives of the single market, economic and monetary union and the fight against unemployment.

(1) COM(94)206.
(2) OJ L 177, 9.7.1994.
(3) OJ L 385, 31.12.1994.
(4) CSE(95)2087.
(5) SEC(96)487.

(96/C 280/165) **WRITTEN QUESTION E-1099/96**

by Nel van Dijk (V) and Claudia Roth (V) to the Commission

(13 May 1996)

Subject: Ban on marriages between two persons of the same sex and European legislation

On 16 April 1996 the Second Chamber of the Dutch parliament adopted a resolution in favour of lifting the ban in the Netherlands on lawful marriages between two persons of the same sex. The Second Chamber called on the Dutch government to draft legislation as soon as possible, taking into account international, and in particular European, aspects.

Does the Commission agree that there are no obstacles under European legislation to lifting the ban on lawful marriages for persons of the same sex in the Netherlands and, possibly, in other Member States?

If the Commission does not share this belief, what obstacles are there, pursuant to European legislation, to a lifting of this ban?

Answer given by Mr Flynn on behalf of the Commission

(10 June 1996)

Family law and in particular legislation concerning the capacity to marry does not fall within the Community competencies.

(96/C 280/166) **WRITTEN QUESTION E-1129/96**

by Cristiana Muscardini (NI) and Amedeo Amadeo (NI) to the Commission

(13 May 1996)

Subject: Lease of the Hochtief building

The Commission's answer to our Written Question E-0416/96 (1) seems odd.

With regard to Point 1, the Commission should know that MEPs cannot refer written questions directly to governments or private companies.

With regard to Point 4, can the Commission state whether, in its specifications for the construction of a building to accommodate 800 officials, it can permit the presence and practice of private commercial activities?

How can the Commission impose its specifications on the builders, if it enters into a contract with them, when the building is already going up and includes a large hypermarket on the ground floor?

(1) OJ C 183 of 24.6.1996, p. 30.

Answer given by Mr Liikanen on behalf of the Commission

(6 June 1996)

While regretting procedural constraints, the Honourable Members are asked to bear in mind that the Commission cannot be a substitute for the parties to an agreement and provide information on their agreements.

With regard to the specifications of a building, the Commission can decide to accept exceptions from the description of the standard building intended to house its departments. The Commission decides, case by case, whether individual items in the description are to be treated as mandatory.

It is recalled that the Commission was assisted by an engineering consultancy firm for sixteen months and that several meetings took place with the builder. At these meetings details concerning Commission requirements were discussed.

Moreover, in many buildings, the extent to which they meet the occupier's requirements can be increased even after completion of the work.

(96/C 280/167)

WRITTEN QUESTION P-1138/96

by Guido Podestà (UPE) to the Commission

(3 May 1996)

Subject: Orphanages in China

With reference to the Commission's answer to my written question on children's camps in China, particularly for girls, who are less wanted by the majority of Chinese parents, on economic grounds and because of social conventions (see OJ EC C 340, 18.12.1995); given the blood-curdling picture that emerged from the film on Chinese orphanages, Return to the Dying Rooms, made in January 1996, broadcast by the British TV network Channel Four and shown again to MEPs in Strasbourg on 18 January 1996 on the initiative of the Honourable Member, Mr Howitt, and given also the accusations made against the Chinese Government by the American humanitarian organization Human Rights Watch Asia in its 330-page report dated 7 January 1996 and entitled Death by Default: A Policy of Fatal Neglect in China's State Orphanages, which was based on documents gathered between 1986 and 1992 by Dr Zhang Shùyun who stole them before fleeing to America; and, following Parliament's adoption in Strasbourg on 27 March 1996 of its resolution on the 52nd session of the United Nations Commission on Human Rights, does the Commission intend to gather additional, detailed information on these serious problems and, in particular, more specific details of the use made of the funds granted to NGOs working with the Chinese authorities to improve the living conditions of large numbers of orphans?

Does it intend, alongside the United Nations, to seek permission from the Chinese Government to inspect the orphanages in which the most serious abuses have been reported?

How does it intend to reconcile the need to boost and sustain trade between the European Union and China with the overriding need to safeguard the fundamental right to life of every human being, the principle of equal opportunities for men and women and the principle of protecting children, which are continually reaffirmed by the European Union, particularly the European Parliament?

Answer given by Sir Leon Brittan on behalf of the Commission

(22 May 1996)

The situation obtaining in Chinese orphanages is a subject of concern to the Commission and it has, as such, been broached in the course of the regular dialogue with China concerning human rights and, in particular, during the meeting held in Beijing on 22, 23 and 24 January of this year. Concurrently with that meeting, the representatives of the European Union had the opportunity of visiting the premises of an orphanage capable of accommodating roughly 400 children in the conurbation of Beijing. More recently, the European Union raised this matter during the proceedings of the 52nd session of the United Nations Commission on Human Rights.

According to the non-governmental organizations (NGOs) working on the spot, the situation that obtains in the orphanages does not appear to stem from a deliberate policy on the part of the Chinese central government, but rather from serious deficiencies, especially in terms of infrastructure and human resources responsible for management. For that reason, the Commission is currently considering, in conjunction with the said NGOs, the initiatives that could be set in train to mitigate the said deficiencies.

In this regard, the Commission has been providing financial support for a project relating to an orphanage in Anhui province since 1995. It regards the fact that the Chinese authorities have expressed interest in its proposals for the further development of other cooperation programmes as a positive sign.

As regards the general issue of human rights and the further development of trade, while the Commission attaches great importance to the continuation of measures that relate specifically to human rights, it also believes that support for the reforms that are currently being set in train to accompany the transition to a market economy is making a substantial contribution to the emergence of a civil society based on the rule of law.

(96/C 280/168)

WRITTEN QUESTION E-1141/96

by Iñigo Méndez de Vigo (PPE) to the Commission

(13 May 1996)

Subject: Trade relations with the United States

Despite the fact that tariffs on trade with the United States are being cut in compliance with the agreements reached during the Uruguay Round, European firms attempting to sell their products or invest on the American market are still encountering barriers. Provisions of a protectionist nature prevent European firms from building airport terminals, selling vehicle fleets or carrying out other forms of public contract. Textile and clothing manufacturers are also experiencing problems in exporting their products.

The Commission has given details of the agreement between the EU and the United States to study the advantages and disadvantage of reducing or abolishing the trade barriers still remaining between them.

Will the Commission say whether a timetable has been set for this study? Have consultations been held with European firms to ascertain their views and determine what barriers to trade with the United States they encounter?

Answer given by Sir Leon Brittan on behalf of the Commission

(29 May 1996)

The study to which the Honourable Member refers is part of the joint European Union and the United States action plan adopted at the European Union and the United States summit in Madrid between the European Union and the United States on 3 December 1995. The study is being carried out jointly by the Commission and the United States government in the context of the creation of the 'new transatlantic marketplace'. It examines ways of facilitating trade in goods and services and further reducing or eliminating tariff and non-tariff barriers.

The two sides have agreed that they will report on progress and make recommendations for action to the next three summits. In the second half of 1997, they will conduct a review of the study to evaluate its results and make decisions about its continuation.

As part of the creation of the 'new transatlantic marketplace', the joint study takes into consideration the recommendations of the Transatlantic business dialogue (TABD). The 'overall conclusions' of the TABD conference in Seville on 10-11 November 1995, as well as the results of the follow-up to this conference, are an important input into the joint study, in particular with regard to the identification of existing barriers to trade with the United States. Exporting European companies have also contributed, directly or through Member States, to the most recent annual report by the Commission on United States barriers to trade and investment. This report, in turn, is an important source for the joint study.

(96/C 280/169)

WRITTEN QUESTION E-1167/96

by Christine Oddy (PSE) to the Commission

(15 May 1996)

Subject: Age limits for recruitment to European institutions

In its answer to Written Question E-394/92 (1), the Commission stated that it would progressively remove age limits in its recruitment. Has it moved any closer to removing age limits completely? If not, when does it expect to do so?

(1) OJ C 296, 24.10.1994, p. 3.

Answer by Mr Liikanen on behalf of the Commission

(10 June 1996)

Pursuant to Annex III of the Staff Regulations, the Commission, like the other institutions, applies age limits, generally up to 35 years of age, for the purposes of admission to its competitions for recruitment at basic grade. For a statement of the reasons why this policy is adhered to, the Honourable Member is referred to the Commission's answer to Written Question No E-355/96 by Mr Cabezón Alonso and others. (1)

In the case of middle management competitions, the Commission at present sets an age limit of 55, while for the LA competitions for translators into the two new official languages the age limit has been raised to 40. In line with the Commission's intention as stated in the answer to the written question to which the Honourable Member alludes, there are no longer any age limits for the selection of temporary staff to carry out specific, well-defined duties.

It should also be stressed that interinstitutional cooperation is to be stepped up in line with the conclusions of the tripartite dialogue group, which means that all aspects of recruitment policy, including age limits in notices of open competitions, will have to be examined and dealt with in the context of such cooperation.

(1) OJ C 137, 8.5.1996.

(96/C 280/170)

WRITTEN QUESTION E-1189/96

by Anita Pollack (PSE) to the Commission

(15 May 1996)

Subject: Organizations dealing with racism

Does the Commission have a list of consultative bodies which it uses on issues concerning racism? If so, how can this list be expanded to include groups representative of grassroots organizations across Europe?

Answer given by Mr Flynn on behalf of the Commission

(10 June 1996)

The Commission does not have a list of consultative bodies which it uses on issues concerning racism. However, the Commission maintains a regular dialogue with the Migrants' forum on these and other issues. Opportunities to broaden the basis of such consultation by including further organisations are presently being considered, in the context of the preparation of the European year against racism.

(96/C 280/171)

WRITTEN QUESTION E-1235/96

by Amedeo Amadeo (NI) to the Commission

(23 May 1996)

Subject: EU funding for north-west Italy

In 1995, what sums and for what measures did the EU grant financial support to the Italian regions of Lombardia, Piemonte, Liguria and Valle d'Aosta from the following funds/programmes?

1. European Regional Development Fund (ERDF);
2. European Agricultural Guarantee and Guidance Fund (EAGGF) — guidance section;
3. European Agricultural Guarantee and Guidance Fund (EAGGF) — guarantee section;
4. European Social Fund (ESF);
5. European Community research programmes;
6. European Community environmental programmes;
7. other European Community programmes.

Answer given by Mr Santer on behalf of the Commission

(18 June 1996)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(96/C 280/172)

WRITTEN QUESTION E-1236/96

by Amedeo Amadeo (NI) to the Commission

(23 May 1996)

Subject: Misappropriation of Structural Funds

I understand that, with the aid of Community incentives, Kraft Jacobs Suchard Italy of Zingonia, in the province of Bergamo, has planned and carried out investments in Spain, thus ending its activities in the Bergamo area and leaving serious unemployment problems.

Would the Commission confirm whether my information about the incentives obtained by Kraft Jacobs is correct and whether such use of these incentives is lawful, or clearly contrary to the spirit of the Structural Funds and the principles set out in the White Paper on 'Growth, competitiveness and employment'?

Answer given by Mr Flynn on behalf of the Commission

(1 July 1996)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform him of its findings.

(96/C 280/173)

WRITTEN QUESTION E-1238/96

by Amedeo Amadeo (NI) to the Commission

(23 May 1996)

Subject: Infestation of the cluster pines of Tigullio

During the eighties the cluster pines of Tigullio were infested by Matsucoccus Feytaudi duc. Now the infestation is spreading alarmingly to the whole of Liguria and, in particular, to the Cinque Terre area.

There is talk of more than two hundred thousand high trunk plants rotting during the next few years.

Is the Commission aware of the problem and does it not consider it should intervene directly or at least press for programmed and complete disinfestation to safeguard the environmental heritage in view of possibility of disastrous fires?

Answer given by Mr Fischler on behalf of the Commission

(19 June 1996)

The Commission would refer the Honourable Member to its answer to Written Question E-632/96 by Mr Parodi ([1]).

([1]) OJ C 217 of 26.7.1996, p. 82.

(96/C 280/174)

WRITTEN QUESTION P-1285/96

by Per Gahrton (V) to the Commission

(15 May 1996)

Subject: French ban on homosexual weddings at the Swedish Embassy in Paris

According to a report in *Le Monde*, the French authorities have banned the Swedish Embassy in Paris from marrying homosexual Swedes in accordance with current Swedish legislation.

Does the Commission consider such action to be compatible with the rules on the extraterritorial status of embassies?

Does it consider such action to be compatible with the principles of human rights and equal treatment for all, e.g. irrespective of sexual orientation?

Does it consider such action to be compatible with the principle of mutual respect in relation to EU Member States' laws and customs?

Answer given by Mr Flynn on behalf of the Commission

(13 June 1996)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

(96/C 280/175)

WRITTEN QUESTION E-1357/96

by Jean-Yves Le Gallou (NI) to the Commission

(3 June 1996)

Subject: Community subsidies for associations, NGOs and various bodies

For Item B7-5040 (Environment in the developing countries), can the Commission provide a full list of the associations, NGOs or other bodies benefiting from Community subsidies, together with the exact amount of such subsidies during the last financial year for which the accounts have been closed?

Answer given by Mr Marin on behalf of the Commission

(24 June 1996)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(96/C 280/176) **WRITTEN QUESTION E-1366/96**

by Jean-Yves Le Gallou (NI) to the Commission

(3 June 1996)

Subject: Community subsidies for associations, NGOs and various bodies

For Article B7-703 (Democratization process in Latin America), can the Commission provide a full list of the associations, NGOs or other bodies benefiting from Community subsidies, together with the exact amount of such subsidies during the last financial year for which the accounts have been closed?

Answer given by Mr Marin on behalf of the Commission

(24 June 1996)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(96/C 280/177) **WRITTEN QUESTION E-1479/96**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 3, Ionian Islands, Measure 2 of the 2nd CSF: 'Health and Welfare'

Measure 3.2 of the regional operational programme for the Ionian Islands provides for funding of health and welfare facilities in the region comprising: improvement and expansion of hospitals and the construction of a new hospital in Corfu with a corresponding increase in the number of hospital beds; improvements to health centres and community clinics, improved facilities and the creation of new community clinics; supplying these hospitals and clinics with the necessary electronic and medical equipment.

The breakdown of funding was ECU 2 320 000 for 1994 and ECU 4 350 000 for 1995.

1. What was the take-up rate for 1994 and 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

3. Can the Commission provide details of the progress made with this measure?

(96/C 280/178) **WRITTEN QUESTION E-1480/96**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 3, Crete, Measure 3 of the 2nd CSF: 'Health and Welfare Facilities'

Measure 3.3 of the regional operational programme for Crete provides for funding of secondary health care and welfare facilities in the region. The objective of the measure is to improve health services and hospital facilities (number of beds) in Crete.

The breakdown of funding was ECU 5 172 000 for 1994 and ECU 13 793 000 for 1995.

1. What was the take-up rate for 1994 and 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

(96/C 280/179) **WRITTEN QUESTION E-1481/96**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 3, Mainland Greece, Measure 2 of the 2nd CSF: 'Social facilities'

Measure 5.2 of the regional operational programme for mainland Greece provides for funding of health and welfare facilities for the population of the region. The specific objective is to create a further 500 hospital beds by building a regional hospital in Lamia and medical facilities as part of the national health care network.

The breakdown of funding was ECU 1 500 000 for 1994 and ECU 3 052 000 for 1995.

1. What was the take-up rate for 1994 and 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

3. Can the Commission provide details of the progress made with this measure?

(96/C 280/180) **WRITTEN QUESTION E-1482/96**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 1, Attica, Measure 4 of the 2nd CSF: 'Health and Welfare'

Measure 1.4 of the regional operational programme for Attica provides for funding of health and welfare facilities, primarily in Western Attica. The breakdown of funding was ECU 15 500 000 for 1994 and ECU 15 190 000 for 1995.

1. What specific projects have been included in 1.4? Can the Commission provide details of the progress made?

2. What was the take-up rate for 1994 and 1995?

(96/C 280/181) **WRITTEN QUESTION E-1483/96**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Regional operational programme for Central Macedonia, sub-programme 3, Measure 3

The city of Thessaloniki has problems with its water supply, especially in summer when demand is higher, largely because of its pipelines. Measure 3, 'Environment management', of sub-programme 3, 'Improvement of the basic urban infrastructure and the quality of life' of the regional operational programme for Central Macedonia comprises projects to a value of ECU 11 343 000. One of the measure's objectives is to improve the water mains.

1. What was the take-up rate for Measure 3 of sub-programme 3 in 1994 and 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

(96/C 280/182)

WRITTEN QUESTION E-1484/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 4, the Peloponnese, Measure 2 of the 2nd CSF: 'Health and Welfare'

Measure 4.2 of the regional operational programme for the Peloponnese provides for funding of health care facilities for the local population and visitors to the region comprising the construction of a new hospital in Kalamata and expansion of the hospitals at Tripoli, Sparta and Corinth.

The allocation of funding was ECU 3 547 000 for 1995.

1. What was the take-up rate for 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

3. Can the Commission provide details of the progress made with this measure?

(96/C 280/183)

WRITTEN QUESTION E-1485/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Progress with sub-programme 3, Eastern Macedonia-Thrace, Measure 3 of the 2nd CSF: 'Health and Welfare'

Measure 3.3 of the regional operational programme for Eastern Macedonia and Thrace provides for funding of health and welfare facilities in the region comprising: the completion of the hospitals at Xanthi and Drama, improvement and modernization of the existing hospitals at Komotini, Kavalla and Alexandroupolis and, finally, the construction of the university hospital of Alexandroupolis which is a top priority project of vital importance for the entire region of Eastern Macedonia and Thrace.

The breakdown of funding was ECU 3 793 000 for 1994 and ECU 11 379 000 for 1995.

1. What was the take-up rate for 1994 and 1995?

2. Have there been any delays in taking up the funds and, if so, what were the main reasons for them?

3. Can the Commission provide details of the progress made with this measure?

(96/C 280/184)

WRITTEN QUESTION E-1486/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 June 1996)

Subject: Measure 2.3 (Elaionas), Attica regional operational programme

Measure 2.3 comprises projects for the development and improvement of the area of Elaionas which are described as 'extremely important from a strategic point of view' for Athens.

According to the funding schedule, public expenditure on these projects should have amounted to ECU 2 536 million in 1994 and ECU 2 485 million in 1995.

1. What was the take-up rate for 1994 and 1995?

2. What were the reasons for any delays?

3. Has the Environment Ministry issued a directive designating the locations for the various activities in the area, which is essential before the project can proceed?

4. What information can the Commission provide concerning the Industrial Development Bank's (ETVA) involvement in transferring industries in Elaionas to the industrial estate at Schistos in Western Attica?

Joint answer to Written Questions E-1479/96, E-1480/96, E-1481/96, E-1482/96, E-1483/96, E-1484/96, E-1485/96 and E-1486/96 given by Mrs Wulf-Mathies on behalf of the Commission

(26 June 1996)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.