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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(97/C 217/01)

WRITTEN QUESTION E-1972/95

by Alexandros Alavanos (GUE/NGL) to the Council

(10 July 1995)

Subject: Democratic legitimacy and transparency of the Europol Convention

Parliament's resolution on the Cannes Summit expresses concern 'at the fact that Europol is being set up without prior strengthening of the role of the Commission and without funding from the Community budget or monitoring by the Court of Auditors, and that it will not fall within the jurisdiction of the Court of Justice or be responsible before the European Parliament' and 'calls formally on the Council to take Parliament's views into account before the convention is finally adopted.'

The fact that the Europol Convention has been set up in absolute secrecy and with a total lack of transparency, bypassing both the European Parliament and the national parliaments, has quite rightly given the citizens of Europe cause for concern.

What practical measures will the Council take to restore democratic legitimacy at both Union and Member State level?

Answer

(18 April 1997)

The legal basis for the act on the establishment of a European Police Office is Article K.3(2)(c) of the Treaty on European Union. Under Article K.6 of that Treaty, the text of the act was referred to the European Parliament in June 1995.

'In addition, the text of the Europol Convention was published in the Offical Journal on 27 November 1995. In some, if not all, Member States, the procedures necessary to conclude ratification involve national Parliaments.'

(97/C 217/02)

WRITTEN QUESTION E-3641/95

by Marco Pannella (ARE) to the Council

(12 January 1996)

Subject: Evaluation and possible revision of EU policy on drugs

The recent joint seminar (involving Parliament, the Council and the Commission) on drugs held in Brussels on 7 and 8 December 1995 was convened at the request of Parliament (Stewart-Clark [A4-0136/95 (1)] and Burtone [A4-0171/95 (2)] reports).

Parliament recommended that a conference be arranged to 'encourage discussion and analysis of the results of the policies in force as laid down by the relevant 1961, 1971 and 1988 UN Conventions so as to permit a possible revision of those conventions'; however the conference that was held did not tackle these issues directly.

Does the Council intend to use the results of the seminar in question to prepare for a conference that would be wider in scope and aimed at evaluating and possibly revising existing policies on drugs, in line with Parliament's request?

(1) OJ C 166, 3.7.1995, p. 116.
(2) OJ C 269, 16.1.1995, p. 65.

Answer

(18 April 1997)

The outcome of the forementioned joint seminaras well as that held in March 1996 on the harmonization of laws was largely taken into consideration by the Irish Presidency when drawing up its programme.

The Irish Presidency's proceedings were covered in a report to the Dublin European Council in December 1996. That report provides for a number of activities, certain of which had been recommended at the abovementioned seminar.

The Council does not as yet anticipate holding a conference such as that contemplated by the Honourable Member.

(97/C 217/03)

WRITTEN QUESTION E-0717/96

by Yiannis Roubatis (PSE) to the Council

(27 March 1996)

Subject: Involvement of Turkey in the distribution and production of drugs

According to the State Department's annual report on international drugs control published on 1 March 1995, Turkey is a focal point for the distribution of drugs from south-west Asia to Europe and also produces or processes large quantities of drugs intended mainly for European markets.

1. What information does the Council have concerning the references to Turkey in the State Department's report?

2. What steps has it taken and what steps does it intend to take in future to ensure that this country, which is associated with the European Union, introduces stricter controls on drugs distribution and immediately ends the production of all types of drugs, apart from those used for medical purposes?

Answer

(24 April 1997)

The Council is not in possession of the data referred to by the Honourable Member. The transit of drugs through Turkey and production in the country itself are matters of concern within the Union. In the light of the drugs plan adopted by the European Council in Madrid in December 1995, the Council adopted under the Irish Presidency a Joint Action based on Article K.3(2)b of the Treaty on European Union, relating to participation of the member States in a strategic operation prepared by the Customs Cooperation Council programme to combat drug smuggling on the Balkan route.

Under the Netherlands Presidency, specific measures are being examined in response to a report by the Europol Drugs Unit (EDU).

(97/C 217/04)

WRITTEN QUESTION E-0798/96

by Hartmut Nassauer (PPE) to the Council

(12 April 1996)

Subject: Convention on the protection of the European Communities' financial interests, 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 protection of the European Communities' financial interests, adopted on 26 July 1995 ([1]).

([1]) OJ C 316, 27.11.1996, p. 48.

Answer

(18 April 1997)

To date, no Member State has ratified the Convention in question.

The Council favours early ratification and implementation of the Convention by all the Member States. However, in July 1995 when the Convention was drawn up, a difficult issue remained unresolved, namely whether the Court of Justice should be given jurisdiction to give preliminary rulings on the interpretation of the Convention.

Happily, a solution has in the meantime been found to this problem: the Council drew up, on 29 November 1996, on the basis of Article K.3 of the Treaty on European Union, a Protocol on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the protection of the European Communities' financial interests.

As a result the Council anticipates that the Convention will shortly be ratified by all Member States.

(97/C 217/05)

WRITTEN QUESTION E-1590/96

by Reimer Böge (PPE) to the Commission

(24 June 1996)

Subject: Observance of plant variety protection agreements in the associated countries

Infringement of plant variety protection provisions in the European Union's partner states is inflicting considerable economic suffering on European plant breeders. It is estimated that two thirds of the roses subject to variety protection imported from Poland to Germany have been bred without a licence. This 'variety piracy' has now become a serious problem for German rose breeders. Recently the Lübeck customs investigation unit impounded illegally bred roses from Poland valued at well over DM 100 000.

What steps is the Commission taking to ensure observance of the conditions on plant variety protection agreed in the Europe Agreements with our partner countries?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(26 February 1997)

Further to its reply of 30th July 1996 the Commission is now in a position to inform the Honourable Member of its findings resulting from the information collected from the Member State concerned on the matter of 'variety piracy'.

It has concluded that the economic problem for rose breeders raised by the Honourable Member may not be due to infringements, strictu sensu, of plant variety rights granted, but may be attributed to three different circumstances prevalent in the past, namely limited scope of plant variety protection available in the Community (in principle limited to propagating material of the protected variety only), absence of plant variety protection in certain third countries for varieties protected in the Community, and insufficient arrangements for the interception, at Community external borders, of unauthorized material of protected varieties on import into the Community.

These circumstances have either changed in recent times, or are the subject of current consideration for further remedies. As to the first element, it should be noted that since 1994, two types of systems for the protection of plant varieties are available in the Community, which are a system of Community plant variety rights (1), and national systems set up by individual Member States for the protection of plant varieties. The Community system extended the scope of protection beyond propagating material or other variety constituents to harvested material of protected varieties. A similar extension is currently considered in Member States for inclusion in their respective national systems, with a view to conformity with the rules of the 1991 revised UPOV (2) convention for the protection of new varieties of plants. It appears that no further action by the Commission is needed in this respect.

Concerning the second element, provisions for the protection of plant varieties are required by the World trade organization (WTO) trade related aspects of intellectual property rights (TRIPS) Agreement, either by patent or by an effective sui generis system or by any combination thereof, and have also been pursued in the Europe Agreements cited by the Honourable Member.

However, applications for the grant of a plant variety right in the third countries concerned must be made individually by breeders. The Commission does not see any authority of the Community to ensure that Community protection is automatically extended geographically to a third country.

As far as the border interception of unauthorized material of protected varieties is concerned, the Commission draws the attention of the Honourable Member to Part III, Section 4 of the WTO-TRIPS Agreement which requires that procedures shall, in the case of trademark and copyright, and may, in the case of other intellectual property rights, be adopted to enable a right holder to lodge an application for the suspension by customs authorities of the release into free circulation of the goods concerned. The Commission is currently examining, in respect of plant variety rights, the need for such measures at Community level and the possible implications and will, where appropriate, make the necessary proposals.

(1) Council Regulation (EC) No 2100/94 of 24 July 1994 on Community plant variety rights – OJ L 227, 1.9.1994, as amended by Council Regulation (EC) No 2506/95 of 25 October 1995 – OJ L 258, 25.10.1995.
(2) Union pour la protection des obtentions végétales.

(97/C 217/06)

WRITTEN QUESTION E-1668/96

by Giacomo Santini (UPE) and Antonio Tajani (UPE) to the Council

(24 June 1996)

Subject: Special aid for cattle farmers

Italian cattle farmers account for 20% of total Community production, with 2 200 000 head. 70% of capacity is concentrated in the north east of the country and over the past few months hundreds of livestock farmers have closed down their operations because of the serious crisis.

The Commission has proposed a special aid scheme under the EAGGF Guarantee Section of ECU 650 million (some Lit 1200 billion) for all the Member States.

Given that this amount should be allocated on the basis of the impact on production and that the method of allocating the single production premium proposed in the price package for the 1996/7 marketing year is based on calves aged 10 months, thus perpetuating a situation which is to the advantage of German and French farmers from whom Italian, Spanish, Greek and Portuguese farmers import veal calves, why has the Council earmarked only 6% of this amount, i.e. ECU 39 million, for Italy?

Answer

(18 April 1997)

In the course of 1996 the Council adopted a series of Regulations amending the common organization of the market in beef in order to cope with the crisis started by the United Kingdom Government's revelations concerning the possible risk of transmission of BSE to humans.

The first measure which the Council adopted is contained in Council Regulation (EEC) No 1357/96 of 8 July 1996. Acting on the conclusions of the Florence European Council, the Council put aside some ECU 850 million to assist Community producers seriously affected by the crisis.

The Regulation provides for two forms of aid, to be funded from the Community budget, viz.:

- ECU 581 million, in the form of an increase in the existing premiums for male bovines and suckler cows; these amounted to ECU 23 for young male bovines and ECU 27 for suckler cows.

  These additional premiums are paid to producers:

  - who qualify for a special premium under Article 4(b) of Regulation (EEC) No 805/68 for animals kept in the 1995 calendar year;
  - who qualify for a suckler cow premium under Article 4(d) of Regulation (EEC) No 805/68 for animals kept in the 1995 calendar year;
- ECU 269 million, which Member States can use to assist beef producers hit by the crisis whose loss of income is not fully compensated by the additional premiums paid through the first aid scheme. When this ECU 269 million was shared out among the Member States, ECU 24 million was earmarked for Italy.

Amounts in the first instalment were calculated in proportion to the number of animals eligible for the respective premiums in 1995, whilst for the second instalment, Italy was allocated a percentage of 8.8%. Here the Council worked on the basis of the size of each Member State's bovine herd most affected by the crisis, taking into account payments made in the first instalment.

Furthermore, the Council adopted a further series of measures in late 1996 to bring the market more under control and provide additional direct income support for farmers.

Regulation No 2222/96 provides for two schemes for calves:

- a processing premium for calves less than 10 days old;
- an early marketing premium for calves.

Between 1 December 1996 and 30 November 1998, Member States may apply at least one of these two schemes.

To conclude, it would appear that these measures, which form a balanced compromise, are indeed commensurate with the situation and the interests of each Member State.

Regulation No 2443/96 provides for a sum of ECU 500 million to be earmarked for cattle farmers. Under this scheme, Italy has received ECU 42.25 million. The allocation scale adopted by the Council is based, amongst other things, on the size of the beef herd in each Member State.

(97/C 217/07)

WRITTEN QUESTION E-1787/96

by Johanna Maij-Weggen (PPE) to the Council

(5 July 1996)

Subject: Late dispatch of Council documents to participating ministers

1. Is the Council aware that the First and Second Chambers in the Netherlands prohibited their Ministers for Internal Affairs and Justice from participating in decision-making in the Council of 4 June 1996 because the Council documents were not made available in good time and in the Dutch language, with the result that the Netherlands Parliament was unable to engage in adequate consultation with its own Ministers?

2. Does the Council realize that the European Parliament has also, on a number of occasions, insisted on Council documents being made available in good time to national parliaments, in particular in its resolution of 13 March 1996 on the preparations for the IGC (A4-0068/96 – Dury/Maij-Weggen report)?

3. Does the Council not consider that the Netherlands Parliament is right to block Council decisions in this connection, and can the Council undertake that Council documents will in future be available to national parliaments not later than one month in advance, as called for in the said resolution of 13 March 1996?

Answer

(18 April 1997)

The Council is aware that the translation of documents into all languages is essential in ensuring that decisions to be taken at Council level are thoroughly scrutinized by Member States' authorities. It consequently tries to ensure, as far as is possible, that documents being submitted to Council meetings are translated very rapidly. The instructions to the translation services on transition priorities reflect this principle.

It should also be noted that Article 10 of the Rules of Procedure stipulates that except as otherwise decided unanimously by the Council on grounds of urgency, the Council shall deliberate and take decisions only on the basis of documents and drafts drawn up in the languages specified in the rules in force governing languages.

(97/C 217/08)

WRITTEN QUESTION E-1842/96

by David Bowe (PSE) to the Commission

(5 July 1996)

Subject: Demeton-S.Methyl

Is the Commission aware of the harmful effects of the chemical Demeton-S.Methyl used as a pesticide in crop sprays?

Because of the danger posed to public health this pesticide has been banned in the United States of America. Will the Commission propose limitations on the use of Demeton-S.Methyl to avoid the airborne drift of this dangerous substance?

Supplementary answer
given by M. Fischler on behalf of the Commission

(14 February 1997)

Further to its answer of 17 September 1996 ([1]) the Commission is now able to provide the following additional information.

Demethon-S-methyl is an organophosphorus pesticide which exhibits its main toxic effects by inhibition of acetylchloninesterase thereby affecting the transmission of nerve impulses. According to information available to the Commission it is authorized for use in plant protection products under national legislation in certain Member States but has never been authorized in the United States.

Directive 91/414/EEC ([2]) on the authorization of plant protection products provides for a progressive programme for the examination at Community level of all active substances contained in plant protection products on the Community market. Demeton-S-methyl will be reviewed in this programme and any decision taken will then be applicable throughout the Community.

([1]) OJ C 91, 20.3.1997, p. 2.
([2]) OJ L 230, 19.8.1991.

(97/C 217/09)

WRITTEN QUESTION E-1870/96

by Michl Ebner (PPE) to the Council

(8 July 1996)

Subject: Compulsory vaccination in Italy

Vaccination against polio, diphtheria, tetanus and hepatitis B is compulsory is Italy and, where this requirement is not met, heavy fines are imposed (up to 1 500 000 lire per case and per parent), children are not permitted to attend school or to take state examinations, access to social institutions (crèches, children's homes, kindergartens, youth groups) is denied and admission to sports clubs is impossible. The Council is invited to

consider whether this is compatible with the right of free establishment, which is ensured in the EU, seeing that this right is invalidated in Italy by a state law making vaccination compulsory.

In South Tyrol there are currently four cases of children being excluded from school and one of a child denied access to a kindergarten because they do not have vaccination certificates. They are all children of immigrants from Germany and Austria, where vaccination is not compulsory.

Answer

(18 April 1997)

The question raised by the Honourable Member is a matter for the relevant Italian authorities and possibly the Commission as regards monitoring implementation of the provisions of the Treaty in the field of the right of establishment and the free movement of workers.

(97/C 217/10)

WRITTEN QUESTION E-2274/96

by Yannos Kranidiotis (PSE) to the Council

(27 August 1996)

Subject: The situation in Myanmar

In June 1996 the Danish Consul of Greek extraction, Mr Nichols, died under mysterious circumstances in a prison in Myanmar. He had been sentenced by the Burmese authorities to three years in prison because he had been arrested with two fax machines in his possession, and these machines are only allowed in Myanmar with official authorization. The Burmese authorities said that his death was due to illness, but refused to cooperate in any way to establish the circumstances of his death.

This incident is not unique in Myanmar. The human rights situation in the country is steadily deteriorating. Every day the Burmese authorities arrest scores of members of the National League for Democracy and forced labour has assumed enormous dimensions.

Last January (20 January 1996) the Commission decided to investigate the scale of this forced labour and the human rights situation in Myanmar, given that this is a country which benefits from the Community system of generalized preferences. Denmark, for its part, has already proposed that a list be drawn up of sanctions that could be imposed by the European Union.

In view of the latest developments, can the Council say what specific measures it intends to take to address the situation in Myanmar?

(97/C 217/11)

WRITTEN QUESTION E-3534/96

by Yannos Kranidiotis (PSE) to the Council

(12 December 1996)

Subject: The situation in Myanmar (Burma)

Recently in Myanmar, the leader of the National League for Democracy, Mrs Aung San Suu Kyi, was assaulted by a group of people while in the company of her supporters. Mrs Aung San Suu Kyi has suffered similar attacks on several occasions and both she and her supporters have been arrested many times by the Burmese authorities for their publicly expressed views.

These incidents are not unique in Myanmar. Forced labour, mainly involving adults, has assumed vast proportions in that country. Human rights organizations report that a large section of the population is forced by the military to work on public projects on a daily basis.

The Commission wanted to send a delegation to Myanmar to investigate forced labour and the human rights situation given that the country is a beneficiary of the Community's generalized system of preferences but the Burmese authorities would not allow it.

In the light of this situation, why does the Council not take practical measures to exert pressure on the government of that country?

Joint answer
to Written Questions E-2274/96 and E-3534/96

(24 April 1997)

The Council has on various occasions expressed its deep concern about the human rights situation and the lack of democratic freedoms in Myanmar.

An EU Common Position on Myanmar [1] was endorsed by the EU Council on 28 October 1996, reaffirming existing measures and providing for a series of new restrictive administrative and visa measures which took effect immediately for a renewable period of six months.

In the text of the common position, the European Union recalls that it has already requested the Special Working Group on arbitrary detention and imprisonment to visit Burma/Myanmar, and the Special Rapporteur on Burma/Myanmar to investigate the circumstances leading up to, and surrounding, the death of Mr James Leander Nichols.

The Common Position also reaffirms measures already adopted with a view to promoting progress towards democratization and securing the immediate and unconditional release of detained political prisoners:

- explusion of all military personnel attached to the diplomatic representations of Burma/Myanmar in Member States of the European Union and withdrawal of all military personnel attached to diplomatic representations of the Member States of the European Union in Burma/Myanmar;
- an embargo on arms, munitions and military equipment and suspension of non-humanitarian aid or development programmes.Exceptions may be made for projects and programmes in support of human rights and democracy as well as those concentrating on poverty alleviation and, in particular, the provision of basic needs for the poorest sections of the population, in the context of decentralized cooperation through local civilian authorities and Non-Governmental Organizations.

In addition, it introduces the following measures:

(i) ban on entry visas for senior members of the SLORC and their families;

(ii) ban on entry visas for senior members of the military or the security forces who formulate, implement or benefit from policies that impede Burma/Myanmar's transition to democracy, and their families, and

(iii) suspension of high-level bilateral governmental (Ministers and Officials at the level of political director and above) visits to Burma/Myanmar.

The implementation of this Common Position will be monitored by the Council, to which the Presidency and the Commission will regularly report, and will be reviewed in the light of developments in Burma/Myanmar. Further measures may need to be considered. Inthe case of a substantial improvement of the overall situation in Burma/Myanmar, not only the suspension of the aforementioned measures, but also the gradual resumption of cooperation with Burma/Myanmar will be considered, after careful assessment of developments by the Council.

Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Norway, Poland, Romania, Slovakia and Slovenia have associated themselves to this EU Common Position on 7 November 1996.

Finally, the Council is now seized of a Commission proposal to withdraw GSP preferences in relation to Burma/Myanmar.

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[1] OJ L 287, 8.11.1996.

(97/C 217/12)

WRITTEN QUESTION E-2366/96

by Thomas Megahy (PSE) to the Commission

(27 August 1996)

Subject: EMU and unemployment in construction

Does the Commission accept the conclusion of the recent report from the European Construction Industry Federation (ECIF) that over a quarter of a million jobs will be lost in the EU construction industry before the end of 1997 as a result of the application of limits on public borrowing and debt imposed by the EMU convergence criteria?

If not, could it give the arguments upon which it bases its denial of the ECIF assertion, and the data upon which those arguments are based?

Supplementary answer
given by Mr de Silguy on behalf of the Commission

(26 March 1997)

The Commission finds it difficult to accept the arguments that the process of convergence towards Economic and Monetary Union (EMU) will cost the construction industry a quarter of a million jobs by the end of 1997.

An examination of the data contained in the European Construction Industry Federation (FIEC) reports No 38 (June 1996) and No 39 (December 1996) reveals that the forecasts for the construction industry available for 1997 do not cover all the Member States. In addition, in these 1997 forecasts, most of the employment losses as compared with 1995 are due to Germany, which is clearly a special case. Report No 39 states that '... the German construction industry is not only experiencing a short-term weakness; it is simultaneously undergoing a severe structural crisis'. Prospects in the other Member States are not nearly so unfavourable.

Secondly, although the 1996 FIEC reports consider that part of the industry's problems comes from the reduction in public orders connected with budget consolidation policies, they also show sharply contrasting trends in the private sector where renovation and maintenance works are tending to replace new construction and are distinctly less sensitive to cyclical fluctuations.

Lastly, the reports mention factors other than budget developments which have influenced the evolution of the industry: some of these are favourable (lower interest rates, increase in overall saving) while others are unfavourable (demographic trends, high unemployment rate).

Report No 38 also states that employment in the industry is declining as a result of the slowdown in output and increased productivity attributable to more advanced technology.

As far as convergence policies more particularly are concerned, the Commission, in its broad economic policy guidelines, has always stressed that the consolidation of public expenditure must not take place at the expense of public investment, which provides the infrastructure essential to the development of private activities.

Moreover, it is now recognized that, in the medium term, budget consolidation, provided that it is credible, generates a combination of savings and investment and a level of interest rates more favourable to growth. It enables the State to reorganize its revenue and expenditure more efficiently, increases its room for manoeuvre in the area of budgetary policy and sets the public debt on a steadily falling trajectory. Lastly, the favourable expectations created for businesses and individuals by the reduction in the public deficit also come into play at this stage. Provided that the reduction is credible and permanent, it leads to expectations of future falls in taxation, which exert a favourable influence on the propensity to invest and to consume.

In addition, even in the short term, credible budgetary consolidation can lead to powerful positive effects via the reduction in interest rates. In the Member States which are heavily indebted and subject to a large risk premium on their interest rates, the credibility of the process can very rapidly lead to a definite fall in such risk premiums, which has positive effects on the activity of the private sector. The movement of interest rates, for example in Italy or Spain this autumn, shows that this process has already started. Furthermore, even in the Member States which are not subject to risk premiums, the prospect of a co-ordinated consolidation is also having favourable effects on the level of interest rates, as already demonstrated by the present trend of long-term interest rates, in particular in Germany or France.

These effects on interest rates have a positive impact on investment, in particular in construction, with knock-on effects on aggregate demand which complement and reinforce the positive effects of the fall in interest rates.

Consequently, if the construction industry is experiencing difficulties, these are due to a number of factors such as the speculation which in many Member States led to excessive and temporary rises in the price of immovable assets, inevitably followed after a few months or years by a reverse reaction which is temporarily depressing activity in the industry.

(97/C 217/13)

WRITTEN QUESTION E-2549/96

by Amedeo Amadeo (NI) to the Council

(1 October 1996)

Subject: The Internet

Every day, articles about the Internet are to be found in newspapers published in Italy and throughout Europe. The uncontrolled transmission of messages with a criminal content and even messages supporting terrorism, is therefore a matter of great concern.

Given the tremendous rate of growth of this telematic network, which, although still in its infancy, already has millions of users around the world, would the Council not agree that it should without delay – since time is running out – consider a series of proposals with a view to finding a solution to this problem despite the undeniable difficulties involved?

Answer

(24 April 1997)

The need to combat illegal use of the technical possibilities of Internet, especially for offenses against children, has been underlined in many sessions of the Council during 1996. In particular at its session of 28 November 1996, the Council (Telecommunications) and the Representatives of the Member States within the Council agreed on a Resolution on illegal and harmful content on the Internet.

The main aim of this Resolution is to invite the Member States to start without delay with a first set of measures to encourage the provision to users of filtering mechanisms, the setting up of rating systems, for example the PISC (Platform for Internet Content Selection) and self-regulatory systems, effective codes of conduct and possible hot-line reporting mechanisms.

The Resolution also requests the Commission, as far as Community competence is concerned, to ensure the follow-up and the coherence of work on these measures and to take further initiatives if appropriate.

At its meeting of 16 December 1996, the Council (Culture/Audiovisual) adopted conclusions concerning the Green Paper on 'the Protection of Minors and Human Dignity in the Audiovisual and Information Services.'

In these conclusions, the Council takes note of the complementarity between the Green Paper and the Commission Communication on 'illegal and harmful content on the Internet' and the timetable presented by the Commission involving in-depth consultation of interested parties, on the basis of their observations on the Green Paper in the first half of 1997. It requests the Commission, in the framework of Community competences, to follow up work on the Green Paper between now and the next meeting of the Council (Culture/Audiovisual) including proposing further initiatives if appropriate.

(97/C 217/14)

WRITTEN QUESTION E-2683/96

by José Valverde López (PPE) to the Commission

(15 October 1996)

Subject: Moves by the Junta de Andalucía to exclude the municipalities of Sanlúcar de Barrameda and Trebujena from the Doñana Regional Coordination Plan

Ecological organizations in Andalusia have protested against moves by the Junta de Andalucía to exclude the municipalities of Sanlúcar de Barrameda and Trebujena from the Doñana Regional Coordination Plan, claiming that this is a manoeuvre to allow the construction of a luxury housing development on the land known as 'Loma de Martín Miguel'. This development might be compared to the controversial 'Costa Doñana' plan.

Given that the Doñana II Programme is now being implemented with an EC contribution of more than ECU 40 million, in addition to the extraordinary grant of ECU 105 million for the period 1994-97 agreed at the 1992 Edinburgh European Council, what information does the Commission have on any such action and would it be compatible with the Doñana Regional Plan?

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

(12 March 1997)

Further to its answer of 15 November 1996 ([1]), the Commission can now provide the following information.

The Commission has learned that the regional authorities of Andalusia approved an amendment of the 'Plan Director Territorial de Coordinación de Doñana' by Decree No 472/96 of 22 October 1996 which excludes the municipalities of Sanlúcar de Barrameda and Trebujena from the Plan.

The Commission stresses that these municipalities are not within the area of application of the Doñana II operational programme approved by the Commission.

The Commission also points out that town planning and regional planning are the responsibility of Member States. Nevertheless, at the last meeting of the Monitoring Committee, the Commission, concerned at the effects that any administrative changes in the surrounding area could have on the programme's impact, asked for a detailed report before the end of March on its implementation and on the consequences any amendment of this nature could have.

([1]) OJ C 11, 13.1.1997, p. 112.

(97/C 217/15)

WRITTEN QUESTION E-2822/96

by Amedeo Amadeo (NI) to the Council

(23 October 1996)

Subject: Elections in Bosnia

There have been disturbing reports in the press in recent days that the Organization for Security and Cooperation in Europe (OSCE), which was responsible for overseeing the proper conduct of the elections in Bosnia, is apparently attempting to cover up ballot rigging involving some 600 000 excess votes.

The OSCE estimated that about 2.9 million electors were entitled to vote, and it is known for certain that 580 000 Bosnian were unable to take part in the election. Figures from the polling stations indicate that the turn-out was 1.89 million. It thus seems, when all the calculations have been done, that 600 000 fewer votes were cast than the 2.52 million counted. These phantom ballot-papers place a serious question mark over, among other things, the victory of the Muslim leader, Alija Izetbegovic.

Have the above reports been checked? What steps will the Council take if they prove to be true?

Answer

(3 April 1997)

As the Honourable Member is aware, the Council has welcomed the holding of national and entities elections in Bosnia and Herzegovina on 14 September 1996 and the fact that they had been conducted in a largely peaceful and dignified manner.

According to the Dayton/Paris agreement, these elections were carried out under the responsibility of the OSCE. Consequently, the task of certifying the elections as free and fair was given to the Provisional Election Commission (PEC) chaired by Ambassador Frowick.

The Council notes that following the elections, the PEC Chairman stated that they were 'a reasonably democratic process resulting in a reasonably democratic outcome reflecting the will of people.'

The Council remains convinced that, given the difficult circumstances in war-ravaged former Yugoslavia, these elections represented a major step ahead and contributed to the consolidation of peace and the creation of a single State of Bosnia and Herzegovina, enabling the setting-up of common institutions.

(97/C 217/16)

WRITTEN QUESTION E-2831/96

by Gerhard Schmid (PSE) to the Commission

(25 October 1996)

Subject: Redefinition of areas assisted as part of the joint task entitled 'Improvement of Regional Economic Structures'

According to the Bavarian Ministry of Economic Affairs, the Commission is planning to delete a third of the areas currently assisted in Bavaria when the areas assisted as part of the joint task are redefined.

1. Does the Commission intend to delete the districts (Landkreise) of Rhön-Grabfeld, Wunsiedel, Tirschenreuth, Passau, Bad Kissingen, Hof, Schwandorf and Kronach and the boroughs (kreisfreie Städte) of Passau, Hof, Weiden, Amberg and Schwandorf from the list of areas assisted as part of the joint task? If so, on what criteria were the decisions based?

2. Why are areas defined by European rules as 5b areas which are eligible for assistance no longer to receive national assistance?

3. According to the Bavarian Government, the Commission is now trying to exercise more influence over the selection of assisted areas than in the past. Would it not be appropriate, given the subsidiarity principle, for the selection to be left to the Bavarian Government and for the Commission merely to establish the framework?

Supplementary answer
given by Mr Van Miert on behalf of the Commission

(6 March 1997)

1. On 18 December 1996, the Commission approved the redefinition of the regionally assisted areas for Germany for the period 1997 to 1999. None of the Bavarian regions cited by the Honourable Member has been excluded from the list of the assisted regions by the decision.

2. The Commission takes its decision on eligibility of regions as assisted areas for national funding on the basis of its method for the application of Article 92(3)(a) and (c) of the EC Treaty to regional aid [1]. The main criteria of this examination are the level of gross domestic product (GDP) per capita measured in purchasing power standards (PPS) and, in the case of assisted areas under Article 92(3)(c), the structural unemployment of the region as well as some other socio-economic indicators, like the trend and structure of unemployment, the demographic situation of the region, productivity or geographic situation. For areas that may obtain Community

assistance under objective 5b, criteria for examination are laid down in Council Regulation (EEC) No 2081/93 of 20 July 1993 (2). There, rural areas outside objective 1 regions that may receive Community assistance under objective 5b are those which have a low level of socio-economic development assessed on the basis of GDP per inhabitant and which satisfy at least two of the following criteria: high share of agricultural employment in total employment, low level of agriculture income and low population density or a significant depopulation trend.

These criteria may not necessarily lead to the same result. As has been the case in the recent list of assisted areas in Germany (and other Member States), some areas are eligible for Community assistance under objective 5b, but not for national aid under Article 92(3) of the EC Treaty.

Insofar as the Bavarian regions eligible for Community assistance under objective 5b have been considered by the German authorities as meriting regional aid under Article 92(3) of the EC Treaty, they have been approved by the Commission.

3. The method for the application of Article 92(3)(a) and (c) to regional aid offers a certain flexibility in taking into account the special socio-economic situation of regions notified as assisted areas by the Member States. This flexibility has been applied in the past, as well as in the case of the decision on the German map of assisted areas.

(1) OJ C 212, 12.8.1988.
(2) OJ L 193/5, 31.7.1993, p. 5.

(97/C 217/17)

WRITTEN QUESTION E-2947/96

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

(7 November 1996)

Subject: Species protection – clarification of the EU's position with regard to CITES

With regard to the Common Position adopted by the Council with a view to adopting Council Regulation... on the protection of species of wild fauna and flora by regulating trade therein,

1. Does the Council consider that the forthcoming regulation (see above) in the version in document 4367/1/96 REV 1 is adequate to fulfil the Community's obligations as a future independent and responsible party to the Convention, or must this regulation be amended again when the Community becomes a party to CITES?

2. Is there a Council decision to the effect that formalities for accession to CITES will be started as soon as the necessary 54 contracting states (1983 situation) have ratified the Gabarone amendment to CITES? If not, what conditions does the Council attach to the Community's accession to the Convention.

(97/C 217/18)

WRITTEN QUESTION E-2948/96

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

(7 November 1996)

Subject: Species protection – clarification of the EU's position with regard to CITES

The European Parliament recently voted at second reading on the common position of the Council on a new European regulation on the protection of species. In the Council's common position all the references in previous Commission proposals to the EU's desired status as a party to CITES were deleted. In the Council's reasons (4367/1/96 REV 1 ADD 1) it is stated under iii: 'As regards defining positions to be expressed at Conferences of the Parties, the Council felt that the usual mechanisms for participation in the Convention were sufficient and that there was therefore no need to include a specific provision (Article 19).'

1. What specifically will be the 'usual mechanisms for participation' which the Council deems to be 'sufficient' as regards establishing positions for the forthcoming tenth conference of CITES contracting states and when can the conclusion of this coordination activity be expected?

2. In what form and at what stage of this 'participation' does the Council intend to involve the European Parliament in establishing the positions on the proposals for the tenth conference of contracting states, to be submitted to the Secretariat of the Convention by 10 January 1997?

Joint answer
to Written Questions E-2947/96 and E-2948/96

3 April 1997)

The Council considers that the Regulation on the protection of species of wild fauna and flora by regulating trade therein, as adopted, incorporating some of the amendments proposed by the European Parliament and particularly those relating to the setting up of a working party on the implementation of legislation, will enable the Community not only to meet its obligations under the CITES Convention, but also to ensure a more effective level of protection.

As far as the Community's accession to the Convention is concerned, the parties to the Convention have repeatedly been asked to ratify the Gaborone amendment which will enable the Community to accede to the Convention.

As regards defining positions to be expressed at the 10th Conference of the Parties to CITES, the Commission has not yet taken an initiative.

(97/C 217/19)

WRITTEN QUESTION E-3063/96

by Eryl McNally (PSE) to the Commission

(18 November 1996)

Subject: Grants relating to the 1993 European Year of Older People and Solidarity between Generations

Can the Commission explain the procedure used for selecting those responsible for assessing grant applications?

Did each Member State have its own committee for assessing grant applications, and what were the names of the people on these committees?

What was the total number of UK grant applications?

What was the total number of UK applicants who received a grant?

With reference to the computer printout which was sent to me from DGV listing the UK organizations in receipt of a grant, can the Commission say whether or not the grants given out were subject to an audit?

Could the Commission let me know the address of the organization which is monitoring the use of the grants allocated to the UK?

What EU funding is currently available to older people?

Answer given by Mr Flynn on behalf of the Commission

(11 February 1997)

Final assessment of applications was made by the Commission. Grants were awarded on the basis of criteria established in consultation with an advisory committee of national governmental experts. A preliminary assessment of applications was carried out, within each Member State, by a national committee established by each Member State. Membership of these committees was a matter for the national authorities. The Commission does not have the names of members of these committees.

The total number of grant applications from the United Kingdom was over 300. The number of grants given to United Kingdom-based applicants was 121. In most cases the Community contribution was a small proportion of the overall funding, the bulk of the funding coming from other sources. Final payments were made by the Commission on the basis of statements of accounts, which were checked on receipt. These files were not selected for in-depth audit by the Commission, and all projects are now completed and the files are closed. Any auditing of national funds involved is a matter for the Member State concerned.

The 1997 budget includes a line entitled 'Action for older people' to which 2.5 MECU has been allocated.

(97/C 217/20)

WRITTEN QUESTION E-3074/96

by Pieter Dankert (PSE) to the Commission

(18 November 1996)

Subject: Bridge over the Tagus/Cohesion Fund

In response to Written Question E-0908/96 (1), the Commission asks the Members who tabled the question to indicate what roads are at issue, so that it can give a reply.

Can it say whether it will permit the so-called 'variante a EN10' to pass through the Tagus Estuary protection area, either now or in the future, and whether it will help to finance this if an application for such financing is or has been submitted?

(1) OJ C 11, 13.1.1997, p. 4.

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

(17 February 1997)

The Commission wishes to inform the Honourable Member that the project to which he refers is in two phases:

- adjustments to the present route together with reinforcement of the structure;
- the approaches to the bridge over the Tagus, with landfill in the special protection area.

The first phase was approved by the management unit for the programme 'Development of support infrastructures', which is the national structure responsible for selecting projects for financing under the operational programme. The Portuguese authorities have not requested financing for the second phase.

At the Monitoring Committee meeting on 19 June 1996, the Commission requested the suspension of payments for the first phase until the Portuguese authorities had notified the Commission of the compensatory measures they plan to take to minimize the negative effects of the project (Article 6(4) of Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (1)) and the Commission had accepted them as satisfactory. This information has now been sent by the Portuguese authorities and studied by the Commission, which considers the measures satisfactory in that they meet the requirements of Article 6(4) of Directive 92/43/EEC in full.

(1) OJ L 206, 22.7.1992.

(97/C 217/21)

WRITTEN QUESTION E-3078/96

by Wolfgang Kreissl-Dörfler (V) to the Commission

(18 November 1996)

Subject: Beef

1. Are the cattle slaughtered in the UK under the BSE slaughter programme destroyed or disposed of?

2. In what way are the cattle slaughtered in the UK under the BSE slaughter programme officially disposed of or destroyed?

3. How does the Commission ensure that the cattle slaughtered in the UK under the BSE slaughter programme are properly disposed of or destroyed?

4. What steps are taken to ensure that beef from the BSE slaughter programme, which is placed in storage with other slaughtered cattle, does not get into the food chain by mistake?

5. How does the Commission ensure that cattle slaughtered in the UK under the BSE slaughter programme do not get into the food chain?

6. What is the Commission doing to prevent a black market in cattle from the UK which are destined for slaughter under the BSE slaughter programme?

7. Can the Commission provide figures for the average monthly storage costs for a tonne of beef in (a) private and (b) public storage facilities in each EU Member State?

8. The Commission has plans for passports for cattle. What information will such a passport contain, and will this information be compulsory?

Answer given by Mr Fischler on behalf of the Commission

(3 February 1997)

1. and 2. Presumably the question concerns the slaughtering of cattle over thirty months old (known as the OTM scheme) given that the United Kingdom has not yet carried out the selective cull adopted by the Commission in June 1996.

With the exception of the hides, all parts of the cattle culled under the OTM scheme are destroyed, either by incineration or by rendering followed by incineration. The hides can only be used for leather production. No part of an animal can enter the food chain, human or animal, or be used in cosmetic or pharmaceutical products. Concerning exposure of workers to material derived from slaughtered cattle, the provisions of Directives 90/679/EEC [1] and 93/88/EEC [2], which provide for the protection of workers from risks related to exposure to biological agents at work, apply. The Commission is currently considering whether these provisions need to be amended.

3. The cattle to be slaughtered under the OTM scheme are sent to specially designated slaughterhouses and a representative of the United Kingdom authorities is permanently on hand to supervise operations. After killing, the heads, internal organs and carcases are permanently stained and transported to a specially authorised incineration or rendering plant in sealed containers. The United Kingdom competent authority is required to carry out frequent and unannounced inspections in order to ensure that all stained material is effectively destroyed. This system is subject to an audit by the Commission and Community veterinary and financial inspectors.

4. and 5. Beef from this programme is stained with an indelible bright yellow colorant and multiple incisions are made so as to render it easily identifiable and commercially unattractive. If it is stored in the same refrigerated warehouse as meat intended for human consumption, it is kept apart under the supervision of inspectors from the Intervention Broad for Agricultural Produce. The Commission conducts inspections at regular intervals to ensure that the rules are being followed, both from a veterinary and a financial point of view.

6. The UK authorities are responsible for carrying out the scheme, under the supervision of the Commission which conducts inquiries into any suspected fraudulent trade.

7. The Commission does not know the cost of private storage. The costs incurred by the Commission for public storage consist of reimbursements to the Member States of the costs of physical storage which take the form of single flat-rate payments and are determined according to Commission Regulation (EEC) No 1643/89 of 12 June 1989 [3] defining the standard amounts to be used for financing physical operations arising from the public storage of agricultural products on the basis of a weighted average of the real costs incurred in at least four Member States. The Member States in question are those with the lowest real costs which store at least one third of the product in question. The current figures for beef are:

	Quarters	Boned meat
Cost of putting in storage	ECU 94.06 per tonne	ECU 204.63 per tonne
Cost of removal from warehouse	ECU 12.03 per tonne	ECU 4.08 per tonne
Cost of warehousing	ECU 23.23 per tonne	ECU 13.29 per tonne

8. The BSE crisis has illustrated that beef identification and registration systems are in need of improvement. A proposal has been made to tighten up the clauses in the relevant Directive, introducing as quickly as possible harmonized rules concerning the identification and registration of beef cattle by means of a Regulation which can be directly applied in the Member States. The aim of this proposal is to make it possible to follow the animals throughout their lives and across borders, specifically by means of the introduction of a computerized database in each Member State and an animal passport together with double ear tagging of the animals and keeping registers in each holding.

The exact information to be contained in each passport has still to be decided and will be the subject of a separate Commission Decision.

(1) OJ L 374, 31.12.1990.
(2) OJ L 268, 29.10.1993.
(3) OJ L 162, 13.6.1990.

(97/C 217/22)

WRITTEN QUESTION E-3119/96

by Hiltrud Breyer (V) to the Council

(21 November 1996)

Subject: Health hazards inherent in glyphosate-resistant soya beans

1. Is the Council aware that all the experiments undertaken to reveal the implications for health of glyphosate-resistant soya beans were carried out without glyphosate being used during the cultivation of the tested beans?

2. Is the Council aware that the future 'normal' use of these genetically modified beans has not therefore been tested?

3. Is the Council aware of the danger of a significant increase in the concentration of phytooestrogens in pulses when glyphosate is used?

4. How can approval be granted without this test having been carried out?

5. What conclusions does the Council draw from this?

(97/C 217/23)

WRITTEN QUESTION E-3493/96

by Hiltrud Breyer (V) to the Council

(6 December 1996)

Subject: Transgenic soya beans

1. Is the Council aware that there are large gaps in the documents submitted for risk analysis by Monsanto to the EU in order to obtain a marketing authorization?

2. Was the Council aware of the following information: 'To focus the analysis on any effects of the introduced protein, the soya beans from which the seed were derived were not treated with Roundup herbicide' (ACNFP Review of Glyphosat-tolerant soya beans)?

3. If so, what is its view of this infringement of Directive 90/220/EEC (1) on the release of GMOs?

4. If not, what steps is it going to take?

5. On the basis of the new information, does it support use of Article 16 of Directive 90/220/EEC by the Member States?

(1) OJ L 117, 8.5.1990, p. 15.

Joint answer
to Written Questions E-3119/96 and E-3493/96

(3 April 1997)

The Council has no information regarding the points made by the Honourable Member in her questions.

In any event, it is for the competent authority of the Member State where the product will be introduced under Article 12 of Directive 90/220/EEC (1) and for the Commission under the procedure laid down in Article 13 of that Directive to carry out the appropriate checks.

Moreover, implementation of Article 16 of Directive 90/220/EEC is strictly the responsibility of the Member States.

(1) OJ L 117, 8.5.1990.

(97/C 217/24)

WRITTEN QUESTION E-3121/96
by Hiltrud Breyer (V) to the Council

(21 November 1996)

Subject: Enzyme preparations produced by genetic engineering

The preparation of enzymes with the aid of genetically modified microorganisms in fermenters gives rise to large quantities of substrates and production organisms, which are also contained in the end product. As in many large-scale processes, complete purity of the end product cannot be guaranteed. Errors during processing in particular may result in cell debris of the production organism and both extracellular and intracellular components entering the end product. Impurities containing viable production organisms may also occur.

1. Does the Council agree that genetically modified organisms (GMOs) authorized only for work in closed systems may be unintentionally released into the environment in this way?

2. Does the Council believe that the GMOs used should undergo a test like that provided for the intentional release of other GMOs?

3. Given the differences from the conventional product, does the Council agree that the product will be governed by the planned novel food regulation?

Answer

(3 April 1997)

As the Honourable Member will know, Directive 90/219/EEC on the contained use of genetically modified micro-organisms (1) has been the subject of a modifying proposal, which is currently being examined by the Council and concerning which the European Parliament's Opinion has not yet been delivered.

The proposal lays down common measures for the contained use of genetically modified micro-organisms with a view to protecting human health and the environment.

(1) OJ L 117, 8.5.1990.

(97/C 217/25)

WRITTEN QUESTION E-3123/96
by Hiltrud Breyer (V) to the Council

(21 November 1996)

Subject: Genetically modified rape produced by PGS

1. How does the Council intend to fulfil its obligations to monitor the prohibition of the use of genetically modified rape produced by Plant Genetic Systems (PGS) as a foodstuff and animal feedingstuff?

2. How is this prohibition monitored in the various Member States? What differences are identifiable among the Member States in this respect?

3. What will the Council do if there should be no monitoring obligations in the various Member States?

4. What methods does the Council intend to use to demonstrate the specific, genetically modified DNA structure if it does not even know what this structure is?

5. What will the Council do if the Member States do not fulfil their monitoring obligations?

6. Does the Council agree that, where monitoring obligations are not fulfilled, authorization should be withdrawn?

7. How is the public informed of the results of the monitoring?

(97/C 217/26)

WRITTEN QUESTION E-3467/96

by Hiltrud Breyer (V) to the Council

(4 December 1996)

Subject: Safety precautions in FACTT experiments

Genetically modified rape-seed is being fed to animals in a number of experiments.

How does the Council intend to ensure that genetically modified material does not enter the human food chain?

(97/C 217/27)

WRITTEN QUESTION E-3469/96

by Hiltrud Breyer (V) to the Council

(4 December 1996)

Subject: FACTT project and genetically modified rape-seed

The Commission's authorization, based on Directive 90/220/EEC [1], for the genetically modified rape-seed of Plant Genetic Systems (PGS) applied only for breeding purposes and prohibits consumption of the product by humans or the feeding thereof to animals.

1. Can it nevertheless be true that experiments under the FACTT project (Familiarisation and Acceptance of Crops incorporating Transgenic Technology) have been authorized in which genetically modified rape-seed is fed to domestic animals, e.g. at Martin Luther University in Halle-Wittenberg (Germany)?

2. What is the legal basis for this decision?

3. Why is the European Union funding a series of experiments which runs counter to the above authorization?

[1] OJ L 117, 8.5.1990, p. 15.

(97/C 217/28)

WRITTEN QUESTION E-3471/96

by Hiltrud Breyer (V) to the Council

(4 December 1996)

Subject: Expenditure on the FACTT project

1. What is the total funding for the FACTT project (Familiarisation and Acceptance of Crops incorporating Transgenic Technology)?

2. What costs are borne directly and indirectly by the European Union?

3. How high is EU support for FACTT in specific cases?

4. What firms, universities and other establishments receive European Union funding under the FACTT project?

5. For what measures (projects) do they receive it?

(97/C 217/29)

WRITTEN QUESTION E-3473/96

by Hiltrud Breyer (V) to the Council

(4 December 1996)

Subject: FACTT and liability

1. Who is liable for any harm or damage which may occur in connection with experiments under the FACTT project?

2. Has the Council concluded an agreement with the firms concerned to make these companies jointly liable if any harm or damage is done?

3. If not, what is the Council's view of this indirect subsidy for the firms involved?

Joint answer
to Written Questions E-3123/96, E-3467/96, E-3469/96, E-3471/96 and E-3473/96

(3 April 1997)

The Council has no knowledge of the points raised by the Honourable Member in her questions.

The projects to which she refers are more a matter for the Commission. At all events, the Council has concluded no biotechnology research agreements.

As regards safety and monitoring, it is the Commission's task to monitor the implementation of Community legislation - in this instance the measures to be taken by the Member States pursuant to Article 13(6) and Article 14 of Directive 90/220/EEC.

That Directive provides for reports on the control of the use of products placed on the market under its provisions (Article 18) and on the implementation of these provisions (Article 22).

(97/C 217/30)

WRITTEN QUESTION E-3131/96

by José Valverde López (PPE) to the Commission

(22 November 1996)

Subject: UK stock of feed possibly carrying BSE

Various sources indicate that although the UK ban on feeding ruminants with ruminant-derived protein applied from 1988 on, it was apparently not properly implemented until recently. Furthermore, recent reports indicate that in the UK there are some 6000 animal feed factories which may still contain remnants of potentially infectious stocks of feed.

What information has the Commission on this subject?

Answer given by Mr Fischler on behalf of the Commission

(4 February 1997)

The Commission is not aware of the presence of any remnants of potentially infected meat-and-bone meal stocks in farms or feed mills in the United Kingdom.

On 28 March 1996 the United Kingdom prohibited the sale or supply of any mammalian meat-and-bone meal, or any feedingstuff known to contain mammalian meat-and-bone meal, for the purpose of feeding to farm animals. The United Kingdom started a scheme for the recall of feed containing meat-and-bone meal from all farms and feed mills on 24 June 1996, which was finalised by the end of July. After recall of the feed, storage facilities and equipment were cleaned out prior to any other use of the facilities and equipment. Based on the two-weekly report received from the United Kingdom on bovine spongiform encephalopathy (BSE) as laid down in Commission Decision 96/239/EC on emergency measures to protect against bovine spongiform encephalopathy (1), the United Kingdom informs the Commission of the comprehensive check inspections to ensure compliance with these requirements. In particular, 5,393 samples of feed and ingredients have been taken to

investigate for the presence of mammalian protein since February 1996. Forty three of these have been found to be positive ie 1.2%. These positive samples have been investigated by the United Kingdom veterinary service, and the results reported in the fortnightly reports from the United Kingdom to the Commission and Member States. All since 1 August 1996 relate to mammalian protein from catering waste in feed for non-ruminant species. No samples of ruminant feed containing mammalian protein have been detected since June 1996.

Material collected under the feed recall scheme has been held under secure storage by the British authorities until appropriate disposal could be arranged. On 1 August 1996 the possession of meat-and-bone meal at farms, feed mills and feed merchants supplying feed to farms became illegal.

At present, all meat-and-bone meal produced from cattle slaughtered over the age of 30 months is rendered and thereafter stored with a view to incineration. Meat-and-bone meal produced from cattle under the age of 30 months (with the exclusion of 'specified bovine offals') may, however, be used for pet food in premises which do not handle any feed for farm animals.

Recent inspections seem to confirm the positive development in relation to the United Kingdom feed controls since May 1996 when a recommendation was made by the Commission to implement a recall scheme.

(1) OJ L 78, 28.3.1996.

(97/C 217/31)

WRITTEN QUESTION E-3146/96

by Fernando Fernández Martín (PPE) to the Commission

(22 November 1996)

Subject: Towards sustainable development in the Canaries

Between 1989 and 1993, virtually all programming agreements drawn up between Member States and the Community for Objective 1 regions included an 'environmental' element.

The major importance of infrastructure in these regions means that they are where the major ERDF environmental projects are located.

The Canary Islands have adopted measures to correct ecological and economic imbalances caused by mass tourism.

What specific projects in the Canary Islands have benefitted from this aid? What projects are earmarked for similar subsidy in the future?

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

(27 February 1997)

Community assistance for tourism and environmental measures in the Canary Islands for the period 1989-93 was mainly granted through the forms of assistance provided for in implementation of the Objective 1 Community Support Framework (CSF) for Spain for 1989-93.

The reform of the Community Structural Funds, in application since 1989, was based inter alia on the principle of programming whereby Community aid is granted by preference through the part-financing of operational programmes. For the above period, the Commission approved the operational programme for the Canary Islands (1), the Regis I Community Initiative programme (CIP) (2) and the integrated operational programme for La Gomera (3).

The programme providing specifically for the part-financing of the measures referred to by the Honourable Member was the Regis I CIP, which contained measure 3.1.2. 'Albergues y caserios rurales', the purpose of which was to rectify environmental and economic imbalances through the development of alternative forms of tourism in depressed rural areas. This programme has now been completed and the financing of it has been wound up.

The selection of projects under the forms of assistance referred to above is the responsibility of the Member State, which informs the Monitoring Committee for the programme. This Committee, which is chaired by a representative of the national authorities and includes a Commission representative, is there to ensure that the operation runs smoothly to attain the programme's objectives, that the rules are complied with and that measures conform to the priorities adopted in the CSF and the objectives of assistance.

The Member State, in this instance the Ministry for Economic Affairs, is responsible for providing information on projects. The final report on the implementation of the Regis I CIP drawn up by the Ministry for Economic Affairs refers to the following projects part-financed under measure 3.1.2.:

Recipient	Investment (in pesetas)	Subsidy paid (in pesetas)
Ecoturismo Gomera Verde	87 884 658	22 995 726
AMOS IDA S.A.	31 600 000	9 808 977
Asociación Rutas Canarias	116 522 624	21 887 288
Asociación Turismo Rural Tacoronte-Acentejo	95 040 672	12 090 117
S.A. Lanzarote Palace	201 985 504	63 256 938
Cooperativa Turismo Rural del Hierro	63 822 340	15 876 855
Turismo Rural Agüimes	47 611 472	6 781 161
Carlos Miguel Leal S.L.	7 600 000	818 899
Buropyme S.L.	27 341 420	7 966 038
Asociación Roque Cano	74 810 256	23 311 248
Asociación Turismo Rural Turubar	74 982 908	8 011 046
Asociación Turismo Rural Cubo de la Galga	29 195 550	2 528 328

In addition, two buildings were bought, restored and equipped for rural tourism:

— Casa Aguimes (Aguimes, Gran Canaria) for PTA 20 million

— Casa Buenavista (Buenavista, Tenerife) for PTA 59 million.

The Honourable Member can obtain all relevant information on projects currently being implemented from the Ministry for Economic Affairs.

(1) Decision C(90) 2501, 14.12.1990.
(2) Decision C(90) 1493/1, 30.7.1990.
(3) Decision C(91) 1512/1, 25.7.1991.

(97/C 217/32)

WRITTEN QUESTION E-3422/96

by Amedeo Amadeo (NI) to the Council

(4 December 1996)

Subject: Exploitation of child labour

Pakistan's textile companies mainly employ children. These ten to twelve year olds are are crowded together in dark and airless factories where they work for twelve to sixteen hours a day for a few US cents an hour. This enables the firms in question to sell their products on Eastern markets at a low price.

The same practice occurs in Bangladesh, India, the Philippines, Thailand and China: the economic 'growth' of a large part of Asia is based on the ruthless exploitation of child labour.

The Commission recently decided not to bring before the World Trade Organization (which is meeting in Singapore in December) the question of child labour, which, in addition to being an affront to human dignity, gives an unfair competitive advantage to the countries and firms involved. To save face, however, the British Commissioner Brittan has announced that he will not hesitate to bring the question before the International Labour Organization. Everyone knows that the WTO has powers, while the ILO -a moribund United Nations body- has none. Everyone also knows that deciding to refer the matter to the ILO rather than the WTO is tantamount to deciding to do nothing at all. It is a shameful decision based on considerations of profit alone, and is completely unworthy of a civilized Europe.

Is the Council aware of this situation, and does it endorse these truly dangerous decisions?

If not, will the Council take immediate action?

Answer

(24 April 1997)

The Honourable Member will be aware that the Council attaches great importance to universal observance of internationally recognized core labour standards, in particular those concerning child labour. The question of the relationship between those core standards and the multilateral trade system was one of the subjects discussed at the first WTO Ministerial Conference, held in Singapore from 9 to 13 December 1996. The Ministerial Declaration adopted at the Conference points out that the International Labour Organization (ILO) is the competent body for setting and dealing with such standards, and affirms support for its work in promoting them. It also reiterates the commitment of all the participants to observe internationally recognized core labour standards.

The Declaration goes on to note that the economic growth and development fostered by increased trade and further trade liberalization contribute to the promotion of these standards. It rejects the use of labour standards for protectionist purposes and agrees that the comparative advantage of low-wage developing countries must in no way be called into question.

Finally, the Declaration notes that the WTO and ILO Secretariats will continue their existing collaboration.

The ILO itself became involved in the campaign against child labour some ten years ago, reinforcing the legislative and promotional activities it had long pursued in this area. Governments increasingly seek international aid, witness the growing number of applications (447 programmes established in 1995) submitted to the International Programme on the Elimination of Child Labour (IPEC), an extensive technical cooperation venture launched by the International Labour Office (ILO) in 1992. The ILO is also drawing up a new instrument specifically concerned with harsh forms of child labour, which will replace Convention No 138 on the minimum working age.

(97/C 217/33)

WRITTEN QUESTION E-3466/96

by Hiltrud Breyer (V) to the Commission

(9 December 1996)

Subject: Legal basis of the FACTT project

The very name of the FACTT project (Familiarisation and Acceptance of Crops incorporating Transgenic Technology) describes the purpose of this project.

1. What is the legal basis for the experiments carried out as part of the FACTT project?

2. Does the Commission agree that, in seeking acceptance for transgenic crops as part of the FACTT project, the European Union is acting on behalf of private entrepreneurs?

3. What legislative provisions underlie the 'chicken experiments', in which chickens are fed with genetically modified rape-seed from the firm Plant Genetic Systems (PGS)?

4. Is the Commission aware that the authorization granted for the genetically modified rape-seed of PGS prohibits feeding it to animals?

Answer given by Mr Fischler on behalf of the Commission

(19 February 1997)

1. The strains of transgenic rapeseed covered by the demonstration project fall under Council Directive 90/220/EEC (1) of 23 April 1990 and Commission Decision 96/158/EC of 6 February 1996. The strain (MS1/RF1) used in the demonstration project received clearance on 28 February 1996 for placing on the market for seed production but, pursuant to Council Directive 90/220/EEC, the consent does not extend to use for human food or animal feed.

2. The demonstration project in question involves using transgenic plant material permitted by Community legislation. As is the case for all demonstration projects under the Framework Programme of Community activities in the field of research and technological development, which aims to test on a realistic scale the technical and economic viability of technological innovations, the participation of private companies is envisaged.

3. and 4. In 1996, animal feed experiments on poultry were carried out in Belgium. On 24 May 1996, the persons responsible for the project received authorization from the Belgian Ministry of Agriculture to use the oil cakes produced from genetically modified rapeseed. In the case of the feed experiments on animals planned for 1997 in the United Kingdom, authorization was granted by the UK Ministry of Agriculture on 21 December 1995. The Commission is examining the above authorizations to establish whether they comply with Directive 90/220/EEC. It should also be noted that under this project marketing in the human and animal food chains is not envisaged.

(1) OJ L 117, 8.5.1990.

(97/C 217/34)

WRITTEN QUESTION E-3485/96

by José Barros Moura (PSE) to the Commission

(9 December 1996)

Subject: The environment and the Alqueva project

Why has the Commission not yet made public the conclusions of the two environmental impact studies already carried out on the Alqueva project – the first, which was started in February 1994 and completed in March 1995, and the second, which was meant to be a sort of assessment of the first study, which confirmed its conclusions and which was completed and jointly discussed in July 1996?

Since it is known that the above studies concluded that Community environmental legislation has not been infringed and that, in particular, the provisions of Article 6 of Directive 92/43 (1) observed what can be the justification for the failure to grant official recognition for something which is decisive for a strategic project to develop a region as deprived as the Alentejo?

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

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

(29 January 1997)

The environmental impact assessment of the Alqueva project was carried out in 1994-95 in partnership with the Portuguese authorities and was the subject of joint consultations, in both Spain and Portugal, between the authorities and the local people in the area affected by the project, in accordance with Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (1). These consultations took place after the Portuguese authorities received the final report on this assessment from the Commission. The Commission considers that this procedure has been sufficient to justify disclosure of the assessment.

As regards the expert evaluation carried out during the first half of 1996, the Commission would like to stress that it was conducted in close partnership with the Portuguese authorities and they have since received the final report. Since this expert study confirms the importance of the main conclusions of the initial assessment, the Commission has not considered it necessary to publish these conclusions separately.

As for progress on processing the dossier, as referred to in the second part of his question, the Commission would refer the Honourable Member to the answer given to his oral question H-930/96 during the December 1996 part-session (2).

(1) OJ L 175, 5.7.1985.
(2) Parliament debates (December 1996).

(97/C 217/35)

WRITTEN QUESTION E-3545/96

by Jesús Cabezón Alonso (PSE) to the Council

(12 December 1996)

Subject: Peaceful transition in Cuba

How does the Council believe a peaceful transition to democracy in Cuba can be best encouraged?

How does it believe the present Cuban regime can be induced to create a more open economy?

Answer

(3 April 1997)

The Honourable Member is referred to the answer to his question, No H-0988/96 given at Question Time on 13 December 1996. The Council is of the opinion that its Common Position of 2 December 1996 represents the best way to achieve the objectives of pluralist democracy and a more open economy.

(97/C 217/36)

WRITTEN QUESTION E-3551/96

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

(12 December 1996)

Subject: Tax harmonization and welfare funding

Has the Commission given consideration to the major role of taxation in the funding of social benefits and of the 'welfare state'?

Does the Commission not consider it necessary and desirable to move towards a degree of tax harmonization at Union level, if the various public welfare systems are to converge?

(97/C 217/37)

WRITTEN QUESTION E-3552/96

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

(12 December 1996)

Subject: Tax harmonization and the regions

At a time when the Commission and, to some extent, the Economic and Finance Council are working towards a degree of tax harmonization at Union level, as a requirement arising logically from the single market and ever-increasing economic integration, how does the Commission interpret and evaluate the fact that a certain Member State operating a regionalized administrative and political structure is now proposing to transfer legislative powers in the field of taxation to the regions, given that this could undermine the efforts being made towards tax harmonization?

Does the Commission not consider it necessary and desirable to move towards a degree of tax harmonization at Union level, if the various public welfare systems are to converge?

Joint answer
to Written Questions E-3551/96 and E-3552/96
given by Mr Monti on behalf of the Commission

(18 February 1997)

The structures of the systems of taxation and social security contributions vary widely from one Member State to another. Financing of social expenditure is a matter for Member States. Some have preferred to finance social expenditure mainly through social security contributions whilst others have chosen to tax-finance this expenditure through the general budget. For the Community, the important point is that differences in the

financing of public expenditure, including social protection, do not create distortions of competition nor result in double taxation (or contributions) or no taxation (or contributions).

The Commission would like to draw attention to the fact that, with regard to taxes or contributions directly assigned to the financing of social security schemes, cross-border problems are dealt with in Regulation (EEC) No 1408/71 (1) on the coordination of the national social security schemes. In particular, this Regulation contains precise rules (see its Title II) to determine which Member State's legislation is applicable, with the aim of avoiding conflicts of law resulting in double payment or no payment at all.

In March 1996, the Commission proposed a new and comprehensive view of taxation policies in the reflection document 'Taxation in the European Union' (2), which was welcomed by finance ministers at their meeting in Verona in April 1996. The Florence European Council of June emphasised the essential contribution made by the internal market to promote growth and employment and requested the Ecofin Council to submit a report on the development of tax systems taking account of the need to create a tax environment that stimulates enterprise and the creation of jobs and promote a more efficient environmental policy. The Dublin Council in December 1996 approved the continuation by the Commission of this comprehensive approach to taxation issues in a taxation policy group, which will ensure that taxation policies are better geared towards achieving important Community objectives, such as those spelled out in Florence, while at the same time protecting Member States' fiscal bases against harmful tax competition. It is likely that questions which will be examined in the taxation policy group will include that of greater co-operation between tax authorities and that of financing social protection in the Community.

(1) OJ L 149, 5.7.1971, consolidated version OJ C 325, 10.12.1992.
(2) SEC(96)487 final.

(97/C 217/38)

WRITTEN QUESTION E-3574/96

by Angela Billingham (PSE) to the Commission

(17 December 1996)

Subject: Leather measurement standards

According to the International Organization for Standardization ISO, the foot is defined as 0.3048m, which means $1ft^2$ is equivalent to $0.0929m^2$. Is the Commission aware that some Italian tanneries appear to be using a locally defined foot of 0.300m, which makes $1ft^2$ equivalent to $0.900m^2$? This is $0.0029m^2$ or 3.1% less than the Imperial square foot. This is leading to problems and confusion in international trading in the leather industry, since area measurements are known to be based on the 0.3m foot.

Is this against the principle of the single market, in that it is blocking the freedom of the movement of goods? Are the Italian tanneries breaching European international trading standards or law?

Answer given by mr Bangemann on behalf of the Commission

(6 February 1997)

Since 1971 metric units of the international system of units (SI) have been the legal system of units of measurement within the Community. Directive 80/181/EEC on units of measurements (1) as amended by Directives 85/1/EEC (2) and 89/617/EEC (3) sets out the legal units of measurement which must be used for expressing quantities in everyday dealings. It also allows for supplementary units to be used until 31 December 1999. These supplementary units may accompany the prescribed units but cannot predominate.

To eliminate any confusion, and in accordance with the terms of the directive, trade in leather should always be specified in SI units in the first instance.

(1) OJ L 39, 15.2.1980.
(2) OJ L 2, 3.1.1985.
(3) OJ L 357, 7.12.1982.

(97/C 217/39)

WRITTEN QUESTION E-3582/96

by Frederik Willockx (PSE) to the Commission

(17 December 1996)

Subject: Taking part in procedures for the award of contracts to implement assignments

Can those (natural or legal persons) whose services have been retained by the European Commission for drafting, researching or preparing a given assignment also take part in the procedures for the award of contracts to implement that assignment?

Can the above natural or legal persons take part in different but similar implementing assignments?

Can undertakings that in one way or another are connected with those (natural or legal persons) whose services have been retained by the European Commission for drafting, researching or preparing a given assignment also take part in the procedures for the award of contracts to implement that assignment?

Answer given by Mr Monti on behalf of the Commission

(3 February 1997)

The Honourable Member's questions relate to the so-called technical dialogue between contracting authorities and candidates in tendering procedures in the field of public procurement.

Although they do not fall within the notion of contracting authorities within the meaning of the Community public procurement directives, the European institutions have since 1978 applied the rules of these directives, by virtue of Article 56 of the Financial Regulation of 21 December 1977 (lastly amended by Regulation (EC, Euratom, CSC) No 2335/95 [1]).

Moreover, since the Community is party to the agreement on government procurements, which entered into force on 1 January 1996, the European institutions are bound to apply the rules of this agreement. Article VI, fourth paragraph, relates to the technical dialogue and reads as follows: 'Entities shall not seek or accept, in a manner which would have the effect of precluding competition, advice which may be used in the preparation of specifications for a specific procurement from a firm that may have a commercial interest in the procurement.' This article renders explicit what already follows implicitly from general principles of Community law and from recent judgements of the Court of justice.

The rule concerning this technical dialogue means that contracting authorities may not seek or accept advice on the preparation of technical specifications from those having a commercial interest, where this would have the effect of precluding competition. This prohibition therefore is not absolute, but is subject to the condition that, by seeking or accepting this advice, competition will be precluded. Contracting authorities may seek or accept such advice in relation to a specific contract from undertakings which could subsequently participate in the award procedure, where this would not preclude competition.

The Honourable Member asks whether undertakings, which have been retained by the Commission for drafting or preparing the technical specifications of a given contract, may take part in the subsequent tendering procedure for this contract. The answer depends on whether or not their participation would prejudice the principle of equal treatment, notably by precluding competition.

[1] OJ L 240, 7.10.1995.

(97/C 217/40)

WRITTEN QUESTION E-3583/96

by Johanna Maij-Weggen (PPE) and Arie Oostlander (PPE) to the Council

(12 December 1996)

Subject: Netherlands reservations concerning Enfopol Document 159 of 6 November 1996

On Thursday 21 November 1996, the Netherlands Minister of Justice forwarded to the Netherlands Second Chamber Council Enfopol Document 159 of 6 November 1996 with a statement to the effect that the reservations submitted by the Netherlands had wrongly been omitted from that document.

Those reservations were stated to have been submitted through official channels and in good time and should consequently have been set out in the document concerned.

Can the Council state when and through what intermediary the Netherlands submitted its first formal reservations concerning that document?

Were the reservations general or specific? If the latter, on what specific points were reservations submitted?

Can the Council state whether any such reservations were resubmitted at a later stage, and, if so, when such reservations were included in the draft version of the Enfopol document?

Answer

(24 April 1997)

Documents under examination by the Council's subordinate bodies remain, by definition, working documents until Coreper passes them on to the Council. They seek to reflect as faithfully as possible the positions of delegations which stated their views during preparatory proceedings.

In the case in point, the draft Joint Action concerning the approximation of the laws and practices of the Member States of the European Union to combat drug addiction and to prevent and combat illegal drug addiction and to prevent and combat illegal drug trafficking, which the French Government placed before the Council's subordinate bodies on 16 October 1996, was thoroughly discussed by the bodies responsible for preparing Council proceedings in the fields of Justice and Home Affairs. It was only after a wide-ranging debate by the Ministers for Justice and Home Affairs that, on 17 December 1996, the Council adopted the Joint Action as published in the Offical Journal of the European Communities on 31 December 1996 (OJ L 342, p. 6).

Regarding the Netherlands delegation's reservations referred to in the questions, it is not for the Council to comment on positions adopted during preparatory proceedings and debates by one of its members. The deliberations of the Council are covered by the obligation of professional secrecy in accordance with Article 5(1) of the Council's rules of procedure.

In any event, the attention of the Honourable Members is drawn to the provisions of Council Decision 93/731/EC on public access to Council documents (OJ L 340, 31.12.1993, p. 43) under which anybody may request access to the said documents and the request will be examined under the conditions laid down by that Decision.

(97/C 217/41)

WRITTEN QUESTION E-3595/96

by Frank Vanhecke (NI) to the Commission

(17 December 1996)

Subject: Participation by European citizens in elections to the European Parliament in Member States of which they are not nationals

In his answer to my written question E-3314/95 [1], Commissioner Monti said that the Commission was 'currently' (16 January 1996) collecting statistical information on the number of Union citizens who exercised their right to vote and to stand as a candidate in their Member State of residence (of which they are not nationals) in the June 1994 European Parliament elections.

This relates to application of Directive 93/109/EC [2].

The option of voting and standing as a candidate created by the Directive has always been presented by the Commission, for example, as the desire of a large number of European citizens.

Does the Commission now have this statistical information, broken down by nationality and by Member state?

What percentage of the persons concerned actually exercised their right to vote and stand as candidates?

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[1] OJ C 91, 27.3.1996, p. 58.
[2] OJ L 329, 30.12.1993, p. 34.

Answer given by Mr Monti on behalf of the Commission

(28 February 1997)

Further to the reply to the Honourable Member's Written Question E-3314/95, the Commission confirms that it is still collecting from Member States the statistical information on the number of Union citizens who exercised their voting rights in their Member State of residence.

The exercise has been extended in order to include, in the forthcoming report to the Parliament and the Council on the application of Directive 93/109/EC, the data relating to the first European Parliament elections held in Sweden in September 1995 and in Austria and Finland in October 1996.

(97/C 217/42)

WRITTEN QUESTION E-3640/96

by Jean-Yves Le Gallou (NI) to the Commission

(3 January 1997)

Subject: Budget heading B3-440: Combating drug abuse

Can the Commission provide a breakdown of the figures, for each association and activity subsidised, for the subsidies granted in the financial year 1995, under budget heading B3-440: Combating drug abuse?

Answer given by Mr Santer on behalf of the Commission

(21 February 1997)

The subsidies granted by the Commission for 1995 under heading B3-440 totalled ECU 649 769. They were for measures to implement the 1995-99 action plan to combat drugs and measures to implement Community legislation on drug precursors. Details of the subsidies are set out below.

1. SOS Drugs International, France: ECU 35 000

   Financial aid for publishing and circulating the proceedings of a seminar on the various aspects of preventive and enforcement measures and treatment of drug addicts.

2. Conference on drugs policy in Europe, organized jointly by the Commission, Parliament and the Council Presidency: ECU 21 687

   Payment of mission expenses of experts attending the conference.

3. Financial action group on money laundering (GAFI): ECU 20 000.

   Financial aid for the group's activities.

4. Cassino University, Italy: ECU 4 000

   Financial aid to put on a multimedia show on the effect of drugs on the brain during the conference mentioned at 2.

5. Second seminar on drug precursors: ECU 22 585

   Financing of this event, which was organized by the Commission and the Greek authorities in Athens in October 1995 to train staff responsible for implementing the relevant Community legislation in the Member States.

6. Finnish national authorities: ECU 130 668

   Supply of mobile X-ray equipment to strengthen the Community's external borders against the diversion of drug precursors.

7. Swedish national authorities: ECU 215 090

   Supply of equipment required for the computer networks set up by the Commission to monitor the diversion of drug precursors.

8. Austrian national authorities: ECU 200 739

   Supply of equipment required for the computer networks set up by the Commission to monitor the diversion of drug precursors.

(97/C 217/43)

WRITTEN QUESTION E-3760/96

by Amedeo Amadeo (NI) to the Commission

(6 January 1997)

Subject: Airport network

With reference to the report on the guidelines relating to the trans-European airport network (SEC(94) 1863/INS94-1863) and in view of the growing importance of interconnections between air transport and other transport networks, responsibility for which lies with authorities other than airport authorities (in particular regional authorities), would the Commission consider extending the measures relating to environmental compatibility and links with the rail network to regional airports with spare capacity which could be used more effectively?

Answer given by Mr Kinnock on behalf of the Commission

(19 February 1997)

Decision 1692/96/EC [1] on Community guidelines for the development of trans-european transport networks was adopted on 23 July 1996. It is now the basis for any component of the network, including the airports component. Under Article 21 of the Decision, a Commission report must be presented in July 1999 at the latest indicating whether a revision of the guidelines is needed.

Annex II, section 6 of the Decision concerns identification of projects of common interest for airports [2]. Chapter II, point III relates to the reduction of nuisances generated by airport activities. These measures concern international and Community connecting points, since these network components encounter the most environmental problems. In point IV the development of airport access, and specifically the connection to the rail network, also directly concerns the international and Community connecting points. Experience indicates that a rail link to a regional component of the network (with annual volume of passenger traffic between 500 000 and 900 000 passengers a year) will be difficult to justify economically.

However, in certain duly justified special cases, Community measures could be extended to the other connecting points [3].

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[1] OJ L 228, 9.9.1996.

[2] Projects of common interest could benefit of Community financial assistance through Regulation (EC) No 2236/95, laying down general rules for the granting of Community financial aid in the field of trans-european networks — OJ L 228, 23.9.1995.

[3] Footnote to Annex II, section 6: 'airports' of the Decision 1692/96/EC.

(97/C 217/44)

WRITTEN QUESTION E-3761/96

by Amedeo Amadeo (NI) to the Commission

(6 January 1997)

Subject: Mountainous regions

With reference to the European Charter of Mountainous Regions CG/GT MONT (1)3 (CPLRE document), it may be said that the mountainous regions of Europe play an important role from the environmental, economic, social and cultural points of view and that they also represent a particularly valuable heritage which must be enhanced and safeguarded. It is also clear that, in view of the particular nature of their situation, their characteristics as border and interregional areas and the difficulty — precisely because of this kind of fragmentation — of implementing coherent policies, mountainous areas require a common policy. Could the Commission not devise a European policy for mountainous areas and consider, with the help of experts, the terms under which the guidelines contained in the European Charter of Mountainous Regions could be incorporated into European law?

Answer given by Mr Fischler on behalf of the Commission

(4 February 1997)

The Commission shares the Honourable Member's opinion that the mountainous regions of Europe play many roles and that it is in the public interest that they continue to do so.

The Commission is aware of the difficult situation and the specific problems encountered in mountain areas. This is why the Community introduced specific measures, such as the compensatory allowances and the more favourable conditions granted under Council Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures ([1]). The agri-environmental programmes for which aid is granted under Regulation (EEC) No 2078/92 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside ([2]) supplement this support mechanism for farming, while assistance for more general development has been granted by the Structural Funds since 1989 in regions lagging behind in their development or undergoing industrial conversion and in rural areas, all of which can include mountainous areas, and, more recently, in the Arctic regions.

These various Community measures to assist mountainous areas all partake of the spirit of the European Charter of Mountainous Regions to which the Honourable Member refers and constitute a coherent approach, the realization of which largely depends on the priorities of the Member States. The Charter was drawn up by the Council of Europe in February 1995. Moreover, a series of initiatives and memoranda on mountain and hill farming have since been submitted to the Commission. A thorough analysis of all the proposals made to it, including those in the European Charter of Mountainous Regions, is now underway within the Commission. The results of this examination will certainly be taken into consideration in the current discussion on the future of rural development policy. Since mountainous regions are among the most fragile of Europe's rural areas, there is no doubt that they will be included in this policy.

([1]) OJ L 218, 6.8.1991.
([2]) OJ L 215, 30.7.1992.

(97/C 217/45)

WRITTEN QUESTION E-3768/96

by Amedeo Amadeo (NI) to the Council

(18 December 1996)

Subject: Economic development

With reference to the proposal for a Council regulation establishing a Cohesion Fund and the proposal for a Council regulation laying down detailed rules for implementing the regulation establishing a Cohesion Fund (COM(93)699/AVC 0943 ([1])), it is to be hoped that, in every region, the right balance will be found between projects to be supported in the field of environmental protection and those relating to transport infrastructure.

Would the Council ensure that the allocation of resources to the Cohesion Fund does not lead to a reduction in Objective 1 operations for countries which are not eligible for the Fund, and would it consider a greater degree of flexibility when applying the lower limit of ECU 10 million per project?

([1]) OJ C 39, 9.2.1994, p. 6.

Answer

(3 April 1997)

When the Council adopted the Regulation establishing the Cohesion Fund on 16 May 1994 ([1]), following the assent of the European Parliament, it laid down the principles governing the Fund and the framework for its operation.

The Honourable Member's attention is drawn to Article 10(2) of that Regulation, which stipulates that 'a suitable balance shall be struck between projects in the field of the environment and projects relating to transport infrastructure.'

Flexibility in applying the ECU 10 million threshold for eligibility of projects for the Cohesion Fund is also provided for in the basic rules, inasmuch as paragraph 3 of the same Article stipulates that 'projects or groups of projects costing less than this may be approved in duly justified cases.'

It must be pointed out that the Council has entrusted the management of the Fund to the Commission, which acts within the limits of the rules in force.

With regard to the Honourable Member's fears that the resources allocated to the Cohesion Fund may lead to a reduction in Objective 1 operations for countries which are not eligible for the Fund, it should be recalled that under the 1993 to 1999 financial perspective annexed to the Interinstitutional Agreement of 29 October 1993, the resources of the Structural Funds and those of the Cohesion Fund are shown under two completely separate subheadings.

(1) OJ L 130, 25.5.1994.

(97/C 217/46)

WRITTEN QUESTION E-3926/96

by Cristiana Muscardini (NI) to the Council

(6 January 1997)

Subject: Crisis in European society

The 'Stone of Scone', the symbol of the union between Scotland and England, has returned from London to Edinburgh and this has inspired the Scots with secessionist ideas. Demonstrations by slovenly members of a quaint but worrying party, aggravated by an unsuccessful campaign for moral reform, are encouraging those who would like to see Italy split up. A despicable party system, which clings to the idea of breaking up the power of the State shows the scale of the crisis in Belgium, which in the run-up to the amendment of the Constitution in 1999, is faced with the gloomy prospect of an actual split between the Walloons and the Flemings.

These are all manifestations of the state of profound malaise affecting contemporary European society, which is caught between the Maastricht criteria and the most unlikely calls for autonomy.

Can the Council do its utmost to take all the necessary steps to ensure that politics, justice and government are finally freed of petty party concerns and can thus provide the means of overcoming the crisis?

Can it also put an end to the fragmentation by forcefully reaffirming the concept of the indivisibility of the nation state as an essential precondition for the process of European Union?

Answer

(3 April 1997)

The Council fulfils the functions bestowed on it by the Treaty on European Union and by the Community treaties. No provision in those treaties permits it to involve itself in matters relating to the organization of the internal constitutional order of any of the Member States.

(97/C 217/47)

WRITTEN QUESTION E-3928/96

by Mair Morgan (PSE) to the Commission

(10 January 1997)

Subject: EAGGF budget

What is the current EAGGF budget and what proportion is presently attributed to the Guarantee and Guidance Sections?

Answer given by Mr Fischler on behalf of the Commission

(3 February 1997)

The budget information sought by the Honourable Member is given below:

1997 budget for the European Agricultural Guidance and Guarantee Fund:

	Amount (MECU)	%
Guarantee Section (1)	40 805.0	91.9 (2)
Guidance Section (payment appropriations) (3)	3 613.5	8.1 (2)
Guidance Section (commitment appropriations) (3)	4 056.1	9.0 (4)
Total EAGGF (payment appropriations)	44 418.5	
Total EAGGF (commitment appropriations)	44 861.1	

(1) Not including 500 MECU entered in the monetary reserve.
(2) Share of total EAGGF payment appropriations.
(3) Including Community support frameworks and transitional measures.
(4) Share of total EAGGF commitment appropriations.

(97/C 217/48)

WRITTEN QUESTION E-3929/96

by Mair Morgan (PSE) to the Commission

(10 January 1997)

Subject: CAP resource allocations

Prior to the 1992 CAP reform agreement, 80% of resources under the Guarantee Section of the budget were received by just 20% of farmers. What is the current position?

Answer given by Mr Fischler on behalf of the Commission

(7 February 1997)

In its communication to the Council of 1 February 1991 entitled 'The Development and Future of the CAP' (1), the Commission, as the Honourable Member states, acknowledged that 80% of the assistance from the European Agricultural Guidance and Guarantee Fund (EAGGF) went to about 20% of holdings. This allocation of EAGGF funding was the result of several converging factors. As the communication pointed out, the system did not take sufficient account of the income of the vast majority of small and medium-sized family farms. EAGGF assistance represents only one part of the total support provided by Europeans to European agriculture. Some common organizations of the market provide support through mechanisms that have little or no impact on the budget. Examples include quotas (milk and sugar) and protection at the border (most common market organizations, including the main Mediterranean products).

In line with its communication, the Commission submitted proposals which included concrete measures to modulate the aid, particularly in the field crops (2) and beef and veal[2] sectors. The Council did not agree to everything the Commission suggested in this regard, thus small-scale arable crop producers are not required to set aside land to qualify for compensatory aid and small-scale beef producers do not have to comply with specific requirements on forage areas. The Council is currently examining proposals to reform the common organization of the markets in fruit and vegetables (3) and wine (4) and the Commission will shortly present a document on the reform of the common organization of the olive oil market.

The Commission does not yet have detailed or accurate information on a European scale regarding the current distribution of EAGGF aid to farms. Before the reform, this aid was distributed to a very great extent in proportion to actual production. The Commission does not have figures on distribution by size of farm and the legislation makes no provision requiring the Member States to send such information to the Commisssion.

However, as some modulation has already been introduced in various common market organizations, the 1992 reform is a step along the road to a more equitable distribution of public aid among farmers. Furthermore, by making public aid for agriculture more visible, the reform has contributed enormously to creating the conditions in which a rational and controlled debate can take place on the pros and cons of the various modulation mechanisms that might be introduced.

The Commission has shown on several occasions — most notably in its document on agricultural strategy submitted to the Madrid European Council in December 1995 — a willingness to move towards an integrated rural policy that takes full account of both issues related to the agricultural markets and social, rural and environmental concerns. It relies greatly on the help and support of Parliament to complete this difficult task.

(1) COM(91)100 final.
(2) COM(91)379 final.
(3) Regulation (EC) No 2296/96, 28.10.1996, OJ L 297, 21.11.1996.
(4) OJ C 194, 16.7.1994.

(97/C 217/49)

WRITTEN QUESTION E-3932/96

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

(10 January 1997)

Subject: Chernobyl sarcophagus

On 18 September 1996, Commissioners Bjerregaard and van den Broek published a statement concerning the instability of the sarcophagus which is currently providing only inadequate protection for the damaged Chernobyl reactor. The Ukrainian authorities were urged to provide more information on the reactor and its weak points. It was also pointed out that, in signing the Memorandum of Understanding, the Ukrainian authorities had committed themselves to supplying all the necessary information to carry out a feasibility study on improving the safety of the sarcophagus. The conclusions of the feasibility study were to be available by the end of November.

1. What are the detailed findings of the feasibility study?

2. What precise conclusions has the Commission drawn from those findings?

3. What is the Commission's estimate of the costs involved in making the damaged Chernobyl reactor safe?

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

(25 February 1997)

The results of the study were based on the available data and a common effort of Ukrainian and Western experts. They include an analysis of the available information and facts on the situation at Chernobyl unit 4, analysis of the different approaches with respect to the remedial actions and a recommended course of actions. One important issue was to speed up the extraction, transport and storage of the long lived fuel containing material.

A course of action with a step by step approach was proposed by the international expert team. Phase 1 covered short term measures addressing the immediate risks and included structural stabilisation, monitoring and improving industrial and nuclear safety. Phase 2 covered the preparation of the transformation of unit 4 into an ecologically safe system with a creation of shielding and accesses, construction of an optimised (light) new shelter in order to allow a partial deconstruction and an optional partial retrieval of fuel containing mass (FCM) to be decided after completion of the data basis and a detailed feasibility study. Phase 3 covered the transformation of unit 4 into an ecologically safe system for a long period of time, until final removal of FCM could be undertaken (technical feasibility and financial incidences would be assessed in advance).

Over 10 to 15 years the estimated costs of the recommended course of actions is about 560 MECU without partial early removal of accessible FCM. The proposed recommendation is now under discussion between the Ukrainian authorities and the G7 nuclear safety working group. They have established a joint working group to that effect.

(97/C 217/50)

WRITTEN QUESTION E-3935/96

by Nikitas Kaklamanis (UPE) to the Commission

(10 January 1997)

Subject: Selection of staff at the EAEMP

The European Agency for the Evaluation of Medicinal Products (EAEMP) located in London frequently holds competitions to select staff.

According to the information I have received from the EAEMP's personnel department, there are only two Greek temporary members of staff out of a total of 120 officials at the Agency.

What criteria are used to select staff? What is the staff's breakdown by nationality and how many Greek nationals have passed the interview procedure during the last two years and are on the list of successful applicants?

Answer given by Mr Bangemann on behalf of the Commission

(14 February 1997)

The European Agency for the evaluation of medicinal products (EAEMP) was established by Council Regulation (EEC) 2309/93 of 22 July 1993 ([1]) and opened on 1 January 1995.

The Agency publishes all its grade A and B vacancies in the Official Journal. The staff have the status of temporary staff. The selection procedure is based on the procedure for recruiting Community officials, which is very rigorous.

On 31 December 1996 there were 68 temporary staff working at the Agency. Of these, 45, including 2 Greek nationals, were grade A. Since the beginning of 1997 the Agency has also been covering the expenses of a top-level seconded national expert from Greece.

([1]) OJ L 214, 24.8.1993.

(97/C 217/51)

WRITTEN QUESTION E-3951/96

by Gianni Tamino (V) to the Commission

(10 January 1997)

Subject: Rearing of animals for slaughter – bilateral agreements

With reference to the rearing of animals for slaughter, what degree of protection of animals is provided for in the preparation and conclusion of bilateral agreements between the European Union and the USA, Canada, Australia, New Zealand and possibly other third countries?

What stage has been reached in the relevant negotiations?

Does the Commission intend to obtain appropriate specific guarantees of compliance with European standards?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1997)

The Commission is in negotiation with a number of third countries with a view to concluding agreements on veterinary matters. An agreement has already been concluded with New Zealand and several others are at advanced stages. The agreements in general do not cover animal welfare aspects, since this is not their primary objective. However, all agreements contain provisions that their scope can be extended to include these matters if this is mutually acceptable to the parties involved.

(97/C 217/52)

WRITTEN QUESTION E-3960/96

by Honório Novo (GUE/NGL) to the Commission

(10 January 1997)

Subject: Full utilization of fisheries quotas

It is a known fact that some Member States do not make full use of the fisheries quotas allotted to them under the internal allocation arrangements carried out following fisheries agreements with third countries or following the gaining of access by the Community fleet to international waters.

It is also known that the failure by these Member States to use their quotas in full is a regular occurrence, while other Member States have problems in keeping their national fleets occupied, as a result of the small quotas allotted to them under the allocation arrangements.

Since it would entail no increase in the fishing effort, the fisheries quotas allocated globally to the EU should surely be fully utilized, if only for internal economic and social reasons, which, as indicated above, does not always occur at present.

It would therefore seem reasonable to accept the principle of internal transfers, either total or partial, of any fisheries quotas which Member States are regularly failing to utilize. Transfers of this kind could be carried out on the basis of arrangements to be devised and laid down by the Commission, without necessarily posing any threat to the ownership of the quotas.

What is the Commission's view of this matter? Will it take steps to allow and lay down rules on possible transfers of unutilized fisheries quotas between Member States?

Answer given by Mrs Bonino on behalf of the Commission

(12 February 1997)

Community law provides mechanisms to tackle the problem of under-utilised fishing quotas. Article 9 of Council Regulation (EC) No 3760/92 establishing a Community system for fisheries and aquaculture [1] offers Member States sufficient room to reach satisfactory arrangements among themselves. These mechanisms are particularly flexible due to the fact that quota exchanges and transfers made on that basis need not be fully reciprocal in terms of fish.

Furthermore, in the framework of the conclusion of recent fisheries agreements with third countries, clauses have been inserted in the relevant Council decisions which allow unused or under-used fishing possibilities to be offered to other Member States. In this context, reference can be made to the recent fisheries agreements with Morocco and Mauritania.

On the other hand, under-utilisation of fishing possibilities may have various and often complex reasons. Therefore, the Court of justice stated, in its judgement of 13 October 1992 (Case C-63/93), that under the concept of 'relative stability', under-utilisation alone offers no valid motive for the re-allocation of the fishing possibilities concerned. It should also be noted that, in the context of multilateral fisheries agreements such as the Northwest Atlantic fisheries organisation (NAFO), re-allocations of that kind might induce other contracting parties to reopen discussions on established distribution keys. Such developments would obviously run counter to the interests of the Community.

Any re-allocation of unused or under-used fishing possibilities can only partially and temporarily solve a more fundamental problem which is the imbalance between available fishing possibilities and an excess of fishing capacity. Permanent and comprehensive solutions should therefore be sought within the Community's structural policy and with the help of the appropriate structural measures which aim at re-establishing the balance in question.

[1] OJ L 389, 31.12.1992.

(97/C 217/53)

WRITTEN QUESTION E-3961/96

by Honório Novo (GUE/NGL) to the Commission

(10 January 1997)

Subject: Community funding received by the company RIOPELE

RIOPELE is a large textile company located in Famalicão, in the district of Braga.

The company has been making significant job reductions. Of the approximately 5000 employees who worked there some years ago, around 2300/2400 remain. In the last few months alone, the company has reduced the number of jobs by around 500 by means of contract terminations by mutual agreement and apparently very low redundancy payments (ESC 300 000 to 400 000).

RIOPELE is said to have received Community funding during the first CSF and also to have submitted applications for funding under the second CSF (PEDIP II), which have apparently recently been approved in the form of an overall amount of nearly ESC 14 billion up to 1999, of which ESC 3.4 billion were made available a very short while ago.

A few days after the public announcement that these funds were to be provided, RIOPELE informed 94 employees that their contracts were being terminated without any redundancy payments at all.

We can assume that all the Community funding allocated to RIOPELE envisaged a redundancy programme to deal with the effects of industrial modernization and restructuring.

What funding was allocated to RIOPELE, under the first CSF and under the second CSF? Did this funding assume that the volume of work would continue at the same level? If job losses were or are being envisaged, did the Community funding include amounts specifically intended to deal with the social problems arising from such job losses? If so, what were the overall and the individual amounts?

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

(20 February 1997)

The Commission informs the Honourable Member that the Riopele company has received a number of financial incentives under the first Community Support Framework (CSF) (from the Sinpedip and Siure aid schemes) as well as under the second CSF.

A notification of the part-financing of a further Riopele investment project is currently being examined by the Commission. This project is to be be financed under the IMIT programme (initiative for the modernization of the Portuguese textile and clothing industry). The Commission has yet to approve it.

(97/C 217/54)

WRITTEN QUESTION E-3962/96

by José Barros Moura (PSE) to the Commission

(10 January 1997)

Subject: Water resources in the Iberian Peninsula

Can Commissioner Wulf-Mathies explain why the report on water resources commissioned by DG XVI from the Montgomery Watson consultancy and financed by the Cohesion Fund has not yet been completed?

It is incomprehensible that a report which was in the final stages of compilation has not been completed – when important interests requiring protection at Community level are involved. It is also unacceptable to allow public money to be wasted.

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

(24 February 1997)

The consultant referred to by the Honourable Member presented the conclusions of his report on water resources in the Iberian peninsula at the end of 1996. The conclusions of the report engage only the responsibility of the author. The Commission is studying it with a view to applying the findings to projects submitted, in particular the Alqueva project.

(97/C 217/55)

WRITTEN QUESTION E-3970/96

by Nikitas Kaklamanis (UPE) to the Commission

(14 January 1997)

Subject: Discrimination against technicians with higher education

Technicians with higher education throughout the European Union are organized in uniform bodies (the national associations of engineers) – by Member State – which have legal personality under public law.

These associations are affiliated to a scientific trade union body entitled the European Federation of National Engineering Associations (FEANI) whose headquarters are in Paris.

The only exception to this arrangement is to be found in Greece where approximately 50% of technicians with higher education have no representation at all and remain outside the organizations referred to above.

Graduate engineers of the TEI, for example, the equivalent of graduates of German Fachhochschulen and holders of Bachelor degrees etc, are excluded from the National Association of Engineers which operates under the name of the Technical Chamber of Greece and are not, of course, represented in FEANI or in related organizations or corresponding bodies in the European Union.

The effect of this situation is that only members of the Technical Chamber of Greece can be awarded the title of 'European Engineer' (EUR. ING), leaving 50% of working Greek technicians with higher education ineligible.

Is the Commission aware of this situation and what steps will it take to obviate the repercussions of this peculiar situation affecting Greek technicians?

Answer given by Mr Monti on behalf of the Commission,

(27 February 1997)

There are no specific rules and regulations at Community level for the majority of professions (with the exception of the 'sectoral' Directives, which contain certain minimum requirements and are primarily concerned with the medical profession). Regulation of access to and pursuit of professions is the responsibility of the Member States. The fact that holders of certain professional qualifications cannot register with certain professional associations cannot, as such, be regarded as discrimination under Community law.

Furthermore, the title of 'European Engineer' awarded by the European Federation of National Engineering Associations (FEANI) is a private title awarded by a private body. The fact that certain qualified professionals are not able to hold such a title does not constitute a breach of Community law either.

The situation described does not constitute an infringement of the freedom of movement of the holders of the professional qualifications, which is governed by the relevant Community law, and in particular by the general system for the recognition of higher-education diplomas. Providing certain conditions are met, this system is applicable to all professions not covered by a specific Directive. This is equally so in the case of the technical professions.

The Directives that established this system are Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration ([1]), and Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC ([2]). Whether one or the other Directive should be applied in a specific case depends on the level of the qualification required for entry into the profession in question. More particularly, the first Directive covers university-level education and training, while the second covers qualifications awarded on completion of professional education and training of a secondary or post-secondary level or technical training of at least one years' duration (one or two years of further education/training after obtaining the equivalent of A-levels/the baccalauréat), none of which are covered by Directive 89/48/EEC.

The system applies to all regulated professions in each Member State; regulated professions are those to which access is subject, by virtue of laws or administrative provisions, to the possession of a diploma. Qualifications are required to be recognized in cases where it has been established that the professional activity for which the migrant has been trained in the Member State from which he/she comes is the same as that which he/she wishes to pursue in the host Member State. The system does not oblige Member States to regulate the pursuit of professions which could be covered by the Directives, nor does it require them to co-ordinate the training for such professions. The scope of these Directives goes no further than simply specifying the minimum requirements to be fulfilled by an applicant in order for his qualifications to be recognized. Member States retain the right to determine the minimum level of qualifications required for entry into or pursuit of a given profession.

In addition, the Directives provide for compensation measures (the option of taking an aptitude test or completing an adaptation period) in order to remedy the substantial disparities that may exist between different professional qualifications. In order for the system to apply, the migrant must be a 'fully qualified professional' in his or her Member State of origin; this means that, in addition to having obtained the appropriate diploma, the applicant must also have completed all the relevant procedures and steps necessary to entitle him/her to exercise his or her chosen profession in a fully-qualified capacity in the Member State from which he/she comes.

(1) OJ L 19, 24.1.1989.
(2) OJ L 209, 24.7.1992.

(97/C 217/56)

WRITTEN QUESTION E-3972/96

by Alexandros Alavanos (GUE/NGL) to the Commission

(14 January 1997)

Subject: Wind farm at Marmari (Evvia)

In its reply of 27 July 1995 to my question No. E-1857/95 (1) concerning the substandard operation of the Marmari farm in Evvia, the Commission stated, among other things, that it had already asked the Greek authorities for detailed information on the running of every wind farm financed to date. It also stated that 'The Commission reserves the right to decide.... on whatever measures'.

17 months have already passed since that answer. Will the Commission therefore say:

1. what further information it has on the running of the wind farm at Marmari, Evvia, and
2. what measures it has taken to ensure that Community funds are being used effectively?

(1) OJ C 270, 16.10.1995, p. 60.

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

(28 February 1997)

According to the information available to the Commission, the Marmari wind park in Evvia is not operational as a result of technical defects which have not yet been repaired, mainly because of the dissolution of the consortium responsible for constructing the park, following the bankruptcy of one of the two partners.

The Greek authorities have assured the Commission that the damaged units are now being repaired.

Since the Member State confirms that the wind park will be repaired and put into operation, the Commission sees no reason to intervene at this stage. The Commission will continue to follow the matter until the the park is again operational.

(97/C 217/57)

WRITTEN QUESTION E-4000/96

by Miguel Arias Cañete (PPE) to the Commission

(14 January 1997)

Subject: Control of the olive oil aid system

In its replies to the observations of the Court of Auditors in its annual report on the financial year 1995 (1) the Commission says that it has threatened to suspend payments to Member States in which there were control failings and proposed that Greece and Spain should adopt a range of measures to cut the risks arising from the failings observed.

Can the Commission explain what the recommended measures comprise, and what is the present situation with regard to their adoption by the Member States concerned?

(1) OJ C 340, 12.11.1996, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(7 February 1997)

Having noted the lack or inadequacy of basic controls as provided for by the rules concerning production aid for olive oil, and having also come to the conclusion that, on the whole, management and control procedures in the two Member States in question could not offer adequate guarantees against the risk of fraud and irregularity, the Commission has proposed a series of improvements, most notably that:

- coordination between the various parties involved in the system be tightened, appropriate and comprehensive national instructions be adopted, sanctions be rigorously applied against operators if the authorities detect irregularities and;
- spot checks on producers be stepped up in view of the lack of available data from the olive cultivation register and centralized computer files, all the administrative checks on the requests for aid required by Community legislation be carried out, uniform criteria be laid down with a view to detecting abnormal olive and olive oil yields, and checks on the mills and producer organizations be tightened.

The Commission is closely monitoring the implementation of these measures. Both Member States have made some progress, but much is still to be done. The Commission will take account of the need for improvements when presenting the reform of the common organization of the market in olive oil.

(97/C 217/58)

WRITTEN QUESTION E-4003/96

by Hiltrud Breyer (V) to the Council

(9 January 1997)

Subject: Development of the River Danube

1. Has the Council of Ministers approved the Convention on the Protection and Sustainable Use of the Danube? If not, why not?

2. If the Convention has already been approved: Is the Council of Ministers aware that the planned development of the Danube involving the construction of dams between Straubing and Vilshofen runs counter to the international commitments entered into by the Federal Government and the Free State of Bavaria in the Danube action plan and the Convention on the Protection of the Danube?

Answer

(3 April 1997)

It is not for the Council to approve the Convention referred to by the Honourable Member. It is, however, responsible for deciding on the conclusion thereof by the Community, and it may do so now that the Opinions of the European Parliament and of the Economic and Social Committee are available.

Furthermore, the Council is not aware of the development projects mentioned by the Honourable Member.

(97/C 217/59)

WRITTEN QUESTION E-4014/96

by Ria Oomen-Ruijten (PPE) to the Commission

(14 January 1997)

Subject: The problem of flooding

The following appropriations have been made available under Community initiatives to tackle the cross-border problem of flooding:

- ECU 100 million under Interreg IIc for the period 1995-1999,
- ECU 30 million under FEDER (Article 10) and EAGGF (Article 8) for pilot projects.

1. What projects have been submitted to the Commission for strengthening dykes and other measures to prevent flooding?

2. What projects are eligible for subsidies, and for what projects have subsidies already been granted?

3. What amounts have been allocated to these projects?

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

(27 February 1997)

On 10 July 1996 the Commission published the guidelines for Interreg II C ([1]). This communication indicates which measures are eligible under the section of the Interreg II C programme entitled 'spatial planning and prevention of flooding by transnational cooperation'. The Netherlands are entitled to a budget of ECU 100 million for this part of the Interreg II C programme.

The Netherlands, in cooperation with Germany, France, Belgium and Luxembourg, have prepared one joint programme for Interreg II C 'spatial planning and prevention of flooding by transnational cooperation' for the whole Rhine-Meuse area. It was presented to the Commission on 15 January 1997 and is being examined.

The Netherlands have received a further ECU 14 million under Article 10 of Regulation (EEC) No 4254/88 on the European Regional Development Fund (ERDF), as amended ([2]), for five specific flood mitigation projects:

- the renovation and reinforcement of the discharge sluice in Dalem (province Zuid-Holland):
  ERDF contribution of ECU 2.8 million for a total cost of ECU 5.6 million;

- the protective sluice at Haatlandhaven in Kampen (province Overijssel):
  ERDF contribution of ECU 2.4 million for a total cost of ECU 4.8 million;

- water management and land use in the Bornsebeek and Woolderbinnenbeek (province Overijssel):
  ERDF contribution of ECU 1.65 million for a total cost of ECU 3.3 million;

- water management and ecological improvement in the Tungelroyschebeek (province Limburg):
  ERDF contribution of ECU 2.95 million for a total cost of ECU 5.9 million;

- Dutch-German pumping station monument 'Hollandsch Duitsch Gemaal' in Nijmegen (province Gelderland):
  ERDF contribution of ECU 4.2 million for a total cost of ECU 11.6 million.

No projects for the strengthening of dikes or other flood prevention arrangements have been submitted to the European Agricultural Guidance and Guarantee Fund, Guidance Section under Article 8 of Regulation (EEC) No 4256/88 as amended ([2]).

([1]) OJ C 200, 10.7.1996.
([2]) OJ L 193, 31.7.1993.

(97/C 217/60)

WRITTEN QUESTION E-4020/96

by Erika Mann (PSE) to the Commission

(14 January 1997)

Subject: The need for an EU research network policy long-term strategy

The interconnection of university networks across Europe is an important element in the development of advanced network services in Europe and in the creation of Europe's information society. There is at present no consistent policy covering this area and relating it to other developments in telecommunications, e.g. development of multi-media software and real-time video services. As a result European researchers are seriously hampered in their ability to take part in pan-European collaborative research activities.

There are no EU long-term policy guidelines in the area of research networking.

Can the Commission comment on how a long-term strategy can be designed, developed and implemented with the aim of delivering a high quality network infrastructure for European researchers and with the necessary funds to implement it?

(97/C 217/61)

WRITTEN QUESTION E-4021/96

by Erika Mann (PSE) to the Commission

(14 January 1997)

Subject: The need for EU policy on research networking

The interconnection of university networks across Europe is an important element in the creation of the information society. However, researchers in the EU are seriously handicapped by the level of network services they currently have access to. They are at a disadvantage in respect of their US counterparts who use a network based on lines with a capacity to carry data at 45 Megabit/sec, whereas Europe's pan-European network for researchers, EuropaNET, has a maximum capacity of 8 Megabit/sec.

The Commission's TEN-34 project, part of the 4th Framework Programme, brings all European national research networks, the major European telecommunications operators, and the European Commission together to implement a 34 Mbps network infrastructure, interconnecting national research networks. TEN-34 could and should be the basis for a pan-European infrastructure matching the one available to US researchers and consumers. However, the project has a 15 month duration, and cannot guarantee that the needs of network researchers will be covered in the long-term.

The current TEN-34 planning horizon of 15-18 months is too short and leads to lack of stability on services available to the research and education community. Lack of a long-term approach will hamper the crucial role research networking policy should play in the development of services to consumers. Pan-European research networking is the route to providing advanced telecom services for the education sector and allows for trialing of new ideas and products in a technologically literate environment.

A long-term approach to research policy is urgently required if EU industry is to survive and the European consumers are to see the benefits through the availability of more sophisticated products and services. Can the Commissioner confirm that this is the Commission's intention within the 5th Framework Programme?

(97/C 217/62)

WRITTEN QUESTION E-4022/96

by Erika Mann (PSE) to the Commission

(14 January 1997)

Subject: The need to facilitate access to cross-border telecommunication services

Universities in the United States are connected together with a high speed infrastructure for data communications purposes. Similar infrastructures are being established nationally in Europe. At a pan-European level, however, the costs of telecommunications are prohibitively high. As a result European researchers do not have access to a high capacity pan-European data network.

A study carried out by DANTE (Delivery of Advanced Network technology to Europe Ltd., a not-for-profit SME owned by European national university networks) in 1994, as part of the EuroCAIRN (European Cooperation for Academic and Industrial Research Networking) Project, showed that the necessary network infrastructure is available, however, getting access to it, at reasonable cost, is the real problem.

The difficulty lies entirely in the reluctance of providers to make the infrastructure available. Connection prices and bandwidth access are artificially restricted for fear of competitive initiatives which are totally outside the goals pursued by most users and European researchers in particular.

Open Network Provision (ONP) addresses this issue, but at national level. There is no equivalent provision favouring the user of telecommunications services between countries. This inhibits the creation of a high capacity network infrastructure for European researchers. In Europe, national information superhighways are interconnected by country lanes.

Will the Commission agree that the lack of broadband access is an obstacle to the development of a European superhighway? Will the Commission outline its policies to improve this situation for telecommunications users?

Joint answer
to Written Questions E-4020/96, E-4021/96 and E-4022/96
given by Mr Bangemann on behalf of the Commission

(25 February 1997)

The Commission has had a policy toward research networking for several years. It was first implemented in 1989 through the Community funded IXI project which connected all national research networks, and led to the creation of EuropaNet, which is fully funded by its users.

The TEN-34 initiative is a continuation of that policy. It was conceived jointly between the telematics applications and information technology programmes specifically to give European researchers equivalent support to that available in the United States. This initiative was launched at the time when the United States national science foundation was dismantling its 45 Mbps (millions bits per second) infrastructure and embarking on a strategy of commercial service provision, which subsequently failed.

The Commission agrees that the project approach has its limits. However, the creation of EuropaNet, which received pump priming funding from the Community, demonstrates that a project can lead to stable services, but the limitations of the user's own budgets restrict the rate at which services can be expanded.

The Commission is currently preparing proposals for the fifth research and technological development framework programme and will examine the scope for further action in support of international research networks consistent with the overall priorities and limits of the programme. Nevertheless, national contributions will be essential if Europe's research networks are to keep pace with those available in the United States.

In parallel, the Commission has convened a group of senior officials to continue the momentum of the EuroCairn project. This standing ad hoc committee advises the Commission on research networking policy, and provides a channel for Member States and associated states to exchange information on national policies. It is independent of the framework programmes, and can therefore remain in existence in order to provide a basis for long term coordination of policy.

The Commission agrees that cross-border broadband services are fundamental to the creation of a European superhighway, in line with the recommendations contained in the report 'Europe and the global information society' report of the Bangemann group of 24 May 1996. However, the Commission has no powers to regulate the tariffs for such services. The approach has been to create an environment in which competitive market forces will drive down prices. The recent Directive on alternative infrastructure provision 96/19/EC [1] will permit operators to operate competing cross-border services, and encourage new entrants into the market. The Commission anticipates that this will have the twin effects of forcing down prices, and encouraging broadband services where there is customer demand.

[1] OJ L 74, 22.3.1996.

(97/C 217/63)

WRITTEN QUESTION E-4030/96

by Gerardo Fernández-Albor (PPE) to the Commission

(14 January 1997)

Subject: Requirements by the United Kingdom that holders of UK fishing licences should speak English

The requirement that crews of Spanish fishing boats should speak English is part of the ten-point plan recently submitted by the member of the British Government responsible for fisheries, as a way of ending once and for all the problem caused by foreign fishermen who have purchased fishing licences from their English counterparts.

This is the latest episode in the United Kingdom's brutal war on foreign fishermen sailing under the UK flag. According to the United Kingdom authorities, the 150 vessels concerned catch 20% of the national fishing quota.

Does the Commission consider that the United Kingdom requirement that crews of Spanish fishing boats operating under UK fishing licences should speak English is in line with Community law on the four freedoms and does it agree that this represents unacceptable discrimination in that no Community citizen has ever been required to learn the language of any specific part of the European Union?

Answer given by Mrs Bonino on behalf of the Commission

(17 February 1997)

The Commission has read the press reports of the United Kingdom's plans to impose a knowledge of English on fishing vessel crews as a prerequisite for fishing under the UK flag.

Fishing vessels flying the flag of the United Kingdom but controlled by Spanish interests, operate normally with crews resident in Spain, which is consistent with Community law and the relevant case law of the Court of Justice. The United Kingdom authorities cannot therefore require of them a knowledge of English under current Community law.

However, the authorities can still require that the officers of vessels flying the national flag, who are responsible to these authorities for implementing public policy, have sufficient linguistic ability to understand and apply various rules and procedures in the course of performing their duties.

(97/C 217/64)

WRITTEN QUESTION E-4031/96

by Anne André-Léonard (ELDR) to the Commission

(14 January 1997)

Subject: Non-application of sliding-scale compensation in Greece

In a road accident which occurred in Greece, two Belgians were seriously injured and had to be taken to hospital, where they underwent operations.

The amount of compensation which they have been offered is scandalously low in view of the serious irremediable after-effects of the accident and the fact that the requests for compensation which they submitted after the accident occurred in 1992 are still outstanding.

Most of the EU Member States have implemented a scheme whereby compensation is awarded on a sliding-scale basis but this is not, unfortunately, the case with Greece.

In view of the fact that neither Greek law nor the Greek courts recognize the concept of sliding-scale compensation and in view of the seriousness of the damage caused by the accident, could the Commission say whether there are other legal remedies which would secure better compensation for the people in question, who are victims of the current system in Greece?

Answer given by Mr Monti on behalf of the Commission

(21 February 1997)

Introducing a system of compulsory insurance against civil liability in order to guarantee both freedom of movement within the territory of the Community and compensation for victims of road accidents has been a concern of the Commission since the adoption, in 1972, of the First Directive on motor insurance (1). This made insurance against civil liability compulsory for motorists in the then Member States of the Community.

That basic protection was extended and bolstered by the Second (2) and Third (3) motor insurance directives. The Second Directive defined the scope of the protection by setting minimum protection thresholds (in ECU) applicable in every Member State and specifying who was to be covered by those compulsory arrangements in respect of civil liability. For its part, the Third Directive provides for complete coverage of the territory of the Community on the basis of a single premium. There is, however, no provision in the directives for complete harmonization as regards the level of compensation for victims. The motor insurance directives have established the principle of compulsory insurance – based on a single premium – against civil liability in respect of the use of motor vehicles and stipulate the minimum content. This is accordingly minimum harmonization, which does not require that an obligation as regards the amount of, or the arrangements for, compensation be fulfilled in the same way throughout the territory of the Community. Member States are therefore free to set differing levels of compensation, provided the minimum amounts applicable under the Second Directive are complied with. The transposal of the Second Directive into Greek law has been scrutinized by the Commission and has been found to be in conformity with the letter of that instrument. Accordingly, the dispute between the Belgian insured person and the Greek insurer which is referred to by the Honourable Member can be resolved only by going through national judicial channels.

The Third Directive requires that that the insurance cover be that applicable in the Member State in which the policy was taken out or in which the vehicle is normally based when such cover is higher. In the case at hand this does not apply since the vehicle was hired in Greece, was insured by a company established in Greece and was normally based in that country. The compensation paid would thus appear to have been calculated in accordance with the rules applicable under Greek law. The fact that other Member States provide a higher level of protection or do not use the same methods of loss assessment is not a factor when considering whether a system of protection is in conformity with the Community directives.

(1) Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability (OJ L 103, 2.5.1972, p. 1).
(2) Directive 84/5/EEC of 30 December 1983, Second Council Directive on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ L 8, 11.1.1984, p. 17).
(3) Directive 90/232/EEC of 14 May 1990, Third Council Directive on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ L 129, 19.5.1990, p. 33).

(97/C 217/65)

WRITTEN QUESTION E-4036/96

by Daniel Varela Suanzes-Carpegna (PPE) to the Commission

(14 January 1997)

Subject: Subsidies from the financial mechanism of the European Economic Area (EEA) for restoring Europe's historic heritage

Can the Commission supply details of the projects and monuments (together with the relevant funding) which have received aid from the financial mechanism of the European Economic Area (EEA) since it was set up?

Can the Commission state what funding has been earmarked for future projects of this type under the EEA's financial mechanism?

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

(7 February 1997)

The financial mechanism of the European economic area (financed by the Community, Iceland, Liechtenstein and Norway) has supported works in a number of monasteries in Greece and cathedrals in Spain.

In Greece the total grant commitment up to now is 8.152 MECU. With the exception of the Convent of Ormylia the projects concern Mount Athos. Their realisation will contribute to the preservation of unique monuments and will also enable the development of the region's cultural tourism. The projects involved concern:

- restoration and extension of monastery buildings at the Iviron monastery (3.684 MECU) and the Simonos Petras monastery (0.89 MECU);
- development of a research and diagnostic centre for the study of Byzantine and post-Byzantine religious paintings and restructuring of two interior courtyards at the Ormylia monastery (1.745 MECU);
- stabilisation of rock foundations at the Stavronikita monastery (1.833 MECU).

As for the restoration of cathedrals in Spain, a grant of 13.62 MECU has been approved for the cathedrals of León, Salamanca and Burgos and the church of San Isidoro in León.

With regard to the other countries benefiting from the financial mechanism, no applications concerning the preservation of historic heritage have been received so far.

Concerning the future financing of this type of project, there is no specific quota by sector within each Member State's allocation from the financial mechanism.

(97/C 217/66)

WRITTEN QUESTION P-4043/96

by Honor Funk (PPE) to the Commission

(6 January 1997)

Subject: Veterinary medicinal product Dimetridazol

Since July 1995 the veterinary medicinal product Dimetridazol has been included in Annex IV of Regulation (EEC) No 2377/90 ([1]) and has thus been banned as a veterinary medicinal product for food-producing animals. Substances listed in Annex IV of this regulation constitute a hazard to the health of the consumer at whatever concentration they occur. Despite this information, obtained by the Commission when assessing the veterinary medicinal product Dimetridazol, it is still authorized for use as a feeding-stuffs additive under comparable conditions of use to the previous veterinary medicinal product.

Why does the Commission, in line with the data known to it and in accordance with its obligation under Article 7(1), together with paragraph 2 B first sentence of Directive 70/524/EEC ([2]) on additives in feeding-stuffs, not submit forthwith a proposal for a ban on Dimetridazol as a feeding-stuffs additive?

([1]) OJ L 224, 18.8.1990, p. 1.
([2]) OJ L 270, 14.12.1970, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(14 February 1997)

As the Honourable Member points out, the use of dimetridazol as a veterinary medicinal product has been prohibited since September 1995. It has not been possible to set a maximum residue limit for this product under Regulation (EEC) No 2377/90 since the studies needed to eliminate doubts about its effect on public health have not been carried out.

Legally speaking, the decision to prohibit a medicinal product does not apply to the use of the same substance as an additive under Directive 70/524/EEC.

The Commission has started a review of the use of dimetridazol as an additive in feedingstuffs in the light of the factors which led to its prohibition as a medical product. The Scientific Committee on Animal Nutrition is currently re-examining, at the Commission's request, the effect of the residues on consumer safety. As soon as the Commission has received the Committee's opinion, it will decide whether dimetridazol can continue to be authorized as an additive.

(97/C 217/67)

WRITTEN QUESTION E-4047/96

by Eva Kjer Hansen (ELDR) to the Commission

(17 January 1997)

Subject: Fraud in transit

In the Commission regulation 2454/93 [1] of 2 July 1993 it is said in his article No 379 par. 1. 'Where a consignment has not been presented at the office of destination and the place where the offence or irregularity occurred cannot be established, the office of departure shall notify the principal of this fact as soon as possible and in any case before the end of the 11th month following the date of registration of the Community transit declaration':

Is the Commission aware that the delays are violated systematically by the Member States?

In the scope of own resources, EEC Rule No 1552/89 of the Council [2] mentions in Art. 6 par. 3 that 'As from 1 January 1990 each Member State transmits to the Commission, on half-yearly basis, a concise description of frauds and irregularities concerning an amount of duties superior to ECU 10 000'.

It has been possible to quantify at 8 thousand million ecus the loss of revenue of the European Union, since the setting up of the single market, arising from fraud and irregularities committed in the administration of community transit due to bad management by the competent national authorities.

Why has the Commission not used the prerogatives given to it, notably by Articles 169, 171, and 209a of the Treaty to recover uncollected amounts?

Does the Commission foresee the modification of:

1. its rule 1468/81/EEC [3] and notably the abolition in the short term of its Art. 8 and Art. 17.
2. its directive 76/308/EEC [4] and notably the abolition in the short term of its Art. 4 and Art. 14

which curb investigations carried out by a Member State?

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[1] OJ L 253, 11.10.1993, p. 1.
[2] OJ L 155, 7.6.1989, p. 1.
[3] OJ L 144, 2.6.1981, p. 1.
[4] OJ L 73, 19.3.1976, p. 18.

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

Notwithstanding the serious problems in the Community transit area, the Commission has no clear information regarding systematic violation by the Member States of the obligation (contained in Article 379 of Regulation (EEC) No 2454/93) to notify the principal before the end of the eleventh month following the date of registration of the declaration. The Commission would in any case appreciate all relevant information concerning this issue that the Honourable Member could provide.

However, this Article also provides that the above notification should indicate a time limit of three months for the presentation to customs of proof of the regularity of the operation. If at the end of this three month period such proof has not been furnished, the Member State is obliged to take steps to recover the duties and other charges involved. In this regard, Commission inspections (1994-1995) revealed that there were delays in many Member States in the initiation of recovery actions. The Commission is pursuing this matter with the Member States concerned in order to rectify such shortcomings.

The financial impact of fraud in the transit area is significant but perhaps not as high as the Honourable Member suggests. The estimate of 8 000 MECU was initially put forward by a trade organisation to the Parliament committee of enquiry into the transit regime and comprises customs duties, national taxes and likely also indirect economic costs. However, the Commission does not regard this estimate as being well-founded. On the basis of information received to date from Member States, the Commission would estimate that the amounts outstanding for recovery in terms of both Community resources and national taxes would be in the range 1 500 to 2 000 MECU which would include Community own resources of between 300 and 400 MECU. Considering the normal length of the recovery process and the possibility of suspension because of legal actions before courts, the non-collection of these amounts does not in any case mean that the Member State concerned has not fulfilled its Community obligations.

The Member States are responsible for the recovery of outstanding amounts. The Commission monitors the recovery actions, but has no direct means at its disposal to assure recovery and cannot control recovery action in each individual case. The selection of important cases, direct bilateral inquiries and spot inspections in all Member States may result in the authorities being requested to take appropriate action, if this has not already been initiated, and the charging of interest in cases where there was a delay in making own resources available to the Commission.

If duties are not collected, the Member State is required to seek the approval of the Commission wherever it is proposed to write off unrecovered amounts under the conditions set out in Article 17(2) of Council Regulation (EEC) No 1552/89. In the event of the non-application of proper recovery procedures, the Commission may open infringement proceedings under the EC Treaty, and in particular with regard to any Member State which systematically violates obligations with regard to recovery and which does not agree to adopt practices in conformity with Community law. In transit matters, decisions relating to such proceedings will depend on the result of the current discussions with the Member States.

There is currently under examination a proposal for replacing by a new text Council Regulation (EEC) No 1468/81 on mutual assistance in customs and agricultural matters. The Parliament gave its opinion (1) on this proposal (2) in December 1993. The withdrawal of Article 8 was not envisaged since the limitation it foresees bears only on transmission of originals but has no effect on the communication of copies, authenticated if necessary. The Member States never mentioned any difficulty on this point. As for Article 17, the Commission, following an amendment originating in the Parliament, has proposed its modification for limiting the possible exceptions to the mandatory assistance to cases involving the protection of public order. The Council refused to accept this proposal, even if it agreed on a text slightly different from the present Article 17, by introducing a reference to the protection of personal data and by foreseeing information to the Commission in case of refusal of assistance together with the reasons for the refusal.

The Commission, in its legislative programme for 1997 plans to propose improvement of Directive 76/308/EEC on mutual assistance for the recovery of claims. In preparing this proposal the Commission is examining the effects of the limitations laid down in Articles 4 and 14 on the effective recovery of claims within the Community.

(1) OJ C 20, 24.1.1994.
(2) COM(92)544 as modified by COM(93)350 and COM(94)34.

(97/C 217/68)

WRITTEN QUESTION E-4050/96

by Cristiana Muscardini (NI) to the Commission

(17 January 1997)

Subject: Closure of the Nestlè factory in Abbiategrasso

The Swiss multinational Nestlè has decided to close its factory in Abbiategrasso (in the Province of Milan) in the first half of 1998, a decision which will exacerbate the major unemployment problem already afflicting the area.

The unions and local councillors in the region have asked Nestlè to review its restructuring programme, to take every possible measure to retain jobs and boost employment and to undertake to safeguard the production of goods which convey the image of Italian products and, paradoxically, now risk being manufactured abroad.

With a view to protecting the interests of the workers and the local community, will the Commission state whether:

1. It is aware of the social crisis which will result?
2. It intends to regulate dislocations in production within the Union in order to ensure that their impact does not fall on workers' families?
3. It can establish whether Community aid was granted, under various headings, to companies belonging to Nestlè, with a view to ensuring that, in future, subsidies are not given to multinationals closing their factories, without any real concern for their employees and their employees' families?

Answer given by Mr Van Miert on behalf of the Commission

(24 February 1997)

The Commission would thank the Honourable Member for drawing its attention to the situation regarding Nestlé's factory at Abbiategrasso.

While the information provided by the Honourable Member refers to closure of the factory, there is no concrete evidence that the multinational concerned has decided to transfer production from Abbiategrasso to another Member State.

In the event that what is involved is not just the closure of the factory, it should be recalled that, on the whole, relocations are carried out for strategic, industrial and economic reasons, independently of the public authorities generally and of the Commission in particular. The Commission is not, therefore, of the opinion that it should intervene unless there is clear evidence of a breach of EC Treaty rules.

While the Commission is not aware of Nestlé having received any direct public aid in recent years, it cannot rule out the possibility that the group benefited from general measures accessible to all firms in a Member State or from aid granted under Commission-approved horizontal or regional schemes, Member States being entirely at liberty to grant aid under such schemes without having to notify the Commission.

The Community's policy is to authorize investment aid that encourages the setting-up of firms, but only in regions experiencing difficulties. The seriousness of those difficulties is determined in the light of objective criteria such as gross domestic product or the unemployment rate. Moreover, decisions to relocate are not generally made on the basis of the public aid the firm stands to receive in the Member State to which it transfers its activities.

In order to make the rules on regional aid even clearer and more transparent, to ensure greater legal certainty and to add to the predictability of its decisions in this field, the Commission has presented to Member States a draft multisectoral framework for regional aid to major investment projects. The purpose of the framework is to allow better adjustment of the level of regional aid granted to major investment projects involving high capital mobility.

Moreover, the Commission is considering whether it is possible to avoid situations in which firms that have set up in an assisted region after receiving aid relocate later on simply because they have been promised aid by another region.

As far as harmonization of general rules in the tax and social spheres is concerned, the Commission can act only within the limits laid down by the EC Treaty. Under present Community rules, it cannot take direct action in respect of these matters, since responsibility for such decisions rests with the Council.

(97/C 217/69)

WRITTEN QUESTION E-4055/96

by Karla Peijs (PPE) to the Commission

(17 January 1997)

Subject: Distortion of competition by electricity utilities following the proposal to liberalise the electricity market

1. Is the Commission aware that, in addition to performing their public duty of distributing electricity, the electricity utilities are increasingly competing with the private installation sector by offering installation goods and services to third parties, thereby abusing their position as suppliers of electricity, and that they are therefore distorting and restricting competition with private installation firms?

2. Is the Commission aware that the electricity companies have advantages which private companies cannot enjoy: for example, they pay no corporation tax, they can obtain cheaper loans, they make use of customer data which are at their disposal because of their public distribution remit and they exploit the fact that they are very well known?

3. Does the Commission realise that, when they are in competition, the electricity utilities harm the private installation companies with these activities and that they restrict trade between Member States, as evidenced by the European research carried out by the AIE (Association internationale des entreprises d'équipement électrique)?

4. Does the Commission share the view that data and financial resources obtained by the electricity utilities by virtue of their monopoly position should not be used for commercial activities?

5. Does the Commission share the view of the sector that following liberalization of the electricity market the electricity utilities will have even more opportunities to abuse their privileged position vis-à-vis the private sector, and what action is the Commission considering taking to prevent this abuse?

Answer given by Mr Van Miert on behalf of the Commission

(28 February 1997)

The Commission has received a complaint which, while not exactly dealing with the same behaviour as that referred to by the Honourable Member, relates to substantially similar developments. Together with the complainant, it is considering what action should be taken.

The Commission has not received any specific formal complaint from private installation companies concerning possible abuses of a dominant position within the meaning of Article 86 of the EC Treaty by electricity utilities. Should it receive any other complaints in this connection, it will be certain to examine them as closely as possible.

For the rest, the Commission is in contact with the representatives of the AIE and recently held an initial exchange of views with them.

The Commission is convinced that, together with the application of the competition rules, the opening of the electricity market in accordance with Parliament and Council Directive 96/92/EC of 19 December 1996 [1] concerning common rules for the internal market in electricity will result in greater opportunities for independent operators.

[1] OJ L 27, 30.1.1997.

(97/C 217/70)

WRITTEN QUESTION E-4056/96

by José Barros Moura (PSE) to the Commission

(17 January 1997)

Subject: Financing of the Alqueva project

In response to the Commission's written answer to my oral question (H-0930/96) [1], I wish to ask the following legal questions, which I did not have the opportunity to put to it in plenary:

1. What was the legal basis for the Commission's decision to alter the financing arrangements laid down in its own decisions approving the CSF and PPDR (Programme for the promotion of regional development potential)?
2. How can it justify the fact, after approving a project of such importance and impact, it is going back on its word, leaving the impression that the project does not actually have the merits on the basis of which it was approved? Has the Commission taken account of the decisions of the Court of Justice regarding the onus of proof in such cases?
3. Does it consider that its decision to make the financing of the project subject to a suspensive condition complies with the partnership principle?
4. How does it explain its decision to impose an amendment to the PPDR with a view either to a new operating programme or to an independent decision on the project?
5. How can it justify its wish to impose the conclusion of a bilateral agreement between Portugal and Spain to guarantee the quality of water when it is its own responsibility to ensure compliance with water quality directives? Is it seeking to shirk its responsibility as 'guardian' of the Treaty?
6. How can it justify the fact that Portugal is being required unilaterally to guarantee a minimum water flow in respect of an international river? Is the Commission not aware that this matter is governed by the Convention between Portugal and Spain, which has been in force since 7 April 1969?
7. Is the Commission willing to take responsibility for stating that it suspects Spain of not respecting the agreement?

[1] European Parliament debates (December 1996).

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

(5 March 1997)

1. With regard to the Alqueva major project, the Commission is anxious to ensure the viability of this important undertaking, as much from the point of view of adequate availability of water in quantitative and qualitative terms as from that of the economic dynamization of the area concerned by the building of the dam and also as from that of the implementation of adequate environmental accompanying measures.

2. In approving the Portuguese Community Support Framework (CSF), the Commission did not decide on the Alqueva project. The Framework specifies that the Alqueva project is to be the subject of a subsequent more detailed examination to be based, in particular, on additional information to be forwarded by the Member State to the Commission. The CSF also stipulates that special attention is to be paid to Community provisions on the environment and the common agricultural policy.

At the present stage of processing the Alqueva file, the Commission has not stated its position on the information provided for in Article 5 of Regulation (EEC) No 4254/88, as amended [1].

It cannot therefore be said that the Commission has changed its mind, or that the project does not have its own merits. It was on the basis of the examination of the file as also of the work carried out in partnership with the Portuguese authorities between September 1995 and September 1996 that the Commission proposed conditions to those authorities, considering that if they were met the financing of the project could follow its normal course.

3. Yes. The conditions proposed by the Commission were discussed in the course of the work undertaken in partnership with the Portuguese authorities.

4. The Commission proposed a separate decision on the project for the purpose of clarifying those conditions of sound financial management it considers necessary and which it presented to the Member State in the course of the work undertaken in partnership.

5. The Community directives on the environment are of general application. By asking for their application in the case of the Guadiana river basin, the Commission's only concern was that the measures arising from the application of the directives be carried out on schedule in order that the viability of the Alqueva project be ensured.

6. The Commission's request is based on the concern for Community funds to be used in accordance with sound financial management, in other words, uppermost in its mind is the question of whether there will be enough water for the project to be viable.

The Commission clearly did examine the Portuguese-Spanish agreement of 1968 and points out that the agreement is under review, several aspects having to be given further consideration.

7. The Commission has never called into question either of the two parties' respect for the Portuguese-Spanish agreement, its only concern is that the project's viability be ensured.

[1] OJ L 193, 31.7.1993.

(97/C 217/71)

WRITTEN QUESTION E-4057/96

by José Barros Moura (PSE) to the Commission

(17 January 1997)

Subject: Financing of the Alqueva project

In response to the Commission's written answer to my oral question (H-0930/96) [1], I wish to ask the following questions regarding the facts of the case and the political issues it raises:

1. What are the conclusions of international survey on the rate of flow of the Guadiana river, conducted by Montgomery Watson consultants at the Commission's request and financed by the Cohesion Fund?
2. Will the Commission confirm or deny that the survey does not raise the slightest doubt as to whether the river's rate of flow is liable to prevent the project from going ahead?
3. By whom and under what instructions from the Commission was the 'draft agreement' referred to in the answer drawn up? Will it confirm that negotiations were held and that a 'draft agreement' was reached?

4. When will the relevant studies, which all confirm that the Alqueva project meets Community environmental standards, be made public?

5. Does it consider it politically and constitutionally acceptable that such a major project, which concerns the development of a vast region of Portugal, should be subject to the discretionary powers of the Commission and to conditions that are not even laid down in the relevant regulations and that may jeopardize the project's financial stability?

(1) European Parliament debates (December 1996).

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

(27 February 1997)

1 and 2. The study concludes that the rate of flow of the Guadiana river is sufficient on average to ensure the viability of the Alqueva project but stresses the significance of seasonal and year-on-year variations in the river, and proposes accordingly to 'develop an integrated water resources management cooperative programme for the river basin, involving Portugal and Spain, based on the recognition of the sovereignty of each country and on the revision of the existing agreements between Portugal and Spain, to include aspects as water quality, river flow regimes, sediment transport, ecological flows and water rights'.

3. Discussions on the Alqueva project have been held in partnership between the Portuguese authorities (Portuguese State Secretariat for regional development) and the Commission.

4. The environmental impact study of the Alqueva project carried out in 1994-1995 in partnership with the Portuguese authorities was the subject, as required under Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (1), of consultations in Spain and Portugal with the local authorities and the population of the area affected by the project. These consultations took place after the Portuguese authorities received the final report on the study from the Commission. The Commission takes the view that this procedure is adequate for the purposes of disclosure of the study.

With regard to the assessment carried out during the first half of 1996, the Commission wishes to point out that it was undertaken in close cooperation with the Portuguese authorities, which have received the final report. As the assessment confirmed the importance of the main findings of the first study, the Commission did not consider it necessary to publish the findings.

5. The Commission refers the Honourable Member to its answers to question E-4056/96 (2), which indicate that in this matter it has always been guided by concern for sound financial management and has always worked in concert with the Portuguese authorities, without at any time having the impression that it was acting in an independent way.

(1) OJ L 175, 5.7.1985.
(2) See page 50.

(97/C 217/72)

WRITTEN QUESTION E-4061/96

by Nikitas Kaklamanis (UPE) to the Commission

(17 January 1997)

Subject: Tax on imports of used HGV chassis

According to the Greek magazine 'Trochoi kai TIR', the Greek authorities have reintroduced a special excise duty — with retroactive effect even — on imported used HGV chassis (the frame without the body) while exempting imports of new chassis from the same tax.

This decision could prove to be a deathblow to importers of used vehicles and spare parts who have already protested to the Greek authorities that they are in breach of Community law.

In cases C-46, 62, 345 and 433/93, the Court of Justice ruled that Member States of the Community are liable to pay citizens compensation where government bodies, including the legislature, are in breach of Community law (discrimination in respect of free movement of goods and merchandise) and that the period of compensation should run from the point at which the damages arose, not from the time of the Court's ruling against the Member State.

What steps will the Commission take to persuade the Greek authorities to withdraw these provisions which are creating a desperate situation for dealers in used HGVs and spare parts?

Answer given by Mr Monti on behalf of the Commission

(10 March 1997)

The Commission is not aware of the details of the tax cited by the Honourable Member. Accordingly, it will contact the Greek authorities to ascertain the facts.

The Commission would point out that, in principle, charging a tax on used imported heavy goods vehicle chassis whilst exempting new chassis would appear to contravene Article 95 of the EC Treaty. In this regard, the Commission also points out that it has opened infringement proceedings against Greece in respect of the comparable discriminatory effect of its car taxation rules.

(97/C 217/73)

WRITTEN QUESTION E-4062/96

by Graham Mather (PPE) to the Commission

(17 January 1997)

Subject: VAT on home care services

Under Article 13(A)(g) of the VAT code (Directive 77/388/EEC [1]), the provision of care services by 'old people's homes, by bodies governed by public law... and (charities)' is exempt from VAT. The UK implementing regulation for this point is Item 1, group 7, Schedule 9 of the VAT Act of 1994 which allows VAT exemption for the provision of care services by medical professionals or unqualified people under the direct supervision of a qualified person.

The UK regulation, however, does not exempt the supply of care services by those agencies or organizations which perform home care responsibilities outside of medical responsibilities, although such responsibilities may be similar to those provided by an old people's home. A recent Court of Justice ruling over the application of Article (13)(A)(1)(g) made clear that the VAT exemption is not available to anyone other than charities and bodies governed by law. This ruling seems to go against the spirit and text of Article (13)(A)(1)(g) since an old people's home might not be a charity or a body governed by public law.

Does the Commission consider Article (13)(A)(1)(g) to be grounds for VAT exemption of services provided by home care organizations? If so, if the UK implementing regulation Item 1, Group 7, Schedule 9 of the VAT Act of 1994, incompatible with the EC regulation? Finally, does the Commission consider it within the spirit of the law that home care agencies should be excluded from VAT exemption?

[1] OJ L 145, 13.6.1977, p. 1.

Answer given by Mr Monti on behalf of the Commission

(21 February 1997)

The Commission considers that Article 13(a)(1)(g) of the sixth VAT Directive (77/388/EEC) exempts only those supplies of home-care services provided by bodies governed by public law or by other organisations recognised as charitable by the Member State concerned.

Article 13(A)(1)(c) exempts medical care in the exercise of the medical and paramedical professions and the Commission believes that exemption can be applied to supplies of services by home-care organisations where they are provided under the control or supervision of the medical or paramedical professions, and can therefore be classified as 'care in the exercise' of those professions.

In this context it follows that a distinction has to be drawn between 'home-care' services provided for medical reasons and those provided for other purposes such as support for those suffering from physical incapacity. Also a distinction must be made between services provided by commercial organisations and those provided by bodies governed by public law or organisations having charitable status.

Non-medical home-care services provided by commercial organisations are excluded from exemption under Article 13(A)(1)(g). However, where home-care services controlled or supervised by recognised medical practitioners are provided the status of the provider does not affect exemption under Article 13(A)(1)(c). The nexus with the professional medical services is the deciding factor.

The Commission believes that, at present, the scope of Article 13(A)(1)(g) is clearly defined in the text of the provisions and is deliberately confined to care provided by public bodies and charitable organisations. In the light of this it is difficult to see how the exclusion of exemption for care provided by other organisations could be seen as being against the spirit of the exemption. However, in the broader context of Article 13(A), it is recognised that these exemptions, together with the rules and options distinguishing between supplies by commercial and non-commercial operators, both complicate and adversely affect the neutrality of the tax. The Commission has recently published its ideas for a new common system of VAT for the single market which include the simplification and modernisation of current VAT practices. As part of its working programme to bring about these changes the Commission will be reviewing the whole question of exemptions including those which apply to public bodies and other organisations covered by Article 13A(1).

(97/C 217/74)

WRITTEN QUESTION E-4066/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: Nationality of the official responsible for the proposal on the legal status of the euro

Can the Commission confirm that the DG II official directly responsible for the two proposed regulations setting out the legal status of the euro is of German nationality?

(97/C 217/75)

WRITTEN QUESTION E-4067/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: German officials and monetary union

Does the Commission intend to continue its practice of assigning mainly officials or members of the Legal Service of German nationality to work on the draft legislation necessary for developing the third phase of monetary union?

(97/C 217/76)

WRITTEN QUESTION E-4068/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: Members of the Legal Service entrusted with the task of drawing up the legal status of the euro

Can the Commission specify how many non-German members of the Legal Service have been asked to provide legal assistance in drafting the regulations setting out the legal status of the euro?

(97/C 217/77)

WRITTEN QUESTION E-4069/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: Members of the Central Banks seconded to work on drawing up the legal status of the euro

Can the Commission state how many Central Banks, in addition to the German Bundesbank, have been asked to second members of their legal departments to DG II to work on preparing the two regulations setting out the legal status of the euro?

(97/C 217/78)

WRITTEN QUESTION E-4070/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: Drawing up the legal status of the euro

Can the Commission confirm that it has decided to call on the assistance of two lawyers from the legal department of the German Bundesbank, who are currently seconded to DG II, in order to draw up the two regulations setting out the legal status of the euro?

(97/C 217/79)

WRITTEN QUESTION E-4071/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: Article 157(2) of the Treaty and monetary union

Does the Commission believe that it is compatible with Article 157(2) of the Treaty that employees of the Central Bank of a particular Member State should be seconded to work on drawing up and processing the draft legislation needed to facilitate access to the third phase of monetary union?

(97/C 217/80)

WRITTEN QUESTION E-4072/96

by Miguel Arias Cañete (PPE) to the Commission

(17 January 1997)

Subject: The Legal Service responsible for the legal status of the euro

Can the Commission confirm that the lawyer in the Legal Service responsible for the two regulations setting out the legal status of the euro is of German nationality?

Joint answer
to Written Questions E-4066/96, E-4067/96, E-4068/96, E-4069/96, E-4070/96, E-4071/96 and E-4072/96 given by Mr de Silguy on behalf of the Commission

(14 March 1997)

The Commission would remind the Honourable Member that, under the Staff Regulations:

'An official shall carry out his duties and conduct himself solely with the interests of the Communities in mind; he shall neither seek nor take instructions from any government, authority, organization or person outside his institution' (Article 11 of the Staff Regulations);

'No posts shall be reserved for nationals of any specific Member State' (Article 27 of the Staff regulations);

'The provisions of Articles 11 to 26 of the Staff Regulations, concerning the rights and obligations of officials, shall apply by analogy' [to temporary staff] (Article 11 of the Conditions of Employment of Other Servants).

The fact that the Head of the Unit responsible for institutional, legal and financial matters relating to Monetary Union within DG II (Economic and Financial Affairs) and the lawyer within the Legal Service who monitors Economic and Monetary Union matters are of German nationality is a matter of coincidence and does not in any way detract from the obligation of independence incumbent upon them under the Staff Regulations.

As part of the regular contacts which the Commission maintains with other institutions, experts from several central banks (Germany, France, Austria, Finland, Sweden and the United Kingdom) have been seconded to DG II to work on monetary matters. Two Bundesbank lawyers have been involved in DG II's work generally during their secondment, but have not been specifically involved in work on the legal status of the euro.

Article 157(2) of the EC Treaty relates solely to the Members of the Commission. In the case of Commission officials, the above-mentioned ethical principles apply.

(97/C 217/81)

WRITTEN QUESTION E-4073/96

by Guido Podestà (UPE) to the Commission

(17 January 1997)

Subject: Mutual recognition of formal qualifications in architecture

Notice No 96/C 205/05 [1], an update of communication 89/C 205/06 of 10 August 1989 [2] on diplomas, certificates and other evidence of formal qualifications in architecture which are the object of mutual recognition by the Member States, publishes a list of the diplomas which must be recognized by the Member States of the European Community in respect of those students who began their studies in architecture in the academic year 1988/89.

For those who began their studies in architecture before the academic year 1988/89, the diplomas to be recognized are those listed:

- for Member States other than Spain and Portugal, at Article 11 of Directive 85/384/EEC of 10 June 1985 [3],
- at Article 1 of Directive 85/614/EEC of 20 December 1985 [4] for Spain and Portugal,
- and at Article 1 of Directive 86/17/EEC of 27 January 1986 [5], amended by publication in the Official Journal of the European Communities No L 87 of 2 April 1986, for Portugal alone.

In the case of Italy, therefore, recognition is granted to diplomas obtained at the Faculty of Architecture of the University of Venice and the University of Reggio Calabria, including courses of study begun before the academic year 1988/89.

However, given that each Faculty of Architecture course in Italy can be compared to that of the University of Venice or of Reggio Calabria, even before the academic year 1988/89, can the Commission explain, as far as Italy is concerned, what substantial difference there was between the courses of the Faculty of Architecture of the University of Venice or the University of Reggio Calabria up until the academic year 1987/1988 and those of the University of Milan or the University of Florence, for example, to justify the fact that only university diplomas from the first two Faculties must be recognized by the Member States for students who began their studies in architecture before the academic year 1988/89?

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[1] OJ C 205, 16.7.1996, p. 6.
[2] OJ C 205, 10.8.1989, p. 5.
[3] OJ L 223, 21.8.1985, p. 15.
[4] OJ L 376, 31.12.1985, p. 1.
[5] OJ L 27, 1.2.1986, p. 71.

Answer given by Mr Monti on behalf of the Commission

(11 March 1997)

Council Directive 85/384/EEC of 10 June 1985 [1] includes two separate sets of rules governing qualifications in architecture. There are general rules governing the recognition of architects' qualifications, which are to be found in Chapter II of the Directive; and there are transitional arrangements, to be found in Chapter III.

The general rules do not attempt to enumerate the qualifications Community nationals may hold which Member States are bound to recognize. They merely lay down requirements in respect of the content (Article 3) and duration (Article 4) of courses of education and training; if these requirements are met, the ensuing qualification must be recognized in Member States other than the one in which it is delivered. Each Member State must supply and keep up to date a list of the qualifications which in its opinion satisfy these requirements, and of the establishments and authorities that award them. The Commission publishes the lists and updating notices in the Official Journal. They can be challenged before the Court of Justice, after first being referred to an Advisory Committee for its opinion. It is these lists which have been updated. [2]

The open-ended system created by the general rules contrasts with the closed system in the transitional rules, which is concerned with entitlement 'to take up activities in the field of architecture by virtue of established rights or existing national provisions'. The Directive here seeks to allow for the situation of Community nationals who have obtained specified qualifications, or who intend to do so shortly, 'even if those qualifications do not fulfil the minimum requirements laid down in Chapter II' (Article 10). The Directive itself provides an exhaustive list of the qualifications involved (Article 11), which is binding on all Member States: every Member State is required to recognize them (Article 10), and there is no machinery for challenging them. Member States must accept them without verifying whether they comply with the requirements of Chapter II of the Directive.

In the case of Italy the list refers among other things to 'laurea in architettura' diplomas awarded by the higher institutes of architecture of Venice and Reggio Calabria (Article 11(g)).

The difference between courses begun before the academic year 1988/89 and courses begun from that year on, therefore, is that the earlier courses were accepted on a transitional basis, limited in time, with no check on whether they satisfied the requirements of Articles 3 and 4 of the Directive, while the more recent courses have been accepted because it is considered that they do satisfy those requirements.

(1) OJ L 223, 21.8.1985, p. 15.
(2) OJ C 205, 16.7.1996, p. 6.

(97/C 217/82)

WRITTEN QUESTION E-4075/96

by Amedeo Amadeo (NI) to the Commission

(17 January 1997)

Subject: Telecommunications and postal services

With regard to the proposal for a Council Decision on the definition and implementation of Community policy in the field of telecommunications and postal services (COM(96)0045) (1), the Commission's sectors of activity in the field of telecommunications and postal services are defined by the provisions of the Treaty and specified in Council and Parliament resolutions and directives which, taken as a whole, provide a programme of work, generally based on a specific timetable.

The Treaty provisions and the resolutions and directives require the Commission to adopt (and, in certain cases, provide encouragement for it to do so) the necessary measures to lay down objectives and implement actions which make it possible to define and formulate a Community telecommunications and postal policy (and, inter alia, initiate analysis, elicit comment from the public and monitor the application of legislation).

Can the Commission ensure that the proposal for a decision in question is not viewed merely as fulfilling an administrative purpose, i.e. filling a legal vacuum, but also as a means of promoting sound financial and management practices within the Commission? Can it also ensure that maximum priority will be given to support activities for the purpose of monitoring the application of Community legislation?

(1) OJ C 192, 3.7.1996, p. 4.

Answer given by Mr Bangemann on behalf of the Commission

(4 March 1997)

The Commission agrees with the comments made by the Honourable Member, and takes note of the recommendation, firstly, that the draft decision concerning the definition and implementation of Community policy for telecommunications and posts should be an instrument to promote good financial and managerial practice within the Commission and, secondly, that priority should be accorded to activities related to the implementation of Community legislation.

The Commission attaches great importance to the small but important budget line B5-302 for which the Commission had proposed 8,4 MECU in commitment appropriations in the preliminary draft budget 1997, whereas the Parliament has decided to put it p.m. while awaiting approval of the legal basis. The Commission hopes that the Parliament will soon agree to put some credits back on the line.

(97/C 217/83)

WRITTEN QUESTION E-4079/96

by Amedeo Amadeo (NI) to the Commission

(17 January 1997)

Subject: Legal protection for encrypted services

The Commission's Green Paper on legal protection for encrypted services in the internal market (COM(96)0076) states that the current discrepancies between national laws may hamper the free movement of goods and services

and distort competition in the internal market. Can the Commission ensure that the Community lays down rules involving civil and penal sanctions for the illicit reception and further distribution of encrypted services and for the various activities aimed at facilitating the illegal interception of signals, such as the production, marketing, use and possession of unauthorized decoding devices?

(97/C 217/84)

WRITTEN QUESTION E-4080/96

by Amedeo Amadeo (NI) to the Commission

(17 January 1997)

Subject: Legal protection for encrypted services

In recent years the increase in the availability of frequencies and the use of new technology have been accompanied by an increase in the number of television services whose signal is encrypted with a view to restricting reception to subscribers. In order to receive the programmes, viewers must have a decoding device that can reconstitute the original picture.

The market for such services is experiencing rapid growth particularly as a result of the advent of digital technology, which permits an expansion in the capacity for communication. The specialized nature of these services often requires a transnational or even European market whose development is, however, being jeopardized by piracy. A flourishing unofficial decoder manufacturing industry is emerging in parallel to that of authorized manufacturers, and devices enabling access to a service without payment of the fee are produced and marketed without permission. Illicit reception results in considerable losses for the service provider and indirectly adversely affects the potential market of programme suppliers and official manufacturers.

Can the Commission draw up a proposal for a Council regulation allowing more effective harmonization than is possible under a directive, given that any future regulation, rather than being limited in scope to television services, should cover all encrypted services, these being defined as services to which access is allowed upon payment of a fee?

Joint answer
to Written Questions E-4079/96 and E-4080/96
given by Mr Monti on behalf of the Commission

(26 February 1997)

The Commission is aware of the need for a Community legal instrument that will guarantee legal protection for encrypted services against illegal interception. The principle of such a measure is laid down in the Commission's work programme for the current year, which was presented to Parliament, and is in response to the round of consultations on the Green Paper. Accordingly, a proposal – currently at the preliminary draft stage – will be sent to Parliament and the Council.

(97/C 217/85)

WRITTEN QUESTION E-4081/96

by Amedeo Amadeo (NI) to the Commission

(17 January 1997)

Subject: Community water policy

With regard to the communication from the Commission to the Council and the European Parliament on European Community water policy (COM(96)0059 final), can the Commission state why the following issues, which have not been adequately dealt with in the communication, are not deemed to be fundamental to the development of a sustainable water policy:

1. a new approach to water use, re-use and saving which, bearing in mind specific regional features and taking greater account of environmental requirements, would include safeguarding the quantity and quality of current resources through more appropriate conservation policies, reasonable prices and better education of consumers;

2. the extension of the 'precautionary principle' making it obligatory for administrative authorities to carry out rigorous studies guaranteeing reliable forecasts of individual socio-economic variables;

3. the fact that any evaluation in monetary terms of water resources cannot be carried out by viewing such resources in the same way as merchandise, given that they are of irreplaceable importance for human life, ecosystems and essential production activities; the protection and management of water resources therefore requires the participation of socio-economic operators, and the unequal distribution of such resources must not be used as a political weapon or give rise to unfair competition;

4. the drawing up of rules by the European Union aimed at reducing the risk of accidental pollution of river basins used as water catchment areas and for water supply;

5. the need for greater transparency as regards the state of water resources, so that the framework directive can establish the minimum data and periodically update information on the fulfilment of the obligations incumbent upon private undertakings and organizations in respect of the use, production and discharge of polluting or dangerous substances, and guarantee that such information is made available to the public?

Answer given by Mrs Bjerregaard on behalf of the Commission

(14 March 1997)

With the adoption of its communication to the Council and the Parliament on European water policy (1) the Commission initiated a process of consultation with the Community institutions and more broadly with interested parties and the general public, including a two day conference inviting participation of the Parliament, the Economic and social committee, the Committee of the regions, Member States, regional and local authorities, water professionals, scientists, the water industry and non-governmental organisations.

The Communication discussed the fundamental principles for a sustainable water policy and presented an outline of a future water framework directive.

The five points raised in the question were included amongst the issues identified by the communication as fundamental principles for a sustainable water policy. They were also dealt with in the opinion on the communication adopted by the Parliament on 23 October 1996. During the constructive debate which followed the communication, the question of the price of water was one of the issues which gained greater importance and the consultation process showed that more focus should be put on the polluter pays principle in the future water framework directive. As a consequence, a separate article on charging full cost recovery prices for water use has been included in the proposal for a water framework directive which was adopted recently by the Commission as the outcome of the debate on a sustainable water policy.

(1) COM(96)59 final.

(97/C 217/86)

WRITTEN QUESTION E-4083/96

by Amedeo Amadeo (NI) to the Commission

(17 January 1997)

Subject: Fraud

With regard to the 1995 report of the Court of Auditors on agricultural policy, can the Commission state why no justification has been provided for ECU 16.5 million of the ECU 161 million earmarked for the detection of fraud?

Answer given by Mr Fischler on behalf of the Commission

(4 February 1997)

As the Commission explained in its response to the Court of Auditors' 1995 annual report it does not accept the Court's conclusions that no justification was provided for ECU 16.5 million of expenditure earmarked for combating fraud.

For part of the sum challenged by the Court (ECU 11.2 million earmarked for financing the integrated administration and control system and the follow-up and detection of fraud and irregularities) the Commission, after having had access to additional information and supporting documents not available at the time of the Court's audit, was able to conclude that a major part of the Community funds was spent correctly (ECU 10.8 million). Only ECU 0.4 million were not duly justified by the Member States and have already been recovered by the Commission.

With regard to the other part of the sum called into question by the Court (ECU 5.3 million earmarked for financing controls by remote sensing), the Commission does not accept the interpretation given by the Court of Auditors. It takes the view that the expenditure was justified and that the amounts in question were used for the purpose set out in the regulations.

(97/C 217/87)

WRITTEN QUESTION E-4092/96

by Alex Smith (PSE) to the Commission

(17 January 1997)

Subject: Euratom Treaty

Further to the written answer to my Question E-2426/95 [1], could the Commission now clarify the following outstanding matters:

1. Why are details of the number, frequency and duration of Euratom safeguards inspections at mixed civil-military facilities since the entry into force of Commission Regulation 3227/76 [2] given only since 1992? Can the Commission confirm the date the regulation entered into force in France and the United Kingdom respectively and provide full details from that date?
2. Could the Commission provide disaggregated data for France and the United Kingdom respectively since Commission Regulation 3227/76 entered into force in each country?
3. Does the BNF Magnox reprocessing plant at Sellafield remain designated as a mixed facility under United Kingdom Declarations pursuant to Commission Regulation 3227/76?
4. What aspects of Member States' military nuclear activities are covered by the provisions of the Euratom Treaty?

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[1] OJ C 9, 15.1.1996, p. 42.
[2] OJ L 363, 31.12.1976, p. 1.

Answer given by Mr Papoutsis on behalf of the Commission

(10 March 1997)

1. The Commission would like to reiterate its statement that the implementation of Commission Regulation 3227/76 in 'mixed' civil-military nuclear installations in France and the United Kingdom continues to be performed following the objective declared by the Commission to the Parliament in 1988 [1]. There must not be a net loss in quantity and quality of the civil nuclear material when processed in mixed installations together with, or sequentially to, non-civil material not under safeguards.

Mixed plants often form part of an installation or site which is treated by Euratom as one unit for inspection purposes. Therefore, the inspection effort figures in the Euratom computerised database often represent global data, i.e. there is no differentiation between mixed and civil installations. A large amount of interpretation is required to arrive at a meaningful split between civil and mixed plants. Moreover, as the Euratom computerised database dates back only a few years as far as the detailed inspection effort is concerned, the Commission provided the Honourable Member with a snapshot for the years 1992-1994 in its earlier reply.

Commission Regulation 3227/76 came into force both in France and in the United Kingdom on 15 January 1977. However, in the United Kingdom, negotiations on the implementation of Article 35 of the Regulation in the various installations lasted until early 1986, when an agreement for the Sellafield installations was reached.

2. Retrieving the inspection effort figures back to 1977 would require the manual checking and retroactive data entry of hundreds of inspection reports. Necessary human resources for such a task would be extremely large and unfortunately the Commission will not be able to provide them.

3. The status of the plant cited by the Honourable Member with respect to Article 35 of Commission Regulation 3227/76 is classified under the provisions of Article 194 of the Euratom Treaty.

4. As far as Euratom safeguards is concerned, Article 84 of the Euratom Treaty clearly states that safeguards 'may not extend to materials intended to meet defence requirements...'. Detailed provisions for the implementation of this article are contained in Article 35 of Commission Regulation 3227/76.

(1) Débats du Parlement: séance du 26 octobre 1988, No 2-370/175 à 187.

(97/C 217/88)

WRITTEN QUESTION E-4093/96

by Patrick Cox (ELDR) to the Commission

(17 January 1997)

Subject: Commissioners' attendance at meetings

Since the Santer-led Commission took office, how many meetings of the College of Commissioners have taken place?

What is the attendance record for each Commissioner?

Answer given by Mr Santer on behalf of the Commission

(18 March 1997)

By 6 March 1997, the new Commission had held 98 meetings. The attendance record is as follows:

Mr Santer	95
Sir Leon Brittan	82
Mr Marin	73
Mr Bangemann	85
Mr Van Miert	91
Mr Van den Broek	82
Mr Pinheiro	80
Mr Flynn	92
Mr Oreja	91
Ms Gradin	87
Ms Cresson	84
Ms Bjerregaard	86
Ms Wulf-Mathies	86
Mr Kinnock	94
Mr Monti	97
Mr Fischler	88
Ms Bonino	88
Mr de Silguy	93
Mr Liikanen	93
Mr Papoutsis	83

The above figures take into account the Council's and Parliament's agendas and the external relations commitments of the Members of the Commission.

(97/C 217/89)

WRITTEN QUESTION E-4094/96

by Patrick Cox (ELDR) to the Council

(22 January 1997)

Subject: Ministers' attendance at Council meetings

In respect of the Italian and Irish Presidencies of 1996, how many formal and informal Council meetings took place?

What was the attendance record of Ministers, by Council and by State, as distinct from attendance by personal representatives?

Answer

(18 April 1997)

There were 101 Council meetings and 19 informal ministerial meetings in 1996 during the Italian and Irish Presidencies. Informal meetings are organized on the initiative of the Presidency and cannot take decisions.

As regards the Honourable Member's second question, it should be noted that lists of the Ministers attending are attached to the Press Releases prepared by the relevant departments of the Council General Secretariat. Those documents are public and are available to all interested parties.

(97/C 217/90)

WRITTEN QUESTION E-4101/96

by Gianni Tamino (V) to the Commission

(17 January 1997)

Subject: Community-funded 'misleading' advertising to promote the consumption of beef and veal in Italy

In the last few weeks an advertisement has appeared on behalf of the company G.F. Commercio carni s.r.l. based in Setteville di Guidonia (Rome), entitled 'From the sheds to the stars'. The advertisement carries the logo of the CIM (the Italian Butchers' Consortium) and the European Union flag, which is larger than the company's own logo, with the caption 'funded with support from the European Community under Regulation (EEC) No 1318/93 (1)', and states inter alia '.....beef, because it has a high protein content which is essential to man's diet'. The adjective 'essential' used in connection with meat consumption was ruled to be incorrect back in 1992 by the monitoring committee of the 'Giurì di Autodisciplina Pubblicitaria' (the Italian self-regulatory authority for advertising standards) in a case involving 'Consorzio Carni Italiane Bovine Garantite' and 'CO.AL.VI', and the LAV Association has already brought an action against the above-mentioned advertisement.

Is there any truth in the caption in the brochure in question as to the Community funding?

If the 'Giurì di Autodisciplina Pubblicitaria' were to take up this case, what might the Commission's approach be and what steps does it intend to take in future to ensure that it does not provide funding for initiatives held to be 'misleading' to the public?

(1) OJ L 132, 29.5.1993, p. 3.

Answer given by Mr Fischler on behalf of the Commission

(10 February 1997)

The Commission confirms to the Honourable Member that the advertisment to which he refers was part-funded by the Community under the promotional campaign run by the Consorzio Italiano Macellatori (CIM).

The Commission does not believe that the phrase 'beef, because it has a high protein content which is essential to man's diet' is misleading since it is based on the results of scientific research which confirms the importance of proteins for the human diet.

The Commission has however been told that the inter-trade organization involved has decided to amend the text, following a request to do so from the Italian self-regulatory authority for advertising standards.

(97/C 217/91)

WRITTEN QUESTION E-4111/96

by Siegbert Alber (PPE) to the Commission

(17 January 1997)

Subject: Europe Agreement of 13 December 1993 between the European Communities (and their Member States) and Poland and new import bans in Poland

Is the Commission aware that a total ban on imports and sales of nasal snuff and other smokeless tobacco products entered into force in Poland in 1996?

Does it agree that an import ban on such traditional tobacco products, the free movement of which within the Union is guaranteed under appropriate Directives, is inconsistent with the 1993 Europe Agreement, in particular Articles 25(2) (ban on new barriers to trade) and 68 (alignment with Community law), and the relevant provisions of the WTO agreement?

What steps can and will the Commission take in this (and any similar) cases?

Answer given by Mr Fischler on behalf of the Commission

(27 February 1997)

The Commission is aware of the entry into force on 1 May 1996 of a Polish law prohibiting the production and distribution of smokeless tobacco (including nasal snuff falling under CN codes 2403.99.10 and 2403.99.90). The Community has effected a ban on the marketing of certain types of tobacco for oral use under Council Directive 92/41/EEC [1] of 15 May 1992 amending Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products. This ban took account of public health protection and of the protection of young people in particular.

Arrangements for dealing with matters of this kind are provided in the Europe Agreement between Poland and the Community. Either party may request information, in the first instance, and then consultations on matters of disagreement.

The Commission has asked for explanation of the ban on import of certain smokeless tobacco in Poland. The Polish authorities have referred to Article 35 of the Europe Agreement which allows for measures of this kind to be taken if justified by health reasons and as long as they are non-discriminatory and do not result in a disguised restriction on trade.

The Polish authorities have stated that no discrimination is taking place since the ban applies equally to imports and to domestically produced products. The Commission has asked for a written explanation of the health reasons invoked under Article 35. Once this answer has been received, the Commission will be able to assess the compatibility with the Europe Agreement.

[1] OJ L 158, 11.6.1992.

(97/C 217/92)

WRITTEN QUESTION E-4113/96

by Friedhelm Frischenschlager (ELDR) to the Commission

(17 January 1997)

Subject: Changes of distribution in the support for INGYOs

Budget heading A-3040 reveals major changes of distribution compared with the 1995 and previous budgets. Particularly noticeable are, for example, the reductions in the allocations to the IFLRY (International Federation of Liberal and Radical Youth) and the WOSM (World Organisation of the Scout Movement). In contrast, the allocations to other organizations have been substantially increased.

What criteria govern the allocation of the resources under budget heading A-3040 to the various youth organizations?

On what grounds were the resources for such INGYOs as the IFLRY reduced so significantly compared with other organizations?

It would appear that less account is taken of large organizations, like the IFLRY, which have a relatively small budget, use their resources efficiently and maintain an office of their own than of organizations with a larger budget but, in some cases, no self-financed office. If this is the case, why?

Would it not be appropriate to assure political INGYOs of a stronger base, since they are have far less opportunity than other youth organizations to obtain resources from other DG XXII budget headings?

Answer given by Mrs Cresson on behalf of the Commission

(6 February 1997)

The 1996 financial year saw a significant increase in the number of applications for funding under budget heading A-3040 ('support for international non-governmental youth organisations') compared with the previous year. The Commission received 25% more applications in 1996 than in 1995, while the available budget increased by only 4% over the corresponding period, from ECU 1.25 million to ECU 1.3 million.

This rise in the number of applications came about mainly as a result of a widespread information campaign about the existence of budget heading A-3040, involving in particular the European Union's Youth Forum, in the interests of transparency and openness. Accordingly, it was necessary to reduce the level of funding granted to a large number of organisations which had benefited in 1995, in order to give new organisations a share of the cake. The decision to open the door to new organisations is consistent with the primary objective of budget heading A-3040, namely to promote the emergence and development of European and international youth networks and activities.

The criteria for deciding upon the level of funding, as notified to the organisations concerned, were the same as in previous years. The main elements are the quality of the organisation's activity programme, the likely impact of the activities on the target groups, the representativeness of the organisation, its financial needs and the budgetary resources available to the Commission. The Commission has not a priori favoured organisations with a large budget over those working with smaller resources. Its calculation of the amounts to be allocated is not directly proportionate to the organisations' budget, and the Commission does not intend to adopt such a method in the future.

As regards political organisations in particular, some readjustment has been carried out to take more account of such organisations' representativeness. Like all youth organisations, political organisations have access to other budgetary resources administered by the Commission besides those falling within heading A-3040. They may, for example, be eligible for subsidies in respect of specific activities under the Youth for Europe programme, subject to the conditions applying to all youth organisations.

(97/C 217/93)

WRITTEN QUESTION E-4114/96

by Friedhelm Frischenschlager (ELDR) to the Commission

(17 January 1997)

Subject: Export premiums for the transport of live animals

In recent weeks it has once again been shown that nothing has changed over the years as regards cruelty in the transport of livestock. It is unlikely that the new transport directive which enters into force in 1997 will produce any improvements as there appears to be no willingness to ensure adequate controls or measures to combat fraud. Cruelty to animals is particularly apparent in exports to third countries where even dying animals or those with broken limbs are not slaughtered but are forcibly transported to their destination.

How high were total export premiums for the transport of live fattened bovine animals in 1995 and, if figures are available, in 1996?

The export premiums are clearly paid on the basis of live weight. What approximately is the premium per kilogram? Is it correct that on average the figure is about ECU 500 per bovine animal?

Does the Commission plan to reduce the export premiums for the transport of live animals on the grounds of animal protection? If so, over what period? If not, why not?

Will it use its right of initiative and in the medium-term draw up a proposal for abolishing the export premiums and promoting the transport of chilled meat to third countries? If so, what practical steps will be involved? If not, why not?

Does the Commission have information on how much more (or less) expensive the transport would be of chilled meat instead of live bovine animals?

Are export premiums or comparable incentives paid for livestock other than bovine animals by the EU? If so, for which animals?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1997)

For the first GATT year 1995/1996 export licences were drawn for 302 MECU for exports of live animals.

The export refund paid on beef is differentiated. The rate of refund varies according to destination. The refund paid for live animals to the destinations with the highest refunds are since 15 January 1997, ECU 74 per 100 kilogrammes for male cattle and ECU 49 per 100 kilogrammes for female cattle. The refund paid per animal varies according to the level of the refund, the weight of the animal and the destination.

The export of live bovine animals is a traditional trade and as internal prices are above the third country prices, an export refund can be payable. Export refunds have been paid since the beginning of the market organisation for beef in 1968. In certain third countries there is a specific demand for imports of live animals. If the Community does not offer live animals for sale, other countries will do so and the Community will lose that market.

The withdrawal of the export refund from exporters, where it is shown that they have not fully respected the rules on the welfare of animals during transport, requires an amendment of Council Regulation (EEC) No 805/68 on the common organisation of the market in beef and veal [1]. Discussions have started with Member States about the way to implement such a measure.

The approximate transport cost for exports of live animals from Ireland to Egypt is ECU 168-210 per tonne (excluding animal feeding), while the transport cost for frozen beef is around ECU 84 per tonne.

Concerning refunds paid for live animals, export refunds are only granted for live bovine animals and for one day old chicks.

[1] OJ L 148, 28.6.1968.

(97/C 217/94)

WRITTEN QUESTION E-4116/96

by Nikitas Kaklamanis (UPE) to the Commission

(17 January 1997)

Subject: Abolition of sale of duty-free goods

The people of Europe are beset by high unemployment which is also particularly exacerbated by efforts to meet the convergence criteria required under the Maastricht Treaty.

In this context, the decision to abolish the sale of duty-free goods is tantamount to a disaster for those already working in the field and deprives a dynamic, growing sector of the potential for employing jobless youngsters. There are also negative implications for the tourist industry since there is an obvious link between low prices and the attraction of tourists.

Has the Commission carried out a study to identify the full range of negative consequences of abolishing the sale of duty-free goods? What measures will it take to eliminate those consequences and will it propose that this decision, which has so many implications for the whole of Europe, should be reconsidered?

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

The decision to abolish duty-free sales within the Community, which was taken by the Council in 1991 as part of the moves to establish the internal market, allows such sales to continue until 30 June 1999; this has given all the economic sectors concerned a transitional period of over seven years in which to adapt gradually to the new situation.

This temporary ad hoc exemption in support of a particular activity is an exception to the principles underlying the single market. Moreover, it transpires from the report recently presented by the Commission [1] that vendor-control systems are not operating satisfactorily in Member States. The continuation of duty-free sales beyond the transitional period could also create distortions of competition not only vis-à-vis outlets selling duty-paid goods but also between various means of transport depending on whether or not they offer duty-free goods.

The Commission is not planning to conduct a supplementary social and economic study in this connection. It regrets the fact that the economic sectors concerned have not made use of the transitional period to adapt to the removal of this tax advantage. It would remind the Honourable Member that, even without this tax advantage, sales opportunities will still exist. As for duty-free sales, these will continue to be available, by virtue of exportation, to persons travelling to third countries.

[1] Report on the vendor-control systems applied by the Member States (COM(96)245 final).

(97/C 217/95)

WRITTEN QUESTION E-4126/96

by María Sornosa Martínez (GUE/NGL) and Laura González Álvarez (GUE/NGL) to the Commission

(17 January 1997)

Subject: Arrival of huge shipments of genetically manipulated soya at European ports

Greenpeace has announced that over 100 vessels will shortly arrive in Europe, laden with US soya, an unknown percentage of which has been genetically manipulated.

Certain reports claim that in Spain, various multinationals have ignored the controls applied in other countries, and have allowed genetically manipulated soya to enter the country. Some of the US soya recently unloaded in Barcelona from the 'Uniwersytet Jagiellonski' was destined for a brewery.

The European Union has given its approval to the analyses carried out by Monsanto, the soya manufacturer. Since these analyses were carried out by a party involved in the marketing of the product,

1. Does the Commission not think that the analyses should be carried out by specialists whose sole interest is the protection of public health?

2. Does the Commission intend to request fresh analyses whose objectivity is guaranteed?

3. What measures can the Commission to ensure that the Spanish authorities and multinationals working with genetically manipulated soya in Spain are subject to the requisite controls?

4. Does the Commission intend to draw up a directive making it obligatory to state on product labels whether foodstuffs have been produced using bio-engineering?

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 March 1997)

1. On 3 April 1996 the Commission took a decision for the placing on the market of the genetically modified soya beans for certain uses following a favourable vote at the regulatory committee composed of representatives of the Member States. This decision allowed a consent to be issued to Monsanto Europe by the United Kingdom for the specific uses of 'handling in the environment during import, before and during storage, and before and during its processing to non-viable products'.

The consent for the placing on the market of these soya beans has been granted in accordance with the procedures foreseen by Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms ([1]). The United Kingdom examined the compliance of the notification with the Directive giving particular attention to the environmental risk assessment and forwarded the dossier to the Commission with a favourable opinion. Furthermore, the Commission based its decision on the information submitted in the dossier as well as the evaluations and arguments provided by the other Member States. The information provided and the risk assessment carried out has satisfied the Commission that adverse effects on human health and the environment are not likely to result from the above-mentioned uses of the product.

2. In the light of the above, the Commission does not see a need for any further studies or analysis. The Commission is further reassured by the safety provisions of Directive 90/220/EEC, in particular Articles 11.6 and 16, which ensure that any new information which indicates any previously unforeseen risks will be forwarded to the Commission and the Member States and the consent will be modified or revoked accordingly.

3. Following the granting of the consent by the United Kingdom, the Monsanto soya beans may be allowed in all Member States, including Spain, for the above-mentioned uses. The Commission decision and the consent granted do not exclude the application of national provisions on human food safety or animal feed safety, provided they are in compliance with Community law.

4. The Commission recognizes the importance of labelling to consumers. The Regulation on novel food and novel food ingredients ([2]) which has just been adopted by the Council and the Parliament provides specific rules for the labelling of foodstuffs containing, consisting of, or derived from genetically modified organisms. Furthermore, the Commission intends to address the issue of labelling in the context of Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms.

([1]) OJ L 117, 8.5.1990.
([2]) OJ L 43, 14.2.1997.

(97/C 217/96)

WRITTEN QUESTION P-4131/96

by Luisa Todini (UPE) to the Commission

(14 January 1997)

Subject: Introduction of '117' phoneline

On 16 December 1996 the '117' phoneline, also known as the 'anti-evasion line', was introduced in Italy. This allows people to report suspected cases of tax evasion to the 'Guardia di Finanza' (inland revenue authorities) by dialling 117.

Does the Commission not consider that the setting-up of this line is contrary to Community law on the protection of citizens and their privacy, not least because such a method could be dangerous, in that people might be tempted to report others for ulterior motives?

Answer given by Mr Santer on behalf of the Commission

(5 March 1997)

The sole purpose of the Italian 'anti-fraud number' (117) was to make it easier for the national authorities to obtain information on tax fraud and irregularities. It is for the national authorities to ensure that the private life of citizens is protected in accordance with Community law.

Member States must, by 24 October 1998 at the latest, comply with Directive 95/46/EC of the Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data. The Italian Parliament passed Act No 675/96 on 31 December 1996 for that purpose. On the basis of this Act, Parliament will appoint an authority responsible for ensuring that personal data communicated via the 117 service is processed in accordance with the Act.

(97/C 217/97)

WRITTEN QUESTION P-0002/97

by Heidi Hautala (V) to the Commission

(14 January 1997)

Subject: Tax exemption for xylitol

In its decision of 17 December 1996 the Commission ruled that xylitol's impact on health did not constitute sufficient grounds for granting it exemption from the tax on confectionery in Finland. According to my information, research carried out in Finland has produced strong evidence that xylitol helps to prevent tooth decay. According to a study recently published in Oulu, xylitol also prevents inflammation of the ear in children.

What scientific evidence does the Commission have which contradicts the Finnish research findings? Is the Commission's own research recent? Has the Commission used US research findings and are they independent?

(97/C 217/98)

WRITTEN QUESTION E-0022/97

by Riitta Myller (PSE) to the Commission

(22 January 1997)

Subject: Health effects of xylitol

A number of research projects have shown that the use of xylitol promotes dental hygiene. According to the latest research findings, xylitol also helps to prevent inflammation of the ear. It can justifiably be said that the use of xylitol is of significance for public health.

In view of the effects of xylitol on public health, Finland has exempted it from confectionery tax. The proposal came from pupils at Vatiala school in the Kangasala district, and a bill to amend the law to this effect has been passed by the Finnish Parliament. However, the Commission has adopted an adverse position on the tax exemption on the basis of EU competition rules and has demanded that the Finnish authorities cease their special treatment of xylitol.

I should like to hear from the Member of the Commission who is responsible for this matter how the indisputable and significant health effects of the use of xylitol have been taken into account, and how it is intended that they should be taken into account in future, in determining the Commission's position with regard to the possibility of retaining the tax exemption for xylitol.

Joint answer
to Written Questions P-0002/97 and E-0022/97
given by Mr Monti on behalf of the Commission

(11 March 1997)

Article 95 of the EC Treaty prohibits Member States from imposing, directly or indirectly, on the products of other Member States any internal taxation of any kind in excess of that imposed directly or indirectly on similar domestic products. Furthermore, Member States are prohibited from imposing on the products of other Member States any internal taxation of such a nature as to afford indirect protection to other products.

However, it should be noted that, in accordance with the case-law of the Court of Justice, Community law does not restrict a Member State's freedom to establish a system of differentiated taxation for certain products, provided that it is based on objective criteria. Accordingly, public health considerations could justify a tax measure in support of a specific sweetener having qualities which prevent or help to prevent tooth decay and which distinguish it from other sweeteners.

The Commission considers that the sweetener xylitol does not have such qualities. An assessment of the various publications submitted by the Finnish authorities and of scientific publications on the matter shows that, because of inadequacies in the methodology used, the clinical studies on the effectiveness of xylitol do not demonstrate or establish the superiority of the anti-cariogenic and therapeutic properties of the product compared with other artificial sweeteners. It follows that xylitol cannot be said to have properties that are distinct from those of other artificial sweeteners, such as sorbitol.

This assessment merely confirms the opinion which the Scientific Committee for Food delivered on sweeteners in 1984.

Furthermore, the US Food and Drug Administration (FDA) came to a similar conclusion. On 16 August 1996 it decided, as regards the indications to be used on food packaging regarding the properties of artificial sweeteners in preventing tooth decay, that all artificial sweeteners should be treated as equivalent.

For these reasons, the Commission decided to initiate the procedure provided for in Article 169 of the EC Treaty against Finland for infringement of Article 95 of the EC Treaty. The Commission takes the view that, in the case in point, there is tax discrimination between similar products, namely Finnish confectionery products containing xylitol and those manufactured using other artificial sweeteners from other Member States.

(97/C 217/99)

WRITTEN QUESTION E-0009/97

by Glyn Ford (PSE) to the Council

(22 January 1997)

Subject: Research Council cancellation

Does the Council consider it an adequate response to an MEP's question asked in August to give a reply five months later at the end of December merely referring him to the contents of a debate in October, two and a half months after the question was initially asked?

Answer

(3 April 1997)

The Council regrets the delay in replying to Written Question No 2276/96 to which the Honourable Member refers.

The delay is partly due to the complexity of the procedures for approving replies to Written Questions.

In the case in point, it was deemed more appropriate to reply by referring to the fuller and more up-to-date replies given by the Council to the Oral Questions on the same subject put in plenary.

(97/C 217/100)

WRITTEN QUESTION E-0010/97

by Anita Pollack (PSE) to the Commission

(22 January 1997)

Subject: ECVAM and testing on animals

Would it be possible to have an annual report on ECVAM's progress in the areas of reduction, replacement and validation of tests on animals?

Answer given by Mrs Cresson on behalf of the Commission

(14 March 1997)

The report on the activities carried out in 1996 by the the European Centre for the Validation of Alternative Methods of the Joint Research Centre is being drafted and will be completed during the next few weeks.

(97/C 217/101)

WRITTEN QUESTION E-0013/97

by Mary Banotti (PPE) to the Commission

(22 January 1997)

Subject: EU social assistance butter scheme

Could the Commission explain an apparent anomaly in the EU social assistance butter scheme? It appears that the scheme does not extent to margarines and other spreads considered by the medical profession to be less harmful to the cardio-vascular system.

Given that a considerable number of those qualifying for assistance are the sick and elderly, could the scheme be more flexible?

Answer given by Mr Fischler on behalf of the Commission

(14 February 1997)

The Council has on the basis of a Commission report [1] decided to prolong for a two year period ending 31 December 1998 the existing Council Regulation (EEC) No 2990/82 concerning the sale of butter at reduced prices to persons receiving social assistance [2].

The scheme allowing for these sales of butter has been in operation since 1978 and together with other butter disposal measures, serves to reduce the butter surpluses within the Community and, in this way, support the milk prices paid to the farmers. This aim could hardly be attained if margarine or spreads were made eligible under the scheme. Furthermore, butter is a high quality product most adequate for human consumption which has been very well received by all beneficiaries under the scheme.

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(1) COM(96)651 final.
(2) OJ L 314, 10.11.1982.

(97/C 217/102)

WRITTEN QUESTION E-0015/97

by Mary Banotti (PPE) to the Commission

(22 January 1997)

Subject: Red IFJ card

Further to my earlier Question E-3160/96 [1], could the Commission explain why security staff were instructed by the head of the Commission's press service on 29 March 1996 to refuse journalists bearing only the

International Federation of Journalists' (IFJ) red press card access to the Commission Press room? In spite of repeated requests the Commission has still not explained why this step was taken when it was previously possible for journalists to attend the briefings by showing this card alone.

(1) OJ C 91, 20.3.1997, p. 73.

Answer given by Mr Santer on behalf of the Commission

(24 February 1997)

The Commission can confirm that all professional journalists have access to the Commission press room. The answer by the Commission to question E-3160/96 by the Honourable Member (1) stated that for journalists who are nationals of countries that do not have a national card, equivalents such as the International Journalists Federation card are accepted for access to the press room. This was clarified in an exchange of letters between the Commission and the IFJ. The note to which the Honourable Member refers is therefore no longer relevant.

(1) OJ C 91, 20.3.1997.

(97/C 217/103)

WRITTEN QUESTION E-0018/97

by Miguel Arias Cañete (PPE) to the Commission

(22 January 1997)

Subject: Monitoring subsidies in the rice sector

A private processors' organization has been made responsible for the administration of the quantities of rice assigned to the US in the context of the quotas negotiated in accordance with Article XXIV of GATT. In view of the fact that there may be cross-subsidization between quantities which benefit from tariff concessions and those subject to ordinary customs duties, and the fact that it is difficult for this organization to carry out its monitoring duties, what steps does the Commission intend to take to monitor the flow of packaged products and the possibility of cross-subsidization?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1997)

Council Regulation (EC) No 1522/96 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice (1) stipulates that rice imports from the United States will start only when the current consultations have been brought to an end. These consultations are not finished yet and therefore imports from this origin as provided for in the above-mentioned Regulation have not started yet.

With regard to imports of rice in packages of at least 5 kilogrammes and the possibility of cross-subsidization, Article 9 of the Regulation provides for the Commission to monitor the quantities imported in particular on these two points.

(1) OJ L 190, 31.7.1996.

(97/C 217/104)

WRITTEN QUESTION E-0020/97

by Miguel Arias Cañete (PPE) to the Commission

(22 January 1997)

Subject: Balance of 75 000 tonnes of rice left over from the maximum quantities laid down for subsidized exports in the previous marketing year

The limits on subsidized exports of rice laid down by GATT are insufficient for this marketing year to meet the requirements of the sector. However, last marketing year neither the quantities laid down nor the funds made available were used up, which means that 75 000 tonnes remain.

Can the Commission say whether the balance of 75 000 tonnes can be added to the limit laid down for the current financial year, in order to ease the situation on the market?

Answer given by Mr Fischler on behalf of the Commission

(13 February 1997)

Under the Uruguay Round agreement the maximum quantity of rice that may be exported with a refund in the 1996/97 marketing year is 157 100 tonnes.

In the 1995/96 marketing year exports attracting a refund (89 000 tonnes) failed to reach the maximum quantity of 163 000 tonnes. A certain degree of flexibility will be possible therefore for the current marketing year, in the light of the market situation and budget availabilities.

(97/C 217/105)

WRITTEN QUESTION E-0021/97

by Miguel Arias Cañete (PPE) to the Commission

(22 January 1997)

Subject: Crisis in the rice sector

Five years after the entry into force of Decision 91/482/EEC [1] on the association of the overseas countries and territories with the European Economic Community imports of rice from those countries are steadily increasing.

Does the Commission intend to adopt the safeguard clause requested by Italy?

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

Answer given by Mr Fischler on behalf of the Commission

(12 February 1997)

The safeguard measures requested by Italy and Spain were introduced by Commission Regulation (EC) 21/97 of 8 January 1997 [1]. The measure aims to restrict the volume of imports from this origin to mitigate the impact of duty-free imports on the marketing of indica rice produced in the Community. Under the Regulation a maximum quantity of 42 650 tonnes of husked rice equivalent may be imported at zero duty until 30 April 1997.

[1] OJ L 5, 9.1.1997.

(97/C 217/106)

WRITTEN QUESTION E-0023/97

by Fernand Herman (PPE) to the Commission

(22 January 1997)

Subject: Invitations to tender for service contract

Official Journal C 350, of 21 November 1996, contains a notice of service contract (page 22), which requires tenderers to

— employ a minimum of 100 professionals in the field of financial and operational audits.

This requirement is unjustified, not least because:

1. it limits selection to a few large firms, which charge excessive fees that often have no bearing on the quality of the service provided;
2. smaller firms which have the full confidence of other Commission services are thereby arbitrarily disqualified even though they offer better value for money;
3. the Commission keeps claiming that it wishes to promote SMEs, while, in actual practice, it gives large multinationals preferential treatment.

Will the Commission state whether it is prepared to draw up its calls for tenders in future in such a way as to achieve the best possible results on the basis of the most comprehensive and highest-quality bids?

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

(6 March 1997)

The invitation to tender in question and its publication in the Official Journal were the responsibility of the European Training Foundation (ETF). The Commission has asked to be consulted before the Foundation publishes any invitation to tender. This will enable it to ensure that the criteria used in the ETF's future invitations to tender are non-discriminatory. It shares the Honourable Member's concern to open the field of works and services commissioned by it to small and medium-sized enterprises.

(97/C 217/107)

WRITTEN QUESTION E-0027/97

by Jens-Peter Bonde (I-EDN) to the Council

(22 January 1997)

Subject: Secret declarations

Given the lack of statistics, will the Council provide a complete list of the secret declarations adopted but not published since 2 October 1995?

Answer

(18 April 1997)

As regards the activity of the Council acting as legislator (within the meaning of the Annex to the Rules of Procedure of the Council of 6.12.1995), the Honourable Member has already been informed by the Council in reply to his Written Question No P-2385/96 (see OJ C ...) on the number and kind of statements in the Council minutes which have not been made available to the public under the Code of Conduct of 2 October 1995.

However, as regards the activity of the Council when not acting as legislator, statements made when such acts are adopted are not made available to the public under the Code of Conduct. The Council is therefore unable to provide the 'complete list of the secret declarations' requested by the Honourable Member.

(97/C 217/108)

WRITTEN QUESTION E-0029/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(22 January 1997)

Subject: Extension of natural gas pipeline to western Greece and Albania

In its answer to my question No. E-807/95 [1] on 18 May 1995, the Commission stated that 'the future extension of the pipeline towards west Greece and Albania is being examined by the Greek authorities.'

1. Is the Greek Government taking steps to extend the natural gas pipeline to Albania?

2. Are there funding problems involved in extending the pipeline to Albania? What are the terms set by the European Investment Bank?

3. Are there alternative plans for conveying natural gas to the Adriatic coast?

[1] OJ C 209, 14.8.1995, p. 24.

Answer given by Mr Papoutsis on behalf of the Commission

(7 March 1997)

The Greek government has stated on various occasions its interest to see the Greek natural gas grid extended towards the North-West part of the country and interconnected with neighbouring countries, among others Albania. The Greek government has supported the application to the Commission for the funding, through the Trans-European network (TEN) energy programme, of a feasibility study (to be conducted by the Greek public power corporation) for the extension towards the North-West part of the country and Albania.

The Commission intends to co-finance this proposed feasibility study through the TEN energy programme. Only after the final conclusions of this study are made available, can the issue of financing the investment, for example by the European investment bank, be addressed.

The Commission is not aware of any alternative projects having reached a similar level of maturity.

(97/C 217/109)

WRITTEN QUESTION E-0034/97

by Jesús Cabezón Alonso (PSE) to the Council

(22 January 1997)

Subject: The absence of certain regions in the design of the euro

On the reverse side of the designs for the euro banknotes unveiled at the Dublin European Council is an outline of the map of Europe which does not include European Union territories such as the Canary Islands or the Azores.

Who is responsible for this error?

Does the Council intend to rectify this error in the final design?

Answer

(3 April 1997)

Article 105a(1) of the Treaty stipulates that 'the European Central Bank shall have the exclusive right to authorize the issue of banknotes within the Community.'

Pursuant to the fifth indent of Article 109f(3), the European Monetary Institute is responsible for supervising the technical preparation of euro banknotes.

In its press release dated 13 December 1996 when the designs referred to by the Honourable Member were unveiled, the European Monetary Institute stated that:

— it would continue to work with the designer to perfect the banknotes;

— the European Central Bank would decide in 1998 on the final designs and order production of the banknotes to begin.

(97/C 217/110) **WRITTEN QUESTION E-0038/97**

by Riccardo Garosci (UPE) and Luigi Florio (UPE) to the Commission

(22 January 1997)

Subject: Fiscal measures to improve the situation in the automobile industry in Europe — and in Italy in particular — such as concessions for first-time buyers of passenger cars, commercial vehicles and motorcycles

The automobile industry plays a leading role in the Community economy. Its importance in social terms and in terms of jobs is beyond dispute. The steady automation of production methods has brought drastic changes, however, and the current slowdown in sales is holding back the industry itself and the activities dependent on it.

Given the above, can the Commission either take direct action or approach the Member States in which the slowdown in sales is particularly marked, such as Italy, with a view to the introduction of tax reductions or concessions designed to boost vehicle sales?

Measures to revitalize the market for passenger cars, commercial vehicles and motorcycles would both safeguard direct and indirect jobs in the automobile industry and ensure that older vehicles, which are less safe and generate more pollution than new ones, are replaced. Similar measures have been taken in the past and have proved successful. These measures should now be updated and extended, and should be geared to first-time buyers in particular, who could, for example, be exempted from paying VAT.

Answer given by Mr Monti on behalf of the Commission

(10 March 1997)

It is primarily up to Member States to decide whether to attempt to stimulate car sales, particularly where it might involve the use of fiscal measures. In this context, vehicle taxes are not subject to any general Community system, and Member States are largely free to implement such taxes, or features within their tax systems, as they choose, provided they do not contravene the provisions of the EC Treaty and, in particular, that they do not impede the functioning of the internal market.

As the Honourable Members acknowledge, a number of Member States have used measures which can improve road safety and environmental performance and at the same time stimulate sales of new vehicles. Often these take the form of scrapping schemes, involving economic or fiscal incentives to purchasers of a new vehicle where a old vehicle is withdrawn from service. It is of course open to each Member State to implement such measures, subject to the general conditions outlined above. Such a measure has been introduced in a number of Member States, including, very recently, Italy.

As regards value added tax (VAT), this is a general consumption tax which is governed by Community rules. Motor vehicles must be subjected to VAT at each Member State's standard rate, which must be at least 15%. It would not be possible for a Member State to apply differential VAT treatment according to criteria such as whether purchasers were first time buyers. That said, Italy could consider extending the right of companies to deduct VAT paid on cars acquired by them. Such a measure would ensure better neutrality of VAT for business activities and would at the same time, help to revitalise the car market.

(97/C 217/111)

WRITTEN QUESTION P-0043/97

by Fernando Moniz (PSE) to the Commission

(15 January 1997)

Subject: Singapore Conference, WTO and social rights

According to even the most optimistic assessments, the results of the recent Ministerial Conference in Singapore fall far short of expectations.

However, while some consider that the WTO has simply abandoned the 'social clause', others see the latest developments as the first step in a long process; and others, following the Commission's assessment, believe that these developments have established the broad lines for further liberalization and the adjustment of the WTO to the world economy and led to a consensus or agreement on labour standards, which are internationally recognized as a fundamental human right.

The British Government has reaffirmed its position that social issues, such as forced labour and child labour, come under the exclusive competence of national states.

Does the Commission share the British Government's view?

What kind of agreement or consensus was actually reached in Singapore?

Answer given by Sir Leon Brittan on behalf of the Commission

(7 February 1997)

In Singapore ministers renewed their commitment to the observance of internationally recognised core labour standards and reaffirmed their support for the International labour organisation (ILO) in setting and promoting these standards. Ministers furthermore rejected the use of labour standards for protectionist purposes and agreed that the comparative advantage of countries, particularly low wage developing countries, must not be put into question. In this regard, they have noted that the World trade organization (WTO) and ILO secretariats will continue their existing collaboration.

Trade and labour standards do not fall within the exclusive competence of Member States. The matter has been raised in the WTO framework in connection with trade issues. The position on competences is very similar to the case of trade related intellectual property rights, for which the Court of justice has concluded joint competences exist. Social issues and intellectual property rights have been the subject of harmonisation at Community level, although in neither case has harmonisation been fully completed.

Some forms of forced labour violate human rights, the respect of which is an essential element in the agreements between the Community and third countries. Moreover, the Community scheme of generalized tariff preferences (GSP) provides [1] that preferential treatment may be temporarily withdrawn, in case of practices of forced labour or of export of goods made by prison labour in a beneficiary country. It provides also that, as from 1 January 1998, additional preferences may be granted to beneficiary countries which apply the substance of the ILO standards concerning freedom of association and protection of the right to organize, application of the right to organize and to bargain collectively (ILO conventions Nos 87 and 98), and minimum age for admission to employment (ILO convention No 138).

[1] Since 1.1.1995 for industrial products (Council Regulation (EC) No 3281/94 of 21.12.1994, OJ L 348, 31.12.1994, and since 1.1.1997 for agricultural and fishery products (Council Regulation (EC) No 1256/96 of 20.6.1996, OJ L 160, 29.6.1996).

(97/C 217/112)

WRITTEN QUESTION E-0044/97

by Günter Lüttge (PSE) to the Commission

(22 January 1997)

Subject: Further harmonization of road signs in the European Union, in particular on the trans-European road network

The European Parliament has called on numerous occasions — most recently in its resolution on the Common Transport Policy Action Programme 1995-2000 (A4-0075/96 [1]) for the further harmonization of road signs in

the European Union with a view to increasing road safety. This applies in particular to directional road signs on the trans-European road network. To this end, the Transport Infrastructure Committee — Motorway Working Group, in its START report, recommended the creation of a Model Signing Code.

Have any measures been taken in this area? If so, what are they, and what is the timescale envisaged?

Are there plans to commission research on this aspect or parts thereof in the context of part 3 of the Fourth Research Framework Programme?

(1) OJ C 181, 6.6.1996, p. 21.

Answer given by Mr Kinnock on behalf of the Commission

(6 March 1997)

The October 1994 report (1) on the action Start (standardisation of typology on the trans-European road network) included under the heading 'long term vision' a call for the creation of a model signing code for the trans-European road network to be implemented in the long term.

Measures taken in this area since then include two studies by the International road federation finalised in 1996, the first on an integrated direction signing system i.e. based on the main European destinations, and the second on the consistency between the agreement of main international arterials, the trans-European road network, and the direction signing project.

Research has been commissioned concerning road signs in the fourth framework research programme. This is the Arrows project (advanced research on road workzone safety standards in Europe) which aims to prepare by 1998 a technical guide on road works signing in order to improve road safety.

The Start report also called for general application at Community level of the Vienna Convention on road traffic signs and markings. However, discussions in the Council in 1995 on the basis of a draft resolution of the French Presidency indicated resistance by most delegations to Community legislation relating to road signs.

(1) A copy of which is forwarded direct to the Honourable Member and to the Secretariat general of the Parliament.

(97/C 217/113)

WRITTEN QUESTION E-0045/97

by Hartmut Nassauer (PPE) to the Council

(22 January 1997)

Subject: Progress of ratification of conventions and protocols adopted under Title VI of the Treaty on European Union

For each convention and, where appropriate, protocol, adopted under Title VI of the Treaty on European Union (together with the Dublin Convention on Asylum), will the Council give the progress of ratification procedures as at 31 December 1996 in each Member State?

Answer

(18 April 1997)

The Council is not in a position to inform the Honourable Member of progress in each of the Member States of the internal ratification procedures for conventions adopted under Title VI of the Treaty on European Union. It can however state which Member States have already deposited their instruments of ratification for the conventions and protocols of which it is the depositary.

Convention on Simplified Extradition Procedure between the Member States of the European Union, signed on 10 March 1995:

— Denmark on 19 November 1996

Convention on the Establishment of a European Police Office (Europol), signed on 26 July 1995:

— United Kingdom on 10 December 1996

Convention on the Protection of the European Communities' Financial Interests, signed on 26 July 1995:

— No instruments of ratification deposited

Convention on the Use of Information Technology for Customs Purposes, signed on 26 July 1995:

— Denmark on 1 August 1996

Protocol on the interpretation by the Court of Justice of the European Communities, by way of preliminary rulings, of the Convention on the establishment of a European Police Office, signed on 24 July 1996:

— United Kingdom on 10 December 1996

Protocol to the Convention on the Protection of the European Communities' Financial Interests, signed on 27 September 1996:

— No instruments of ratification deposited

Convention relating to extradition between the Member States of the European Union, signed on 27 September 1996:

— No instruments of ratification deposited

Protocol on the interpretation by way of preliminary rulings by the Court of Justice of the European Communities, of the Convention on the Protection of the European Communities' Financial Interests, signed on 29 November 1996:

— No instruments of ratification deposited

Protocol on the interpretation by way of preliminary rulings by the Court of Justice of the European Communities, of the Convention on the Use of Information Technology for Customs Purposes, signed on 29 November 1996:

— No instruments of ratification deposited

For the Convention Determining the State Responsibile for Examining Applications for Asylum Lodged in one of the Member States of the European Communities (Dublin Convention), signed before the entry into force of the Treaty on European Union on 1 June 1990 and 13 June 1991, the Irish Government is the depositary of the instruments of ratification.

(97/C 217/114)

WRITTEN QUESTION E-0051/97

by Iñigo Méndez de Vigo (PPE) to the Commission

(22 January 1997)

Subject: Fisheries agreement with Morocco

At the Euro-Mediterranean Conference on fisheries, Mrs Emma Bonino, the Commissioner responsible for fisheries, said that the Mediterranean was being badly over-fished and that it was essential to strike a balance between resources, economic aspects and employment.

What proposals does the Commission have in mind to achieve this objective, taking into account the statements by Mr Sahel, the Moroccan Fisheries Minister, to the effect that the EU-Morocco fisheries agreement would not be renewed following its expiry in 1999?

Answer given by Mrs Bonino on behalf of the Commission

(12 March 1997)

The Commission intends to pursue its fisheries policy in the Mediterranean in accordance with the principles and objectives set out in the solemn declaration adopted at the Venice conference on resource management and conservation in the Mediterranean. Copies are being sent directly to the Honourable Member and to Parliament's Secretariat. The group of legal and technical experts set up by the conference is to draw up concrete proposals for improving resource management and conservation. These will then be referred to the General Fisheries Council for the Mediterranean (GFCM) for adoption and implementation.

The Commission would also recall its proposal for a multiannual guidance programme applicable to all fleets and Community waters, Mediterranean waters included (1).

As far as Mr Sahel's statements on renewal of the agreement after 1999 are concerned, the Commission considers that the first response required is the willingness and capacity of the parties to achieve the objectives to which they are committed under the present agreement so that the bases of the Commission's fisheries relations with the Kingdom of Morocco are consolidated.

(1) COM(96)237 final, 29.5.1996.

(97/C 217/115)

WRITTEN QUESTION E-0052/97

by Iñigo Méndez de Vigo (PPE) to the Commission

(22 January 1997)

Subject: Operation of the SIS (Schengen Information System)

Mr Caspar Einem, the Austrian Minister of the Interior, has said that Austria will probably not enter into the Schengen mechanisms within the planned schedule because the SIS (Schengen Information System) computer network does not yet have sufficient capacity to operate with ten Member States.

Can the Commission say on what date the system will be operational? Has any provision been made for adapting it in the event of new Member States deciding to join the Schengen area?

Answer given by Mr Monti on behalf of the Commission

(19 March 1997)

The Commission considers that this matter falls outside its field of competence. The question should be put to the presidency of the Schengen Group when it submits its progress report to the competent Parliament committee. Reports are usually submitted at least every half-year.

(97/C 217/116)

WRITTEN QUESTION E-0053/97

by Iñigo Méndez de Vigo (PPE) to the Council

(22 January 1997)

Subject: Exclusion of the EP delegation from the OSCE summit

Can the Council explain why EP representatives were excluded from the OSCE meeting held in Lisbon on 2 and 3 December 1996? Does the Council not consider that such a decision is contrary to the current attempts to achieve greater democracy in the working of the Community institutions?

Answer

(3 April 1997)

Having considered a request from the President of the European Parliament that the Council authorise officially the presence of Members of the European Parliament in the European Union Delegationto the OSCE Summit (Lisbon, 2-3 December 1996) the Council noted that there was no agreement amongst its members to accede to such a request.

The Presidency was available to the European Parliament to provide full information on the work and the results of the Summit.

(97/C 217/117)

WRITTEN QUESTION E-0055/97

by Giuseppe Rauti (NI) to the Commission

(22 January 1997)

Subject: Proposal by the Italian Confederation of Agriculture concerning food aid for the Third World

What is the Commission's opinion of the proposal by the President of the Italian Confederation of Agriculture, Augusto Bocchini, that the European Union should adopt a programme for the regular dispatch of food aid to the Third World?

According to the report in the 'Corriere della Sera' of 29 December 1996 of an interview given by Mr Bocchini to the journalist Renzo Ruffelli, the Italian Confederation of Agriculture (farmers' union) calls for the EU to abandon the 'case by case' approach it has adopted up to now, to make systematic efforts to help communities suffering from famine or long-term food shortages and to avoid, in future, being 'obliged to buy corn or rice on the world market'. In short, 'Brussels should draw up an assistance programme that looks beyond the immediate short term. Why not earmark a certain proportion of production for food aid right from the start of the agricultural year', since there is no getting away from the fact that 'the poorest parts of the world will continue to depend on Western aid for a long time to come'?

According to the Confederation, 'the European Union is capable of equalling the amount of food aid provided on average by the United States, i.e 6-7 million tonnes'.

Would the Commission also provide accurate statistics concerning:

1. what and how much food aid the European Union supplied to Third World countries in 1995 and 1996;
2. the cost of that aid;
3. where, on which markets, in which non-European countries the European Union acquired the food aid in question?

Answer given by Mr Pinheiro on behalf of the Commission

(10 March 1997)

The figures for 1995 show about 1.3 million tonnes of food aid in kind, of which 1.2 million were cereals. The Commission can respond appropriately to food aid needs arising in developing countries.

The reform of food aid policy and of operations in support of food security culminated in the adoption by the Council of a new Regulation on these subjects (Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security [1]). The Commission has carried out a number of evaluations of its food aid, one of them jointly with the Member States, and they brought out serious limitations in the food aid measures to attain the desired objectives: in substance, a sustainable improvement in food security for the recipients.

The reform strengthens the Commission's ability to respond to a variety of situations in which the causes of food insecurity require different responses. Particularly where food insecurity is not due to the unavailability of foodstuffs but to the difficulty that marginalized communities have in getting at them, food distribution is not only palliative but often counter-productive because it causes dependency which is very difficult to put right subsequently. The Commission, moreover, programmes its assistance, be it in food-aid or other form, over the medium term. In severe famine situations, of course, whether they are due to the climate or to human agency, every implementing device employed by the Commission is placed at the service of emergency aid.

United States food aid, however, does not amount to six to seven million tonnes a year but about half that. United States aid is also bringing in changes for the sake of greater flexibility.

To give an idea of the substance of the reform the Commission is sending the Honourable Member and Parliament's Secretariat a descriptive brochure.

[1] OJ L 166, 5.7.1996.

(97/C 217/118)

WRITTEN QUESTION E-0056/97

by Ria Oomen-Ruijten (PPE) to the Commission

(24 January 1997)

Subject: European phytosanitary directive

1. Can the Commission give any information on the implementation of the European phytosanitary directive (77/93/EEC [1]) in the various Member States?

2. Specifically, what is the situation as regards:

— the development of a system for the responsible issue of plant passports,

— the use of plant passports by breeders of source material,

— the number of plant passports issued,

— monitoring to ensure the proper use of the plant passport in trade in source material,

— the removal of obstacles to intra-EU trade in source material and the prevention of the spread of diseases and pests within the EU, as sought by the directive?

[1] OJ L 26, 31.1.1977, p. 20.

Answer given by Mr Fischler on behalf of the Commission

(25 February 1997)

New plant health arrangements to protect the Community against the introduction of organisms harmful to plants or plant products and to prevent their spread inside the Community were introduced on 1 January to satisfy the requirements of the internal market.

The Member States themselves and the Commission carry out checks on producers, including importers, to ensure compliance with Council Directive 77/93/EEC, particularly with regard to the use of the plant health passport. There has been a constant improvement in the passport system since its introduction on 1 June 1993 for all the plants and plant products covered, including seedlings and reproductive material of the species concerned resulting from plant breeding and circulating inside the Community.

In this respect, the aforementioned Directive stipulates that commercial purchasers of plants, plant products and other items, as end-users engaged professionally in plant production, should keep plant health passports for at least a year and should note their references in their books. It also stipulates that the plant health inspectors of the Member States are entitled to carry out any investigation necessary for the purposes of official controls, including inspection of plant health passports and books. The Directive does not, however, require either the Member States or the Commission to keep a record of the number of plant health passports issued.

The concepts of 'accompanying documents' forming part of the plant health passport and 'replacement passport' will need to be examined by the plant health experts of the Member States and the Commission since, in practice, often only the accompanying documents are attached to consignments of plants and plant products instead of the plant health passport itself, and the replacement passport is only rarely used by producers, being considered by certain Member States as a barrier to trade rather than an additional plant health guarantee.

To date all the Member States are complying with the Directive after having transposed it into national law, since they find that it facilitates trade by doing away with documentary, identity and technical checks at internal borders while providing protection against the risks of the introduction or spread of organisms harmful to plants and plant products in Community territory.

(97/C 217/119)

WRITTEN QUESTION E-0061/97

by Kenneth Coates (PSE) to the Commission

(24 January 1997)

Subject: Employment: freedom of movement

Article 123 of the Treaty on European Union states that 'In order to improve employment opportunities for workers in the internal market and to contribute thereby to raising the standard of living, a European Social Fund is hereby established...; it shall aim to render the employment of workers easier and to increase their geographical and occupational mobility within the Community...'.

What provisions are there to 'increase geographical and occupational mobility' of unemployed European Union citizens who have benefited from the Fund and wish to seek work in other European Union countries? What restrictions are there on such movement?

Answer given by Mr Flynn on behalf of the Commission

(6 March 1997)

The Commission would draw the Honourable Member's attention to the fact that the implementing regulations adopted on the basis of Article 123 of the EC Treaty set out clearly the priority objectives for Community action with the assistance of the European Social Fund (ESF), requiring that, by means of programming, Community operations are concentrated on the most pressing needs in relation to the stated objectives.

In this context, owing to the seriousness of the unemployment situation in all the Member States, it has been decided that Community action under the ESF will focus predominantly on combating long-term unemployment and facilitating the integration into working life of young people and of persons exposed to exclusion from the labour market (Objective 3), and on facilitating the adaptation of workers to industrial change and to changes in production systems (Objective 4). The ESF may also provide financing for employment aids to enhance geographical and occupational mobility.

The mid-term review in 1997 will provide an opportunity to assess the ESF programmes now under way and, in this context, the Commission will examine those aspects in respect of which greater account ought to be taken of geographical and occupational mobility under the ESF.

As regards obstacles to transnational mobility, the Honourable Member is asked to refer to the Green Paper adopted by the Commission on 2 October 1996 [1]. These obstacles are the object of suggestions for reflection, debate and action among all the parties concerned.

[1] COM(96)462 final.

(97/C 217/120)

WRITTEN QUESTION E-0064/97

by Kenneth Coates (PSE) to the Commission

(24 January 1997)

Subject: Energy: opencast coalmining

Since 1990, how much coal has been extracted by opencast methods in each of the countries of the European Union?

What proposals does the Commission have for the regulation of the industry, particularly in relation to its environmental impact, and its effects on the health of people living close to opencast sites?

Answer given by Mr Papoutsis on behalf of the Commission

(7 March 1997)

Since 1990, the hard coal extracted by opencast methods in the Community has amounted to 167 million tons (Mt), representing about 15% of the total hard coal produced in the Community. Out of this, 124 Mt was extracted in United Kingdom, 34 Mt in Spain and 8 Mt in France. The annual production in 1996 totalled 22.18 Mt, of which 16 Mt was extracted in the UK, 5 Mt in Spain and 1.12 Mt in France.

In addition, the Community produces lignite by opencast methods. Total production between 1990 and 1996 amounted to 2,184 Mt, of which 1,685 Mt were produced in Germany, 389 Mt in Greece and 90 Mt in Spain.

Community legislation concerning the health and safety of workers in the opencast coalmining industries includes Council Directive 89/391/EEC (1) setting out the legal framework by introducing measures to encourage improvements in the safety and health of workers at work, and in particular Council Directive 92/104/EEC (2) laying down minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries.

According to Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (3), prior to the authorisation of an opencast mining project, an environmental impact assessment must be carried out if the Member State considers that the characteristics of the mine so require.

(1) OJ L 183, 19.6.1989.
(2) OJ L 404, 31.12.1992.
(3) OJ L 175, 5.7.1985.

(97/C 217/121)

WRITTEN QUESTION E-0066/97

by Jaime Valdivielso de Cué (PPE) to the Commission

(24 January 1997)

Subject: The effective management of products confiscated in line with rules on Community fraud

The regulation on protecting trade marks and intellectual property rights has been in force for 7 years, and its scope has been extended to cover copyright, utility models and logos. Checks have been carried out by means of customs instruments enabling over 1 460 cases of fraud to be detected and proceedings to be instigated in three Member States.

There does not appear to be any policy on tackling the problem of what to do with such confiscated products. For the time being, the solution is the systematic destruction of these products. This is both costly and ineffective.

There are some rather poignant examples:

60 000 leather footballs have been confiscated in Germany. Their destruction would entail high economic and environmental costs. Who is to pay such costs — the Commission or the Member State? Has the Commission considered the possibility of donating these footballs to children of developing countries in receipt of humanitarian and food aid (such as the former Yugoslavia, Rwanda, Zaire, etc.)?

33 000 packs of underwear have been confiscated in Spain. Cannot some imaginative use be made of these by donating them to charities or humanitarian organizations such as Caritas or the Red Cross?

Would the Commission consider the possibility of establishing some legal system for disposing of confiscated goods? Does it intend to draw up a regulation aimed at finding a use for these goods?

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

If measures against counterfeit and pirated goods are to be effective and constitute a lasting deterrent, not only must their makers incur effective, proportionate and dissuasive penalties, but the goods themselves must be kept out of commercial channels in the Community. Destroying such goods, though it can prove costly, is the most radical method of keeping counterfeit and pirated goods off the market. As a rule, it is for the national courts to decide who should bear the cost (the holder of the intellectual property right, the counterfeiter or the person in possession of the goods).

Handing goods over to charities or humanitarian organizations is another way of keeping such goods out of commercial channels. However, like destruction, it is not cost-free: steps still have to be taken to make sure that goods cannot be resold or find their way back onto the counterfeit market. This may, for example, involve removing logos and labels bearing counterfeit industrial or trade marks.

The Commission has no plans to propose rules on the disposal of confiscated counterfeit and pirated goods. Subsidiarity dictates that each Member State should be free to decide, either on the basis of national rules or case by case, how to keep goods found to be counterfeit or pirated out of commercial channels and who should bear the costs.

Regulation (EEC) No 3295/94 of 22 December 1994 laying down measures to prohibit the release for free circulation, export, re-export or entry for a suspensive procedure of counterfeit and pirated goods (1) clearly leaves this up to the Member States, in no way obliging them to destroy the goods. Article 8 of the Regulation requires the Member States to adopt the measures necessary to allow the competent authorities, as a general rule, to destroy goods found to be counterfeit or pirated, or dispose of them outside commercial channels in such a way as to preclude injury to the holder of the right, without compensation of any sort and at no cost to the exchequer, and take any other measures in respect of such goods which effectively deprive the persons concerned of the economic benefits of the transaction.

These provisions in no way prevent Member States from giving such goods to charities or humanitarian organizations if they wish to do so.

(1) OJ L 341, 30.12.1994.

(97/C 217/122)

WRITTEN QUESTION E-0068/97

by Florus Wijsenbeek (ELDR) to the Commission

(24 January 1997)

Subject: Rules on Euro-vignette commissions

Is the Commission aware that the rules on commissions paid to the retailers of Euro-vignettes differ widely among the various Member States of the European Union?

Is the Commission also aware that this gives rise to situations where large undertakings selling Euro-vignettes order them from the tax departments of Member States other than their own in order to obtain higher commissions? This naturally results in cases of unfair competition.

Does the Commission also realize that, as the commission is relatively low in some Member States, many transport undertakings are obliged to pay for Euro-vignettes in cash, the amount of the commission not being sufficient to permit payment by credit card? For many transport undertakings that have to be very careful about costs and margins if they are to continue operating in the market, this may pose liquidity problems.

Can the Commission envisage putting forward a proposal for making the rules on commissions the same in all the Member States? If so, how does it think this can be achieved; if not, why is this not possible?

Answer given by Mr Kinnock on behalf of the Commission

(19 March 1997)

The Commission understands that all end-users of the Eurovignette are charged equally irrespective of their nationality. This is in line with the requirement for non-discrimination in Council Directive 93/89/EEC on the application by Member States of taxes on certain vehicles used for the carriage of goods by road and tolls and charges for the use of certain infrastructures (1).

This Directive leaves Member States free to make their own arrangements and there are no Community rules on the maximum profit margins of sale establishments. The Commission is aware of the fact that authorities applying the Eurovignette have reached different agreements regarding the sale terms (including profit percentages) with Eurovignette retailers. This difference is largely due to the prevailing commercial practices and market conditions in each Member State and harmonization of those conditions is beyond the scope of current Community legislation relating to the Eurovignette.

However, the Commission believes that all common means of payment (including credit cards) should be accepted for the purchase of the Eurovignette and has therefore introduced an appropriate provision in its proposal [2] for a new directive to replace Directive 93/89/EEC.

[1] OJ L 279, 12.11.1993.
[2] COM(96)331 final.

(97/C 217/123)

WRITTEN QUESTION E-0069/97

by Florus Wijsenbeek (ELDR) to the Commission

(24 January 1997)

Subject: Solution for 45-foot containers

Is the Commission aware that a new 'corner casting' for 45-foot containers has been developed in the Netherlands, enabling containers of this size to be used without contravening the law on the weights and dimensions of tractor units pulling containers? An increase in the distance from any point on the front of the container to the 'king-pin', which links the tractor unit and the trailer, prevents the permitted length of the loaded section from being exceeded. A minor adjustment to the corners of the front of the container permits the use of the standard size of 45 feet, a common dimension in European road transport for the loaded section of tractor-trailer combinations.

If the Commission is aware of this, does it realize that this new concept makes container transport fully competitive with road transport using tractor-trailer combinations, since it will no longer be handicapped by a lower carrying capacity than the latter form of road transport?

Does the Commission realize, therefore, that this improved competitive position will encourage intermodality, since container shippers generally use various modes of transport?

Given its own efforts to increase intermodal transport in Europe, does the Commission intend to make a careful study of the possible options for the application of this new technological development and, where possible, to encourage its use? If so, how does the Commission intend to go about this?

Answer given by Mr Kinnock on behalf of the Commission

(19 March 1997)

The Commission has been informed about the recently developed new corner castings which would enable containers to reach a length of 45 feet in the central loading part.

Without prejudice to the need to respect other requirements such as those concerning the safe handling of containers, and subject to verification of the exact dimensions, the Commission confirms that such an adjustment could make these containers compatible with the maximum authorised dimensions for semi trailers as laid down in Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic [1].

The Commission is pleased to note that the industry appears to be able to find a solution for large loading units which is legally permitted by the Directive, and is convinced that such technical advances will be adopted in the market without further formal intervention by the Commission.

[1] OJ L 235, 17.9.1996.

(97/C 217/124)

WRITTEN QUESTION E-0073/97

by José Barros Moura (PSE) to the Commission

(24 January 1997)

Subject: Aims of the structural funds

In the speech she gave in Montpellier on 19 September 1996, Commissioner Wulf-Mathies stated that she had concentrated resources on political priorities such as combating unemployment, strengthening competitiveness, especially in the case small and medium-sized undertakings through support for research, development and professional training, improved environmental protection and equal opportunities for men and women.

However, there was no mention of economic and social cohesion, including the aim of reducing socio-economic disparities between Member States, between regions and between social categories.

It must be pointed out that the structural funds are defined in the Treaty and in secondary legislation, and do not correspond to the Commissioner's 'political priorities'.

Will the Commission, as 'guardian' of the Treaties, explain the Commissioner's definition of 'priorities' and indicate the legal basis for her decision?

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

(28 February 1997)

Economic and social cohesion is one of the three priorities of the Community. Reducing socio-economic disparities between Member States, between regions and between social groups is the fundamental aim of the structural funds and the cohesion fund. Top priority is given to improving the position of the low income regions and some 68% of the structural funds are concentrated on the 27% of the population living in these areas, while the cohesion fund offers further support for the four poorest Member States. The remaining resources are concentrated on support for other disadvantaged regions and social groups — old industrial regions, rural problem areas, sparsely populated areas and the social groups worst affected by unemployment.

The purpose of the resources transferred under the structural funds and the cohesion fund is not, however, to redistribute money to disadvantaged regions and social groups, but to tackle the underlying causes of disparities. In this regard, priority is given to the key factors which have the greatest impact on the development of the regions, as underlined in the address by the member of the Commission in charge of regional policy in Montpellier in September 1996. These are the promotion of competitiveness and innovation through research and technological development and the raising of the skills base through professional training. They address the serious weaknesses of the assisted regions by creating durable employment, while promoting equal opportunities and sustainable development. These factors are seen as integral parts of a coherent regional development strategy and are specifically identified in the regulations governing the use of the structural funds (1).

(1) See Article 3 of Regulation (EEC) No 2052/88, Article 1 of Regulation (EEC) No 4254/88, Article 1 of Regulation (EEC) No 4255/88 as amended — OJ L 193, 31.7.1993.

(97/C 217/125)

WRITTEN QUESTION E-0076/97

by Karl-Heinz Florenz (PPE) to the Commission

(24 January 1997)

Subject: Implementation of the Nitrates Directive

1. In which Member States has the Nitrates Directive (91/676/EEC (1)) of 12 December 1991 been implemented to date?

2. What percentages of agricultural land have been designated as 'vulnerable zones' pursuant to Article 3(2) in each of the Member States?

3. What maximum amounts of commercial fertilizers in kg of nitrogen per ha equivalent are permitted in the Member States and from what date are these maximum amounts applicable?

4. In which Member States is it a requirement that a balance be established between the anticipated nitrogen requirements of plants and the supply of nitrogen to plants from the soil and from the use of fertilizers, and which Member States have also laid down this balanced fertilization requirement for phosphate and potash nutrients?

5. In which Member States is the keeping of fertilizer records compulsory for individual farms and what specifications are laid down for such records?

6. In which Member States are technical specifications laid down for fertilizing machinery?

7. Does the Commission expect any new distortions of competition between Member States to result from discrepancies in implementing the nitrates Directive?

(1) OJ L 375, 31.12.1991, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 March 1997)

1. At the present time the Commission is not in a position to conclude that any Member State has fully complied with the requirements of the nitrates Directive. The Commission has already initiated procedures against 13 Member States under Article 169 EC Treaty.

2. Only Sweden has completed its designations under Article 3(2). According to the Swedish authorities this represents 33% of their agricultural land. It should be noted however that five Member States (Denmark, Germany, Luxembourg, the Netherlands and Austria) have designated the whole of their territory under Article 3(5) and hence are exempted from this obligation.

3. The Directive does not require a maximum quantity of chemical fertilisers to be set, therefore the Member States are not required to send this information to the Commission.

4. All Member States are required to include measures in their action programmes that ensure that all fertilisers (including chemical fertilisers) are applied to land based on a balance between the nitrogen requirements of the crops and the nitrogen supply to the crops from the soil and from fertilisation. This takes effect from 19 December 1995. As the Directive does not require balanced fertilisation for phosphate and potash nutrients Member States are not required to send this information to the Commission.

5. The establishment of fertiliser plans on a farm-by-farm basis and the keeping of records on fertiliser use is covered in the optional measures section of Annex II of the Directive under point B9. At the present time the Commission is aware that Denmark, Germany and the Netherlands operate variations of this system for at least some of their farms.

6. Member States are required to have certain provisions concerning the rate and uniformity of spreading in their action programmes. This may include technical specifications. Under the nitrates Directive Member States are not required to submit more general technical requirements to the Commission.

7. Naturally the Commission is aware that different speeds of implementation in Memeber States could result in distortions of competition. To prevent this the Commission is currently pursuing infringement proceedings against most Member States. However it should be underlined that the Directive's objectives are the reduction of pollution and the prevention of further pollution and not the reduction of distortion of competition.

(97/C 217/126)

WRITTEN QUESTION E-0078/97

by Richard Howitt (PSE) to the Commission

(29 January 1997)

Subject: Environmental management project: Oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)

The financial proposal notes that indigenous farmers/people need training in order to fill jobs within the environmental sections in protected areas.

What progress has been made with regard to provision of relevant training and how many indigenous people have now obtained work via those training schemes?

(97/C 217/127)

WRITTEN QUESTION E-0079/97

by Richard Howitt (PSE) to the Commission

(29 January 1997)

Subject: Environmental management project: Oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)

The Commission is currently funding an environmental programme which aims to assess and monitor the impact (EIA) of oil production in three areas within Ecuador: Cuyabeno, Limoncochca and Yasuni.

How many indigenous organizations or representatives have been consulted with regard to planning this project, and how many indigenous peoples are actively employed as participants within the project? Can the Commission provide specific details?

(97/C 217/128)

WRITTEN QUESTION E-0080/97

by Richard Howitt (PSE) to the Commission

(29 January 1997)

Subject: Environmental management project: Oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)

Indigenous peoples' culture and lifestyle involve a very special relationship with the Amazonian environment.

What account of indigenous peoples' livelihood has been made when implementing the EIA project in Amazonian Ecuador?

(97/C 217/129)

WRITTEN QUESTION E-0081/97

by Richard Howitt (PSE) to the Commission

(29 January 1997)

Subject: Environmental management project: Oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)

Has the EIA project in Amazonian Ecuador had any real success in regulating the oil companies' activities within the regions affeeted by oil exploration and production?

What action has been and could be taken by the project managers in relation to oil companies who contravene recommended practices or ignore the pollution implications of their work?

(97/C 217/130)

WRITTEN QUESTION E-0082/97

by Richard Howitt (PSE) to the Commission

(29 January 1997)

Subject: Environmental management project: Oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)

Has the EIA project in Amazonian Ecuador challenged the actions of large logging companies who are detrimentally affecting the protected environment? What 'teeth' has the EIA management if recommendations are ignored by the logging firms?

Joint answer
to Written Questions E-0078/97, E-0079/97, E-0080/97, E-0081/97 and E-0082/97 given by Mr Marín on behalf of the Commission

(4 March 1997)

The environmental management project 'oil production and sustainable development in Amazonian Ecuador (ECU/B7-3010/94/130)' is not yet operational. Presidential elections in Ecuador and the reshuffling of ministers have meant that the 'Comisión Asesora Ambiental (CAAM)' was dissolved and a newly created ministry of the environment took over its functions. Accordingly, the financing convention had to be adapted in favour of the new beneficiary authority.

Concerning the consultation of the indigenous organizations in the planning of the project, the coordinating indigenous roof organisation COICA (Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica) was closely involved in the design of the project. More specifically, the indigenous organizations consulted were ONHHAE (Organización Nacional de los Indígenas Huaoráni en Ecuador), FOISE/FCUNAE (Federaciones de los Indígenas Quichua en Ecuador), ONISE (Organización Nacional de los Indígenas Siona en Ecuador), and OINCE (Organización de los Indígenas Cofán en Ecuador).

In the project, activities are foreseen in order to strengthen the indigenous organizations (courses and seminars to help strengthen the negotiating capacities of these institutions with governmental authorities and with oil companies; administration and project formulation). Concerning the participation of the indigenous people in the implementation of the project once it under way, the project foresees a socio-economic study on the indigenous communities and on their needs and specific proposals for micro-projects formulated together with the indigenous people.

The activities of the project in the environmental field focus firstly on making an inventory of the current situation regarding the respect of the environmental legislation in force and the creation of a monitoring and control system concerning the impacts of oil exploitation; and secondly on supporting the creation of a more coercive legal framework (establishment of an interministerial commission, technical support for the drafting of environmental legislation). These activities should help to create conditions for more sustainable exploitation of oil in the Amazonian.

(97/C 217/131)

WRITTEN QUESTION E-0083/97

by Mark Killilea (UPE) to the Council

(29 January 1997)

Subject: Guarantee fund for European film production

Given the Council of Ministers' disappointing treatment of the proposal (COM(95)546 [1]) to create a European Guarantee Fund to promote cinema and television production within Europe (Audiovisual and Cultural Council, Brussels, 16 December 1996), what are the plans of the Dutch presidency to bring this proposal back on track?

Does the Council not accept that a situation where European films have lost half of their market to American productions, where the EU takes up 60% of America's film exports, and where in 1995 European broadcasters spent ECU 1.3 billion purchasing American-produced films, is one that can be allowed to continue without some form of immediate and substantial intervention?

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[1] OJ C 41, 13.2.1996, p. 8.

Answer

(24 April 1997)

The proposal mentioned by the Honourable Member was discussed by the Council on 16 December 1996, but no agreement was reached on the central question of ensuring access to capital for the European audiovisual production industry.

Meetings of the Council's Working Party on Audiovisual Matters have already been scheduled for further examination of the proposal.

It is also planned that the subject will appear on the agenda for the Council meeting (Audiovisual/Cultural Affairs) on 30 June 1997.

(97/C 217/132)

WRITTEN QUESTION E-0086/97

by Mark Killilea (UPE) to the Commission

(29 January 1997)

Subject: Farm retirement scheme enlargement clause

Under the present EU Early Retirement Scheme for Farmers, presented by the Irish authorities and approved by the Commission on 7 January 1994, there is the stipulation that the person who succeeds the transferor/owner as the head of the agricultural holding must expand the UAA of the holding by at least 5 hectares or by 10%, whichever is greater.

Whilst the intention behind this stipulation was not undesirable, it has however created an unforeseen difficulty for many farmers wishing to avail of the scheme, which I believe justifies an alteration to the regulation concerned. This difficulty, which is being experienced on a widespread scale throughout the country and most particularly in the west, is that young farmers simply cannot source the extra amount of land to satisfy the enlargement criteria. There are now countless situations where elderly farmers wish to retire from farming and are willing to sign over their holdings either to sons or daughters or to other young farmers, and the only thing preventing such changes taking place is the inability of these young farmers to find this extra portion of land.

This scheme has, I believe, been one of the most successful to emanate from the CAP Reform package; however I feel it is currently falling very far short of the impact it could be making on the restructuring of agriculture and farm holdings because of this overly-restrictive enlargement clause. Will the Commission consider raising this matter with the Irish authorities with a view to a more flexible approach to this enlargement requirement?

Answer given by Mr Fischler on behalf of the Commission

(21 February 1997)

The Irish early retirement scheme to which the Honourable Member refers is the national application of Regulation (EEC) No 2079/92 instituting a Community aid scheme for early retirement from farming ([1]). One aim of the Community scheme is to replace elderly farmers with farmers who could improve the economic viability of the remaining holdings. Hence the requirement to increase the size of holdings through the transfer of the released land. With a view to flexibility and subsidiarity, the Community did not lay down detailed rules nor did it put a percentage or minimum figure on the extent to which the holding should expand. It is for the Member State to assess in the light of its administrative experience the most efficient and appropriate solutions, which must then be scrutinized by the Commission when the programme is being approved.

The conditions now applying in Ireland as described by the Honourable Member are thus the result of Irish proposals and discussions Ireland had with the Commission when the Irish early retirement scheme was being negotiated. If, after a certain period of application, the conditions laid down are shown to be too restrictive and hamper the proper working and success of the scheme, the Member State can send a proposal to amend the national scheme to the Commission for scrutiny and adoption in accordance with the procedure laid down in the Regulation.

([1]) OJ L 215, 30. 7.1992.

(97/C 217/133)

WRITTEN QUESTION E-0087/97

by Mark Killilea (UPE) to the Commission

(29 January 1997)

Subject: Citizens First programme

What is the number of requests for information to date by the public under the Citizens First Programme, broken down by Member State and the type of query (i.e. the free phone numbers or the Internet service)?

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

In the period between the launch of the Citizens First initiative on 26 November 1996 and 31 January 1997, the number of requests made by the public for information (guides and factsheets) were as follows:

— via the Citizens First telephone lines

Belgium	4 384
Denmark	987
Germany	11 621
Greece	5 209
Spain	38 718
France	39 512
Ireland	3 783
Italy	51 540
Luxembourg	304
Netherlands	2 579
Austria	2 068
Portugal	5 391
Finland	3 321
Sweden	2 561
United Kingdom	1 427
Total	160 357

— via the Citizens First world wide web

The site has been accessed by 171 243 visitors. The average number of documents viewed is 8. It is not possible to provide a breakdown by Member State.

Overall: Taken together there have been 331 600 requests for information from citizens. This represents 2.5 for every 1 000 households in the Community. In addition, over 11 million copies of Citizens First guides have been made available to the public through distribution points across the Community.

(97/C 217/134)

WRITTEN QUESTION E-0092/97

by David Bowe (PSE) to the Commission

(29 January 1997)

Subject: Cadmium in batteries

The Council resolution of 25 January 1988 on a Community action programme to combat environmental pollution by cadmium [1] points to the importance of the 'collection and recycling of products containing cadmium, for example batters'.

Given that, in the countries with the most success in recycling batteries, the recycling rates do not exceed 35%, what action does the Commission plan to take to strengthen Directives 91/157/EEC [2] and 93/86/EEC [3] in order to improve the current recycling rates? If no action is planned, can the Commission explain why?

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[1] OJ C 30, 4.2.1988, p. 1.
[2] OJ L 78, 26.3.1991, p. 38.
[3] OJ L 264, 23.10.1993, p. 51.

(97/C 217/135)

WRITTEN QUESTION E-0093/97

by David Bowe (PSE) to the Commission

(29 January 1997)

Subject: Cadmium in batteries

According to industry experts, the price differential between NiMH and NiCd batteries, based on today's cadmium price and the material price for NiMH, should equal approximately NiCd + 10% per energy unit (Wh).

This is because the metal hydride electrode is 50 to 80% more expensive than a cadmium one and an electrode accounts for 10 to 20% of the material content of the battery, thus giving the 10% higher price for the whole battery.

However, NiMH batteries are today between 200 and 300% more expensive compared to NiCd per Wh.

Is the Commission concerned by this disparity and does it intend to look into this situation? If not, why not?

(97/C 217/136)

WRITTEN QUESTION E-0094/97

by David Bowe (PSE) to the Commission

(29 January 1997)

Subject: Cadmium in batteries

Does the Commission have any proposals to restrict the use of NiCd batteries in favour of NiMH ones, in light of the fact that cadmium, in the words of the Council resolution of 25 January 1988 on combatting environmental pollution by cadmium (1) 'has already reached levels which cause concern and constitute a problem for human health and the environment', and given that it is technically possible to use NiMH batteries for portable tools?

(1) OJ C 30, 4.2.1988, p. 1.

Joint answer
to Written QuestionsE-0092/97, E-0093/97 and E-0094/97
given by Mrs Bjerregaard on behalf of the Commission

(10 March 1997)

The Commission is looking into the need for a general review of Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances, which may result in a proposal to the Parliament and the Council. The problem raised by the Honourable Member might find a solution in this context. Directive 91/157/EEC contains a number of provisions for certain types of batteries, in particular those which contain more than 0,025% cadmium by weight.

Since nickel-metal-hydride (NiMH) batteries are not covered by Directive 91/157/EEC, Member States are free to introduce measures in order to speed up their introduction provided the measures are in compliance with Community law. During the revision of Directive 91/157/EEC, the Commission will look into the environmental and health merits of this type of batteries and if appropriate will consider the possibilities of a transition to them from nickel cadmium batteries.

The Commission believes that the current cost of NiMH batteries to some extent reflects high development costs. The price difference is likely to decrease in time, particularly when the company which owns many of the NiMH patents completes a new factory, which will increase world capacity by about half. For the time being the Commission believes that it is for the market to find its own price level.

(97/C 217/137)

WRITTEN QUESTION E-0095/97

by Carlo Ripa di Meana (V) and Gianni Tamino (V) to the Commission

(29 January 1997)

Subject: Intermodal centre in Olbia (Sardinia)

Further to our last question (E-1212/96) (1) regarding the Commission's willingness to participate in cofinancing the project for an intermodal centre in Enas (Olbia), the Commission replied on 12 July 1996 that funding could be provided for the centre on condition that the relevant expenditure was incurred before 31 December 1996, and that the decision on where to locate the centre should be taken by the authorities directly involved.

Following suspension by the CORECO (regional control committee) of the decision under which the commune of Olbia had given its approval for the construction programme to be altered so as to locate the intermodal centre in Enas, in August 1996 the Court of Auditors in Cagliari opened an inquiry into the management of the project with a view to establishing whether it really was in breach of current town-planning legislation and conflicted with projects already implemented by other bodies, and thus whether public funds had been properly used.

On 12 September 1996, the regional executive entered the project for a 'railway link to the Olbia industrial port and zone' on the list of works to be funded, pursuant to the CIPE (Interministerial Committee on Economic Planning) decisions of 12 July and 8 August 1996 (Decree Law No 344 of 1 July 1996) and in compliance with current town-planning legislation, which provides for the intermodal centre to be located at the entry to the port.

Rather than allowing the Community funding to go to waste, it would appear preferable to await the conclusion of the CIPE inquiry into the above project, which is in keeping with the strategic goals set by the European Union in support of cabotage and three-way intermodal transport (water-rail-road).

Has the Commission decided not to provide funding for the Olbia intermodal centre, given that the relevant expenditure has not yet been incurred, or would it be willing to extend its funding commitment beyond the 31 December 1996 deadline and await the conclusion of both the Court of Auditor's investigations and the CIPE inquiry into the project for a railway link to the Olbia industrial port and zone?

(1) OJ C 345, 15.11.1996, p. 41.

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

(18 March 1997)

The Commission would refer the Honourable Members to its answer to their written question E-1212/96 (1) where it mentioned that in order for the intermodal centre at Olbia to be eligible for structural fund assistance under the regional programme for Sardinia 1989-1993, expenditure had to be incurred by 31 December 1996. Since this was not the case, the Community funding in question is no longer available for the project.

(1) OJ C 345, 15.11.96.

(97/C 217/138)

WRITTEN QUESTION E-0096/97

by José Apolinário (PSE) to the Commission

(29 January 1997)

Subject: Barlavento Hospital, Algarve — Portuguese 'health' operational programme (second CSF)

Under the 'health' operational programme, as laid down in the second Community support framework for Portugal, the Community is to fund the future Barlavento Hospital in the Algarve, a project which will perform a key role in meeting the region's health needs.

Can the Commission say how far the project has progressed and, if the case applies, confirm that a study is being conducted on the investments provided for in the 'health' operational programme? If the latter information is correct, what is the purpose of the study, and what practical consequences are likely to ensue from its findings?

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

(27 February 1997)

The project for construction of the Barlavento Algarvio hospital was published by the Ministry of Health in the Official Journal (1) and presented as part of the Health Subprogramme of the second Community support framework (CSF) for Portugal, running from 1994 to 1999.

The Commission, after scrutinizing the information sent on 14 November and 16 December 1996 (required under Article 5 of Council Regulation (EEC) No 4254/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund (2), as amended (3)), gave its assent on the basis of that information on 17 January 1997.

As with the other 23 programmes of the CSF, the Health Subprogramme is the subject of an intermediate assessment study by a team of independent consultants awarded the contract for it through a public competition procedure. Assessment was decided on, planned and has been monitored in partnership and the findings will serve as basis for the joint mid-term assessment by the Commission and Portugal of the second CSF scheduled for the second half of 1997.

(1) OJ S 246, 17.12.1993.
(2) OJ L 374, 31.12.1988.
(3) OJ L 193, 31.7.1993.

(97/C 217/139)

WRITTEN QUESTION E-0097/97

by José Apolinário (PSE) and Quinídio Correia (PSE) to the Commission

(29 January 1997)

Subject: Special aid for victims of the severe weather in the Azores

The severe weather which recently struck the Azores has caused damage running into several thousand million escudos, and the Community should accordingly provide special assistance to deal with the situation.

What specific aid has already been granted or will be granted to the Autonomous Region of the Azores in the wake of the violent storms?

Answer given by Mr Santer on behalf of the Commission

(14 March 1997)

The Commission would like to express its full sympathy with the victims of the storms and torrential rain which hit the islands of Graciosa, Pico, Faial, Flores and Sao Miguel in the Azores at the end of 1996. The Commission is aware of the seriousness of the damage, both economic and psychological which the people of the islands have suffered.

The Commission would remind the Honourable Member that under the 1997 budget no appropriations for Community emergency aid have been allocated to heading B4-3400, so that no immediate action can be taken. However, the Commission is currently examining the file to see if it might be able to launch the necessary budgetary procedure and thus give concrete expression to the Community's solidarity with the disaster victims.

As regards the damage to infrastructures, the Commission informed the Portuguese authorities on 17 January 1997 that it had agreed in principle to increasing the operational programme for the Azores by ECU 26 million, the additional funds being taken from the reserve for the Community support framework for Portugal. These extra funds are earmarked for the repair of the public and agricultural infrastructures damaged by the bad weather.

(97/C 217/140)

WRITTEN QUESTION P-0098/97

by José Apolinário (PSE) to the Commission

(17 January 1997)

Subject: Waste tip in Aranjuez (Spain)

In its edition of 30 December 1996 the Spanish newspaper 'El Pais' reported the existence in the locality of Aranjuez (near Madrid), next to the River Tagus, of an ash tip, whose impact on the quality of the river's water has been a source of concern for the press, the Portuguese Government, the local authorities and the general public.

Has the European Commission, which has expressed concern about the quality of the water in relation to investment projects concerning the Portuguese part of Iberian rivers (Douro, Tagus and Guadiana), asked the Spanish Government to clarify the matter? Given that the Commission has, in the context of the Cohesion Fund, financed various projects to protect the quality of water in the River Tagus (Spanish part), this case should not be treated lightly but should be given due consideration.

Answer given by Mrs Bjerregaard on behalf of the Commission

(14 February 1997)

The Commission was not aware of the situation to which the Honourable Member refers. It will take the necessary steps to obtain all relevant details and ascertain that Community environment law is being fully complied with.

The Commission confirms that the Cohesion Fund is helping to finance the Saica project (automatic water quality information system). For the Tagus basin, the Fund's contribution is ECU 11.44 million. A warning station is being cofinanced at Aranjuez.

One of the main functions of the system is to control, monitor and sanction any discharges of pollutants into rivers. The system's automatic warning stations send, in real time, information on water quality to the basin centres, which are connected to the water quality department.

This system, once it starts operating at the end of 1997, will ensure the control and monitoring of anything adversely affecting the water quality of Spain's main rivers.

(97/C 217/141) **WRITTEN QUESTION P-0101/97**

by Katerina Daskalaki (UPE) to the Commission

(22 January 1997)

Subject: Floods in Greece

Catastrophic floods have recently hit many parts of Europe, particularly Greece and specifically the departments of Korinthía, Argolís, Fthiótis and Khalkidikí. These floods have caused rivers to overflow and torrents to form leading to loss of human life and incalculable material damage. Will the Commission confirm that it intends to approve appropriations for flood-prevention projects in those sensitive regions and in other regions of Europe also affected by floods? How does the Commission monitor the utilization of appropriations earmarked for flood-prevention projects, or how will it do so in future? And what steps will it take to tackle the damage caused?

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

(21 February 1997)

The Commission is aware of the damage caused in some Greek regions by the bad weather in January 1997. It deeply regrets the loss of human life and the material consequences for the regions involved.

The Commission would point out that the Greek authorities can apply to carry out flood protection works in the affected regions under the Greek Community Support Framework (CSF) for 1994-99. The Commission is willing to examine in partnership with the authorities the possibilities for such funding within the CSF budget and in the context of the current operational programmes, provided that applications are sufficiently justified and well-founded.

Another possibility is the Community Initiative Interreg II C (spatial planning), which includes a specific heading on transnational cooperation to prevent flooding. The Commission is awaiting a proposal for an operational programme from the Greek authorities.

Under the rules in force, the proper use of Structural Fund resources on the ground is a matter for the Member States. An ex-ante project appraisal system was introduced in Greece for the 1994-99 CSF, enabling the quality of the assisted projects to be improved.

(97/C 217/142)

WRITTEN QUESTION E-0102/97

by Nikitas Kaklamanis (UPE) to the Commission

(29 January 1997)

Subject: Support for combined modes of transport in the EU

The EU promotes the development of combined modes of transport, demonstrating particular interest in promoting them through the development of railways, sea routes and inland waterways in Europe. However, in addition to the above very important configuration, for countries like Greece, with groups of islands, support for the combination of heavy vehicles (lorries and buses) and boats is particularly important. This combination has for many years solved numerous problems relating to communications and the supply of fuel, raw materials and goods.

Do the EU's plans include provision for this form of combined transport, and is funding possible for specific investment projects (within the framework of the trans-European networks or elsewhere) to promote combined heavy vehicle/boat transport?

Answer given by Mr Kinnock on behalf of the Commission

(20 March 1997)

The combination of heavy goods vehicles and shipping can qualify for support by Member States and other advantages of Community legislation if it complies with the definition of combined transport in Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States [1]. That legislation states, inter alia, that the transport has to be between Member States and that the sea link should be at least 100 kilometres long.

If the transport chain to which the Honourable Member refers is innovative and connects two or more Member States, it could be eligible for support under the Pact programme (pilot actions for combined transport) [2].

To qualify for Community funding in the context of the Trans-European network guidelines, proposals would have to fulfil the criteria and specifications drawn up in the guidelines for programmes of common interest. More specifically so far as ports are concerned, a group of experts is presently preparing a report on the treatment of port projects in TENs which will be followed by a report from the Commission.

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[1] OJ L 368, 17.12.1992.

[2] Commission Decision 93/45/EEC of 22 December 1992 concerning the granting of financial support for pilot shcemes to promote combined transport (OJ L 16,25.1.1993) and proposal for a Council Regulation granting Community financial assistance for actions to promote combined goods transport (COM(96)335 final).

(97/C 217/143)

WRITTEN QUESTION E-0107/97

by Alfred Lomas (PSE) to the Council

(29 January 1997)

Subject: Hostages in Kashmir

Bearing in mind the severe weather conditions in Kashmir, will the Council press the Indian Government to make fresh efforts to secure the release of the hostages?

Answer

(24 April 1997)

Since the abduction of the hostages in Kashmir, the EU has undertaken several démarches both with the Indian and Pakistani authorities asking them to spare no efforts in order to resolve this crisis. Unfortunately, there has been no progress on this question and reports about the hostages have been scarce and contadictory over the last months.

(97/C 217/144)

WRITTEN QUESTION E-0109/97

by Carlos Robles Piquer (PPE) to the Council

(29 January 1997)

Subject: Political prisoners in Nigeria

What information does the Commission have in the framework of the CFSP on the situation of political prisoners in Nigeria? In particular, is it true that Chief Abiola and General Obasanjo are being held in total isolation without visitors or reading material and that nothing is known of their state of health?

If so, will the Council continue to confine itself to the docile approach it has so far adopted vis-à-vis the dictatorship under which the most populous country in Africa is suffering?

Answer

(10 April 1997)

The Council fully shares the concern of the Honourable Member about the situation in Nigeria. The European Union has reacted strongly to the blatant disrespect for democratic principles and Human Rights which has been the hallmark of the Nigerian regime. This was reflected by the European Union in the two Common Positions adopted, on 20 November and 4 December 1995.

The Common Position of 4 December stated that further measures would be considered, if steps were not taken by the Nigerian authorities towards an early transition to democracy and to ensure full respect of Human Rights and the rule of law. The Council has continued to follow the situation in Nigeria very closely, through the diplomatic representations of the Member States of the European Union on the ground, as well as in consultation with other members of the international community, and has made known its views in an unequivocal manner to the Nigerian authorities.

We shall continue to pursue with the Government of Nigeria what has been referred to as a 'critical dialogue' and seize every opportunity of presenting out views to the Government.

(97/C 217/145)

WRITTEN QUESTION E-0110/97

by Carlos Robles Piquer (PPE) to the Commission

(29 January 1997)

Subject: Contributions by non-member countries of CERN

According to recent press reports (International Herald Tribune of 27 December 1996) the 18 member countries of the European Organization for Nuclear Research (CERN) have just decided to bring forward to the year 2005 the deadline for completion of the Large Hadron Collider (LHC), which will be the most powerful accelerator in the world.

This decision was taken in the light of the substantial financial commitments made by non-member countries, including the 530 million dollars over the next eight years tentatively approved by the United States, 77 million dollars from Japan and contributions from India, Russia and Canada. Will the Commission give details of these contributions and how they will be spread over time?

In addition, CERN is to close down some of its other programmes in order to maintain the construction of the LHC, given the reductions sheduled from 1997 in the contributions from the member countries. Which programmes are to be sacrificed and what are their costs?

Answer given by Mrs Cresson on behalf of the Commission

(6 March 1997)

Thirteen Member States are members of the European organisation for nuclear research (CERN), and while the Commission is not a member it has since 1985 held observer status on the CERN council. Thus the large hadron collider (LHC) project is followed closely in the Community, but such high energy physics projects and installations are funded directly by CERN's member states, which include Spain, and not by any Community programme.

The 19 CERN member states decided at the CERN council on 20th December 1996 that the LHC project should be completed in a single stage and that planning should proceed on the basis that the LHC should be commissioned in 2005, (a copy of the CERN press release is forwarded direct to the Honourable Member and to the Secretariat General of the Parliament). There has been great interest for LHC shown by several non-member states with considerable firm or foreseen commitment of financial resources as was also indicated by the Honourable Member. These contributions will be received during the construction period of the LHC, partly in cash and partly in kind, and agreed case by case. As part of the financing scheme of the LHC project, the CERN council also decided that the cash management of the LHC project may allow completion of its payment up to 2008, three years after the termination of its construction.

Moreover, the CERN council agreed upon a general reduction in the CERN annual budget, and agreed that funding for the LHC project will be preserved as foreseen when the project was approved, albeit with a reduction in the member states' annual contributions of 7.5% in 1997, 8.5% in 1998-2000, and 9.3% in 2001 and thereafter, compared to the level foreseen in December 1994.

Due to the construction of the LHC, some research programmes which have been exploited for a number of years and shown remarkable scientific results, while also scientifically paving the way for the LHC project, have been discontinued or will be stopped later, based on decisions taken already in 1994. The large electron-position (LEP) collider facilities will be dismantled in 2000 in order to make way for the LHC in the same tunnel.

The Honourable Member may obtain further details directly from the Spanish delegation on the CERN council and from the CERN media service. Their details are forwarded direct to the Honourable Member and to the Secretariat General of the Parliament.

(97/C 217/146)

WRITTEN QUESTION E-0111/97

by Raimo Ilaskivi (PPE) to the Commission

(29 January 1997)

Subject: Clarification of the issue of bias in connection with the Commission decision on the so-called Tuko deal

During the Christmas recess I sent the President of the Commission, Jacques Santer, a fax asking for information about the Commission decision on the so-called Tuko deal. Since I have not yet received a reply, I have tabled the following written question pursuant to Rule 42 of the Rules of Procedure:

1. Does the Commission take the view that generally accepted international practice with regard to bias was adhered to when Ilkka Aalto-Setälä – an official of the Finnish Competition Office, which had brought the matter up – was given the task of preparing the Commission decision on the so-called Tuko deal?
2. What measures does the Commission plan to take in order to tighten up any rules it may have concerning the application of the legal provisions on bias?

This case has aroused considerable interest in the Finnish media. The Commission's actions have not necessarily helped to strengthen confidence in the impartiality of its decision-making, with regrettable consequences for its authority and public image.

Answer given by Mr Van Miert on behalf of the Commission

(20 February 1997)

A reply to the Honourable Member's letter of 21 December 1996 was formulated after the Christmas recess and sent on 29 January 1997.

(97/C 217/147)

WRITTEN QUESTION P-0113/97

by José Pomés Ruiz (PPE) to the Council

(22 January 1997)

Subject: Compensation for lorry drivers affected by the strike of December 1996 in France

As a result of the strike in France last December, lorry drivers from other countries suffered delays which caused them serious financial losses. In view of the gravity of the situation, the French Government promised to pay compensation.

The compensation was made conditional upon presentation of a document signed by the gendarmerie or French local authorities showing the length of time the lorries were delayed. Not all those affected can comply with this requirement, since some of them were cut off at the time and unable to reach an urban centre, while others were unaware at the time of the strike that this might become an absolute requirement for receiving compensation. Moreover, some gendarmeries refused to deliver the document unless the drivers went to the gendarmerie with their lorry or other means of transport.

To resolve this problem and make it clear that the the French Government wishes to pay out all the compensation which it promised to grant, it should accept any type of proof which can be provided, including tachograph evidence, fuel purchase receipts from the area concerned, motorway toll receipts, etc.

Given the circumstances, does the Council believe that all types of proof should be accepted?

If so, could the Council convey the above views to the French Government so as to ensure that the promised compensation is actually paid?

Answer

(3 April 1997)

The matter referred to by the Honourable Member is the responsibility of the French authorities.

(97/C 217/148)

WRITTEN QUESTION E-0115/97

by Nikitas Kaklamanis (UPE) to the Commission

(29 January 1997)

Subject: Use of asbestos in the Attica water supply network

The Attica water supply network consists almost entirely of asbestos pipes.

Asbestos has been blamed by reputable authorities for causing cancer. Moreover, one of the main reasons for the decommissioning of the old Berlaymont building, the seat of the Commission in Brussels, was that it contained asbestos.

Will the Commission say as soon as possible whether the passage of water through asbestos pipes poses any risks and, if so, what they are? Can it also say if there is any relevant Community legislation in this area and what provisions it contains?

Answer given by Mr Bangemann on behalf of the Commission

(12 March 1997)

The Commission understands the concerns of the Honourable Member about the dangers to health posed by asbestos fibres. It recalls also that the Community has operated a policy of controlled use on the marketing of

asbestos-containing products since the mid-1980's. Accordingly, all but one of the asbestos fibres are totally banned and fourteen categories of products containing the last remaining fibre, known as chrysotile, are also banned. Other product categories containing chrysotile fall outside the scope of the Community harmonization and should be allowed to circulate freely provided they are properly labelled and subject to Articles 30-36 of the EC Treaty.

Asbestos cement pipes intended for drinking water supply are not included in the categories of asbestos-containing products which are banned. Such pipes do not give rise to release of significant quantities of fibres which are subsequently inhaled. Thus they are not thought to present an important risk of the diseases normally associated with asbestos such as asbestosis, lung cancer and mesothelioma. The Commission, however, understands the concerns of the Honourable Member and continues to study such possible risks and any other possible health effects of drinking water pipes containing asbestos as part of the work programme on asbestos.

The Commission prepared, already in 1993, a draft proposal for a directive to ban asbestos with exemptions. However,discussions with Member State experts showed no qualified majority could be obtained for the draft proposal. The Commission relaunched discussions on the asbestos question with Member State experts in 1996. The most recent meetings were on 26 July 1996 and 7 November 1996. The Commission intends to examine, as quickly as possible, all the most recent scientific, technical and economical analyses in order to propose a directive of the Parliament and Council providing for a ban on asbestos with exemptions.

(97/C 217/149)

WRITTEN QUESTION E-0116/97

by Ludivina García Arias (PSE) to the Commission

(29 January 1997)

Subject: Competition policy and funding of infrastructure for the gas industry in Europe

Can the Commission say how much public aid has been granted to develop the gas industry by the European Union and the Member States (direct investment, interest rate subsidies for bank loans, etc.) in the last ten years?

What impact has this public aid had on the cost of gas supplies?

Answer given by Mr Papoutsis on behalf of the Commission

(3 April 1997)

The Commission is unfortunately unable to provide the information requested by the Honourable Member. The research involved would be difficult as it essentially concerns the fifteen Member States rather than the Commission. A detailed answer to the Honourable Member's questions would require long and laborious research, which the Commission is currently unable to undertake.

(97/C 217/150)

WRITTEN QUESTION E-0117/97

by Ludivina García Arias (PSE) to the Commission

(29 January 1997)

Subject: Competition policy and funding for renewable energy sources in Europe

In reply to a question (H-0729/95) [1] on public aid to the energy sector, Commissioner Christos Papoutsis stated 'the general rules for the Commission's approval of state support in that sector follow from Community practice regarding state aid on behalf of environmental protection. This approach justifies aid on the basis of the exceptions envisaged by Article 92(3) of the EC Treaty, and the Commission will abide by that until the

end of 1999, although the situation will be reviewed before the end of 1996....Aid for renewable energy sources can also be justified in the context of special programmes such as ALTENER, which aims to promote penetration of the technologies being developed in the branch.'

Does the Commission believe that the development of certain forms of renewable energy has an impact on the environment? In what cases would this impact have to be taken into account (mini-hydroelectric power stations, wave power, wind power, major hydroelectric dams, etc.)?

(1) Debates of the European Parliament No 4-470 (November 1995).

Answer given by Mr Papoutsis on behalf of the Commission

(7 March 1997)

It is generally accepted that renewable energy forms have less of an impact on the environment than fossil fuels. More particularly they do not generate net emissions of CO_2 into the atmosphere. Therefore the promotion of renewable energy sources as a substitute for fossil fuels is thus equivalent to an environmental-protection measure. The aids granted for this purpose via the Member States or via Community programmes such as Altener, are thus governed by the general Community rules applying to State aid for the protection of the environment. (1)

It is to these general rules that the Commission referred in its answer to question H-729/95, given at question time during the November 1995 session of Parliament, (2) as referred to by the Honourable Member.

(1) OJ C 72, 10.3.1994.
(2) Parliamentary debates, November 1995.

(97/C 217/151)

WRITTEN QUESTION E-0119/97

by Gerardo Fernández-Albor (PPE) to the Council

(29 January 1997)

Subject: Retirement pensions for housewives

Although the organization and running of social security schemes is the responsibility of the Member States, the Commission sought to promote individual rights in the area of social security in a proposal for a directive submitted on 23 October 1987 (COM(87)494 final) (1).

The introduction of a system of individual rights, as an alternative to rights derived from the social security scheme, would have enabled housewives to be given adequate social protection. The Commission proposed this directive on an optional basis and as a way of encouraging the Member States to adapt their schemes to family and social trends. The proposal is still pending before the Council, despite the favourable opinions of the European Parliament and the Economic and Social Committee.

Can the Council say when it expects to respond to the Commission's initiative and adopt the directive in question?

(1) OJ C 309, 19.11.1987, p. 10.

Answer

(18 April 1997)

The Labour and Social Affairs Council on several occasions - most recently at its meeting on 12 June 1989 - discussed the proposal for a Directive completing the implementation of the principle of equal treatment for men and women in statutory and occupational social security schemes, forwarded by the Commission in 1987. It was unable to reach agreement on the proposal, which has not been re-examined since.

In its medium-term social action programme (1995-1997) the Commission stated its intention of reviving the discussion of this proposal.

(97/C 217/152)

WRITTEN QUESTION E-0120/97

by Gerardo Fernández-Albor (PPE) to the Commission

(29 January 1997)

Subject: Establishment of a European toxicological information service

Statistics reveal a steady increase in toxic accidents suffered by Community citizens who are staying in a Member State other than their own, especially in holiday periods and in outdoor environments where they are in constant contact with nature.

In many cases, the lack of information about a public centre or local office which could provide information on emergency aid for victims of toxic accidents has led to irreversible consequences for such people.

As a result, there are many who believe that there should be a European toxicological information centre to which such victims could turn in emergency situations where speed is of the essence, in order to obtain immediate information about local offices, possibly to save their lives.

Does the Commission believe that it should encourage the setting up of a European toxicological information centre to provide immediate assistance to Community citizens who find themselves in the situations described above?

Answer given by Mr Flynn on behalf of the Commission

(19 March 1997)

Pursuant to Council Resolution of 3 December 1990 on improving the prevention and treatment of acute human poisoning [1], the Commission supports the preparation of regular summary reports on toxicological data based on the reports of poison centres designated by the Member States. The Commission also convenes meetings to discuss the summary reports and to draw conclusions on the improvement of data collection, comparability of data, cooperation and exchange of experience between the national centres. An integral part of the summary report is an updated list of the poison centres in the Community to help communication and collaboration between centres, in particular in areas adjacent to ther Member States. The latest available summary report (of which a copy is sent direct to the Honourable Member and to the Parliament's Secretariat) lists 61 centres operating in the Community.

It has to be noted that standardised information on the chemical composition of preparations is important in order to ensure correct advice and treatment in connection with poisoning. Both Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances [2] and Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations [3], as subsequently modified, provide an appropriate basis, by bringing about the harmonisation of the rules in Member States on the classification, labelling, packaging and notification of products. Additionally, the preparations Directive requires Member States to appoint the bodies responsible for receiving the information on dangerous preparations in order to meet any medical demand by formulating preventive and curative measures, in particular in emergencies. However, Community legislation does not harmonize regulations on reporting the composition of preparations. Therefore, national bodies might not automatically have all information on the composition of every product on the European marketplace. Nevertheless, transborder cooperation between national bodies seems in general to work well.

In view of the existing collaboration between poison centres and the advantages of networking and distributed databases in the poison centres throughout the Community, the Commission does not see the need to make a proposal on the creation of a European centre on toxicological information.

(1) OJ C 329, 31.12.1990.
(2) OJ 196, 16.8.1967.
(3) OJ L 187, 16.7.1988.

(97/C 217/153)

WRITTEN QUESTION E-0127/97

by Gérard Caudron (PSE) to the Commission

(29 January 1997)

Subject: Fighting alcoholism

Like the European Parliament, the Commission is aware of how much harm is caused within the European Union by alcoholism, not only in terms of sufferers' health but also in terms of human, family and social relations.

When the Commission had a prevention programme to enhance public health in Europe adopted, I praised the initiative in the highest terms at the time, but today I find myself amazed and perplexed by the feeble – indeed non-existent – measures devised by the Commission as far as fighting alcoholism is concerned.

Can the Commission tell me exactly what its objectives are in the fight against alcoholism and what action it intends to take?

Answer given by Mr Flynn on behalf of the Commission

(18 March 1997)

The Commission shares the Honourable Member's concern at the social and health problems generated by alcohol abuse and would assure him that it is seeking to achieve a significant improvement in the availability of clear and comparable data, as well as helping to coordinate an overall and well-structured debate which involves all the parties concerned.

In this field, the Commission is pursuing a balanced policy which takes account not only of public health interests but also the economic interests associated with the production, distribution and promotion of alcoholic beverages, as well as respecting the Council resolution of 29 May 1986 on alcohol abuse [1]. The Community health-protection action programme thus allows us to support measures to improve research, assessment and exchanges of experience on preventive measures and the health and social consequences of alcohol abuse, together with assisting specific schemes in these fields.

Given that this action programme was adopted as late as the end of March 1996, it is clear that its impact at national level will still be very limited. Following a meeting in June 1996, which was attended by some 40 experts drawn from the scientific community, the alcohol industry, wine-producers, NGOs active in this field and health-promotion institutions, as well as the Commission, the following specific activities were included in a three-level work programme for 1997:

– support for projects designed to discourage alcohol at the workplace and drink-driving;

– funding a data base at European level;

– preparation of a document to be discussed by Parliament and the Council. Moreover, the adoption of the Community action programme for health monitoring would be a decisive additional step towards the collection of comparable data at European level.

[1] OJ C 184 of 23 July 1986.

(97/C 217/154)

WRITTEN QUESTION E-0130/97

by Gerhard Hager (NI) to the Commission

(29 January 1997)

Subject: Legal position with regard to regional projects

When regional programmes are drawn up it can happen that an organization or society is the promoter of a project, rather than the owners of the land, although the project may curtail the owners' rights.

1. To what extent must landowners be involved in project planning?

2. What legal channels are available to a landowner wishing to safeguard his position?

3. Are there time limits within which the landowner must assert his rights?

4. Is it possible for the landowner to block a project if it implies excessive curtailment of his rights of ownership?

5. What is the procedure for awarding compensation in cases of expropriation-related curtailment of rights of ownership?

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

(21 February 1997)

The questions raised by the Honourable Member fall within the competence of the Member States.

According to the rules governing structural funds interventions, and reflecting the principle of subsidiarity, it is the Member State authorities which have primary responsibility for assuring project compatibility with national legislation on property rights.

(97/C 217/155)

WRITTEN QUESTION E-0132/97

by Nikitas Kaklamanis (UPE) to the Commission

(3 February 1997)

Subject: Replacement of old pollutant vehicles in Greece

According to recently published statistics, by the year 2000 there will be 1 500 000 cars aged over 15 years on the roads in Greece, 30% of which will be more than 20 years old. Obviously, this will have a severe impact on the environment, particularly in the towns and cities, and make Greek roads less safe.

This is an extremely serious matter, as evidenced by the 3000 deaths in road accidents each year in Greece, and can be attributed in large measure (apart from inadequate infrastructure) to unroadworthy vehicles, low safety standards and less rigorous active and passive precautions.

Is there any possibility of EU subsidies to help withdraw antiquated and pollutant vehicles from circulation and replace them with new, safe and environment-friendly cars?

Does the Commission think that a radical reform of the Greek car tax system would be expedient and what representations has it made to the Greek authorities to bring that about?

Is the Commission aware of the Greek Government's punitive policy, as far as the average Greek taxpayer is concerned, which effectively prohibits him/her from buying safe, medium-powered cars (1600 – 2000 cc.) because they are taken to be evidence of a high income?

Answer given by Mr Monti on behalf of the Commission

(10 March 1997)

The issue of encouraging the withdrawal of older vehicles from service, on the grounds of environmental or road safety performance, is essentially a matter for individual Member States. As such, it would not be appropriate for the Commission to finance such activities.

On the question of taxation, there is no Community – wide scheme of taxation of motor vehicles, and Member States are free to introduce such taxes as they wish, provided that they respect the provisions of the Treaty and, in particular, that they do not impede the functioning of the internal market. Several Member States have introduced features into their tax systems aimed at encouraging the withdrawal of older vehicles from service.

The Commission understands that such a scheme was applied in Greece during 1991 and 1992, and that this scheme was considered to have been successful. More recently, the vehicle tax structure in Greece has been altered, so that the rates now payable on new vehicles are lower than was previously the case. This has the effect of reducing the overall cost of a new car, and can also act as an incentive for fleet renovation.

However, the Commission questions whether, under the current Greek tax rules, the treatment of second-hand vehicles brought into Greece is compatible with internal market requirements. Hence, the Commission has opened infringement proceedings against Greece in respect of this latter aspect.

(97/C 217/156)

WRITTEN QUESTION E-0133/97

by Nikitas Kaklamanis (UPE) to the Commission

(3 February 1997)

Subject: Children born with deformities in Bulgaria

The incidence of deformity among children born in Bulgaria is reported to be particularly high. Bulgaria was badly affected by the nuclear accident at Chernobyl but the nuclear plant at Kozloduy, with its numerous safety problems and storage of radioactive waste, has also been blamed.

Is the Commission aware of this situation? What statistics do its departments have exactly and how will it protect the population of Bulgaria and neighbouring countries to prevent such tragic social consequences occurring in the future?

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

(11 March 1997)

Regarding the incidence of teratogeneses in Bulgaria, the Commission has thus far been unable to obtain any precise statistics from the Bulgarian authorities.

The national centre of radiobiology and radiation protection has provided some information on the radiation doses received by the Bulgarian population as a result of the Chernobyl accident and those received by workers as a consequence of activities in uranium mining and the Kozloduy nuclear power plant. Information has also been provided on the incidence of professionally-related illness among workers although none are reported for workers at the Kozloduy nuclear power plant.

The radiation doses to the population arising from the Chernobyl accident are very much less than those received by the populations living in Northern Ukraine and Belarus for which no increase in teratogenic effects has been recorded. It is highly improbable that the lower doses to the population in Bulgaria would cause any detectable increase in teratogenic effects above the natural background level of these effects.

(97/C 217/157)

WRITTEN QUESTION E-0135/97

by Kirsi Piha (PPE) to the Commission

(3 February 1997)

Subject: Enlargement of the EU to the east

Assessments are currently being made, inter alia, of the costs of enlarging the EU to the east. In addition, a political debate is being conducted as to how soon or with the aid of what changes to the policies of the Union it will be possible to enlarge the Union. Within the Union there has also been a need, on political grounds, to give certain applicant countries priority over others, for various historical reasons.

It is sometimes said that, for political reasons, the Baltic States should be treated as a block. However, in the case of Estonia, for example, this principle is not justified.

How will the Commission ensure that each State is treated as an individual applicant, on an objective basis?

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

(12 March 1997)

The opinions which the Commission is preparing on the applications for membership from the countries of Central and Eastern Europe will assess their situation and prospects in respect of the political and economic criteria defined by the European Council in Copenhagen in June 1993.

The European Council in Madrid in December 1995 asked the Commission to expedite preparation of its opinions, so that they can be forwarded to the Council as soon as possible after the conclusion of the intergovernmental conference (IGC).

It also invited the Commission to take its evaluation of the effects of enlargement on Community policies further, particularly with regard to agricultural and structural policies and to submit a communication on the future financial framework of the Community, having regard to the prospect of enlargement, immediately after the conclusion of the IGC. Finally the Commission was asked to embark upon the preparation of a composite paper on enlargement.

The European Council stated that this procedure will ensure that the applicant countries are treated on an equal basis. The Commission, in the preparation of its opinions and other reports on enlargement, intends to respect fully this principle.

(97/C 217/158)

WRITTEN QUESTION E-0136/97

by Gérard d'Aboville (UPE) to the Commission

(3 February 1997)

Subject: Inclusion of the Atlantic Arc in the development of short sea shipping

Although it reaffirmed its interest in the development of short sea shipping in the Atlantic Arc geographical area, the Commission, in its reply to Written Question E-0467/96 [2] of 29 February 1996, confirmed its refusal to set up an Atlantic working group on the lines of those set up for the Mediterranean, Baltic, Black Sea and North Sea regions.

Moreover the Commissioner, replying on behalf of the Commission to Written Question P-1288/96 [3] of 15 May 1996 on financing ports under the TEN budget, does not list the Atlantic Arc among the regions with strategic importance for the development of shipping links.

Could the Commission therefore specify the criteria by which a geographical area is considered to have strategic importance for the development of shipping links and the reasons why the criteria do not apply to the Atlantic Arc area?

In other words, why does the Commission refuse to include the Atlantic regions and ports in its planning and work on maritime transport in general and short sea shipping in particular?

(1) OJ C 217, 26.7.1996, p. 48.
(2) OJ C 305, 15.10.1996, p. 79.

Answer given by Mr Kinnock on behalf of the Commission

(7 March 1997)

The second pan-European transport conference, held in Crete in March 1994, put forward the concept of regional conferences for the Community and third countries to discuss matters of common interest in the transport sector. The Commission therefore initiated work to set up working groups on waterborne transport in the Baltic sea, the Black sea and the Mediterranean sea regions. The groups have adopted common work programmes which set out the framework for future cooperation between the Community and third countries in those regions. The work programmes provide a context for support to shipping projects in third countries under the relevant Community programmes. Such external relations issues do, of course, not arise in the case of the Atlantic Arc regions.

This cannot be taken, however, as implying that the Commission does not attach importance to the development of short sea shipping in the geographical area covered by the Atlantic Arc. The Commission has stated on numerous occasions its belief that maritime transport services should be developed to and from peripheral regions, including those in the Atlantic Arc. The regions and the ports in the Atlantic area are therefore associated with the Commission's maritime activities in the same way as other Community regions and ports.

It is not the intention of the Commission to choose specific regions for the development of maritime links, as it feels this task remains primarily the responsibility of commercial operators as well as regional or national authorities. The question of defining criteria therefore does not arise.

In so far as the funding of port infrastructure under the trans-European transport network (TEN) is concerned, the Honourable Member should note that, according to the terms of the Community guidelines on the development of the TENs, projects considered of common interest and eligible for support may arise in any Community port, including those in the Atlantic Arc. It is not therefore correct to suggest that this region is being ignored in the context of the development of the TENs. However, the Commission can only consider projects which are proposed by the Member States.

In order to provide a basis on which to evaluate the proposals for port projects of common interest, a group of Member States experts worked with the Commission in 1995 and 1996. This group has created four regional groups, including one concerning the Atlantic region, which have undertaken studies in their respective regions. The aim is to produce a factual report, to be issued in the near future, which examines the current situation regarding ports. The factual information contained in the Atlantic group's study will be taken into account by the Commission on its future work concerning the maritime element of the TENs.

Finally, the Commission has supported, under the Atlantic programme, studies in the area of shipping and ports in the Atlantic Arc, and follows with interest the work carried out by its maritime promotion group on these subjects.

(97/C 217/159)

WRITTEN QUESTION E-0140/97

by Arlindo Cunha (PPE) to the Commission

(3 February 1997)

Subject: Penalties for exceeding the base areas for arable crops in the last marketing year

In the light of Regulation (EEC) No 1765/92 [1] and the adjustments thereto, can the Commission give specific and detailed information about the penalties which Portugal and its farmers might incur because the base areas for arable crops were exceeded in the last marketing year?

[1] OJ L 181, 1.7.1992, p. 12.

Answer given by Mr Fischler on behalf of the Commission

(18 February 1997)

Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops stipulates that, if a base area is exceeded, the area for which aid applications were submitted for a marketing year is to be reduced during the marketing year in question proportionally to the overrun recorded. Moreover, a special set-aside will be required during the following marketing year at a percentage rate equal to that by which the base area has been exceeded.

The Member States are responsible for establishing the rate by which the base areas have been exceeded. According to the provisional figures communicated by the Portuguese authorities, only the 'regadio' base area of mainland Portugal has been exceeded for both maize and other arable crops. Accordingly, applications should be adjusted by 5% for maize and 47% for other arable crops.

On the other hand, the corresponding special set-aside has been suspended throughout the Community in accordance with Council Regulation (EC) No 1598/96 of 30 July 1996 derogating from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops as regards the set-aside requirement for the 1997/98 marketing year [1].

[1] OJ L 206, 16.8.1996.

(97/C 217/160)

WRITTEN QUESTION P-0142/97

by Sebastiano Musumeci (NI) to the Commission

(24 January 1997)

Subject: European rangers

Greater general awareness has helped in recent years to spread a culture of respect for the environment throughout the Member States.

Apart from the forestry services in individual Member States, there are growing moves to develop voluntary activities, which in some cases are being placed on a footing of cooperation with public bodies.

Government departments and private groups need to be organized on a uniform basis, given that their work is being hampered by the lack of common rules and regulations at European level.

Does the Commission not believe that it should lend its support to enable a single European rangers' organization to be set up? Alternatively, what similar steps has it sought to take to prevent efforts and experiences from going to waste in the future?

Answer given by Mrs Cresson on behalf of the Commission

(10 March 1997)

The Commission is fully aware of the importance of voluntary work in the field of environmental protection. Its policy is to help valorise this work and to encourage closer links between all voluntary organisations at European level.

To this end the Commission launched a pilot action for European voluntary services for young people in 1996. This action allows young people aged 18 to 25 to spend 6 to 12 months in another Member State working on a local project. This is a training experience for the young people concerned and a concrete expression of solidarity in a European setting.

Amongst other things, the scope of the European voluntary service covers projects for protection of the environment, conservation of the cultural heritage, civil defence and the development of disadvantaged areas. The involvement of young volunteers in these measures heightens awareness of the environmental problems that exist throughout the Community. The volunteers can also contribute to resolving certain problems at local level and act as a vector for pooling experience between Member States.

However, the Commission believes that the creation of a single organisation on the lines proposed by the Honourable Member does not fall within its remit.

(97/C 217/161)

WRITTEN QUESTION P-0143/97

by Luigi Caligaris (ELDR) to the Council

(24 January 1997)

Subject: Customs treatment accorded to former Yugoslav republics

Under a Council Regulation adopted in December 1996 the favourable customs treatment accorded to all former Yugoslav republics except Serbia and Montenegro is to continue in 1997.

At present, Serbia and Montenegro have no foreign currency reserves, and commercial dealings are thus largely taking the form of counter-trade. The obstacles posed to Serbian exports are consequently turning into so many barriers to the Union's trade with Serbia and Montenegro.

In the opinion of the Council, how are countries and regions of the Union which have traditionally maintained ties with Serbia and Montenegro likely to be affected in economic terms by the refusal to treat the two latter countries in a similar way to the other former Yugoslav republics for customs purposes?

By virtue of what conditions imposed by the Council will favourable customs treatment be made to depend on political change in Serbia and Montenegro? Within what time-frame will those conditions apply?

Answer

(3 April 1997)

The Honourable Member of the European Parliament has stated correctly that the war in the former Yugoslavia and the sanctions against Serbia and Montenegro, which were imposed because of its role in the conflict, have had considerable consequences for the trade relations between the FRY and its neighbouring countries as well as with the European Union.

Following the Dayton Peace Agreement, the UN Security Council decided on 1 October 1996 (Resolution No 1074) to lift sanctions against this country and the European Union took the necessary measures to implement this decision.

Subsequently, the Council examined the question of the extension to the Federal Republic of Yugoslavia (FRY) of the autonomous import regime (for 1996), which the Community has been applying unilaterally since the start of the conflict to those Republics, which were considered as being 'cooperative'. While agreeing in principle that such measures could be extended to the FRY, the Council decided on 6 December 1996 that the moment for such an extension had not come, considering in particular the undemocratic annulment of certain election results and arbitrary action regarding independent media.

In line with this decision the Council adopted on 20 December 1996 a new regulation which foresees an extension for 1997 of the autonomous preferential treatment concerning imports from Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia and Slovenia (this latter only regarding imports of wine because the applicaton of the interim Agreement with Slovenia is from the 1st January 1997) but excluding for the time being imports from FRY. The Council continues to closely monitor the situation.

Lastly, it should be added that on 24 February 1997 the Council discussed the situation in the Federal Republic of Yugoslavia in the light of the fact-finding mission to Belgrade undertaken by the Presidency and the Commission on 20 February 1997. On that occasion the Council agreed to examine new measures regarding the Federal Republic of Yugoslavia at its next meeting.

(97/C 217/162)

WRITTEN QUESTION E-0147/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Conservation of fishery resources in the Mediterranean

With reference to the Proposal for a Council Regulation (EC) introducing transitional measures into Regulation (EC) No 1626/94 laying down certain technical measures for the conservation of fishery resources in the Mediterranean (COM(96)0128 final) [1], the measures proposed cannot be supported because, although they are transitional and limited in time, they would set a serious precedent which could undermine efforts to promote a policy for the conservation of fishery resources in the Mediterranean.

Will the Commission therefore exert pressure on the third countries which exploit these fishery resources in the Mediterranean to make similar efforts to rationalize their exploitation of fishery resources in the region?

[1] OJ C 176, 19.6.1996, p. 14.

Answer given by Mrs Bonino on behalf of the Commission

(3 March 1997)

The purpose of the proposal for a Regulation to which the Honourable Member refers is to remedy a specific situation which has occurred in the Adriatic since the entry into force of Regulation (EC) No 1626/94 laying down certain technical measures for the conservation of fishery resources in the Mediterranean [1]. The measures proposed by the Commission are transitional and aim to enable Italian fishermen in the Adriatic region to adapt gradually to the implementation of the measures in Regulation (EC) No 1626/94.

The Commission shares the Honourable Member's concern that non-member countries which exploit the fishery resources of the Mediterranean should undertake rationalization measures as soon as possible. To this end it will consult the group of legal and technical experts set up by the Venice Conference on fisheries management in the Mediterranean.

(1) OJ L 171, 6.7.1994.

(97/C 217/163)

WRITTEN QUESTION E-0148/97

by Amedeo Amadeo (NI) to the Council

(30 January 1997)

Subject: Solvency ratio for credit institutions

With reference to the Proposal for a European Parliament and Council Directive amending Council Directive 89/647/EEC on the solvency ratio for credit institutions (COM(95)709 final) (1), will the Council, in future, harmonize the provisions relating to risk coverage for banks in order to prevent distortions of competition?

(1) OJ C 114, 19.4.1996, p. 9.

Answer

(18 April 1997)

The Council is currently examining the proposal for a Directive of the European Parliament and of the Council amending Council Directive 89/647/EEC on a solvency ratio for credit institutions (COM(95)709 final). As soon as the common position has been adopted, it will be forwarded to the European Parliament in accordance with the procedure provided for in Article 189b of the Treaty establishing the European Community.

The Council has also received a proposal for a European Parliament and Council Directive amending Article 12 of Directive 77/780/EEC on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions, Articles 2, 6, 7 and 8 and Annexes II and III of Directive 89/647/EEC on a solvency ratio for credit institutions and Article 2 and Annex II of Directive 93/6/EEC onthe capital adequacy of investment firms and credit institutions, submitted by the Commission on 29 May 1996 (COM(96)83 final/2), with regard to which the European Parliament has not yet delivered its Opinion.

The Council has not at present received any other proposals relating to risk coverage for banks.

(97/C 217/164)

WRITTEN QUESTION E-0149/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Solvency ratio for credit institutions

With reference to the Proposal for a European Parliament and Council Directive amending Council Directive 89/647/EEC on the solvency ratio for credit institutions (COM(95)709 final) (1), will the Commission, in future, harmonize the provisions relating to risk coverage for banks in order to prevent distortions of competition?

(1) OJ C 114, 19.4.1996, p. 9.

Answer given by Mr Monti on behalf of the Commission

(24 February 1997)

Banking risks were harmonized by the Community through the adoption of Directives 89/647/EEC (solvency ratio) (1) and 93/6/EEC (capital adequacy) (2). Directive 92/121/EEC (3) harmonized the main rules governing the monitoring of large exposures.

The introduction of these common standards is an essential factor in bringing about the mutual recognition of supervisory techniques. The standards are also aimed at preventing the kind of distortions of competition which could occur if Member States applied significantly different weightings to risks. However, the harmonization introduced by Community law does not prevent the authorities from fixing higher weightings if they see fit (see Article 6(1) of Directive 89/647/EEC). The operation of the rules governing the market obviously results in national rules being aligned on Community standards, although some slight differences still remain.

As regards the proposal amending the Directive on the solvency ratio, to which the Honourable Member refers, the Commission has merely followed the same approach as in the basic Directive. The possibility of applying a 50% weighting to certain loans secured by mortgages on business premises needs to be extended to all Member States (instead of being restricted to those referred to in Article 11(4) of Directive 89/647/EEC) in order to guarantee equal conditions of competition, although the authorities are not obliged to apply such a weighting if they do not deem it necessary.

(1) OJ L 386, 30.12.1989.
(2) OJ L 141, 11.6.1993.
(3) OJ L 29, 5.2.1993.

(97/C 217/165)

WRITTEN QUESTION E-0154/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Protection of geographical indications

In connection with the Proposal for a Council regulation (EC) amending Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (COM(96)266 final) (1), will the Commission propose measures in the near future to broaden the definition of designations of origin for agricultural products and foodstuffs in order to consolidate the internal market and strengthen consumer confidence in products produced in the Union?

(1) OJ C 241, 20.8.1996, p. 7.

Answer given by Mr Fischler on behalf of the Commission

(5 March 1997)

Regulation (EEC) No 2081/92 of 14 July 1992 (1) applies to a wide range of products, in particular:

- agricultural products intended for human consumption as referred to in Annex II to the EC treaty;
- foodstuffs as referred to in Annex I to the Regulation in question;
- other agricultural products specifically indicated in Annex II to that Regulation.

On the basis of the proposal for a Council Regulation amending Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs mentioned by the Honourable Member, Parliament proposed, at its sitting of 17 January 1997, that Annexes I and II of the Regulation should be amended in accordance with the procedure provided for in Article 15, and that 'cork' and 'cochineal' be added to Annex II. The Commission has welcomed this proposal and set in motion the procedure necessary to implement it.

(1) OJ L 208, 24.7.1992.

(97/C 217/166)

WRITTEN QUESTION E-0155/97

by Amedeo Amadeo (NI) to the Council

(30 January 1997)

Subject: Products processed from lemons

In adopting the price package for the marketing year 1995/1996, the Council adopted Regulation (EC) No 1543/95 [1] which allows the Member States to pay financial compensation directly to producers of oranges, mandarins and clementines, to alleviate the financial problems experienced by processing companies.

Does the Council not agree that a radical review needs to be made of the current Community arrangements relating to the processing of citrus fruits since experience has shown that the minimum price is not always respected by the industry and that once the supply contracts have been concluded they are not met in full?

[1] OJ L 148, 30.6.1995, p. 30.

Answer

(18 April 1997)

After adoption of the Regulation mentioned by the Honourable Member, the Council adopted, in the context of the price package for the financial year 1996/1997, two Regulations (Nos 2086/96 and 2087/96 [1] allowing Member States to pay financial compensation directly to producers for products covered by Regulation (EC) No 3119/93 [2] (viz., oranges, mandarins, clementines and satsumas) and for lemons.

Furthermore, the Council, like the Honourable Member, felt there was a need for a radical review of the aid arrangements for the processing of certain citrus fruits and adopted on 28 October 1996, in parallel with the reform of the common organization of the market in fruit and vegetables (Regulation (EC) No 2200/96 [3] and in processed fruit and vegetable products (Regulation (EC) No 2201/96 [4], a Regulation introducing an aid scheme for producers of certain citrus fruits (Regulation No 2202/96 [5], which covers the following products: lemons, grapefruit, oranges, mandarins, clementines and satsumas.

[1] OJ L 282, 1.11.1996.
[2] OJ L 279, 12.11.1993.
[3] OJ L 297, 21.11.1996.
[4] OJ L 297, 21.11.1996.
[5] OJ L 297, 21.11.1996.

(97/C 217/167)

WRITTEN QUESTION E-0161/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Outermost regions and islands

With reference to the document concerning the problems of agriculture in the European Union's outermost regions and islands, the agricultural situation in the EU's outlying regions and islands has taken on even greater importance following the accession of Sweden and Finland.

Like the outermost regions, the Arctic regions of the new Member States are at a permanent disadvantage in terms of production and marketing and this reduces the agricultural sector's competitiveness. Will the EC adapt the regulations and instruments of the CAP and launch research and development measures in favour of the typical, specific products of these regions?

Answer given by Mr Fischler on behalf of the Commission

(26 February 1997)

In order to take account of the economic and social lags in the most remote regions (Objective 1), which is compounded by long-term structural factors (remoteness, island status and small local markets) and in compliance with the declaration on the outermost regions of the Community attached to the EC Treaty, the

Community in 1991 and 1992 introduced three specific programmes: Poseidom (for the French overseas departments of Martinique, Guadeloupe, French Guiana and Reunion), Poseima (for the Portuguese archipelagos of Madeira and the Azores) and Poseican (for the Canary Islands). These programmes were tailored to the specific characteristics of the individual regions and cover a number of sectors. The agricultural component is of major importance, comprising aid additional to that under the common agricultural policy and specific aid for a wide range of products.

The Arctic regions of Sweden and Finland were declared Objective 6 regions on the accession of these two Member States and within this framework have specific programming documents (Arinco No 95FI16002 and Arinco No 95SE16001). The rural development strategy for these regions provides therefore for specific support measures for their typical products. Research projects in this context are financed also if necessary. Article 142 of the Act of Accession of Austria, Finland and Sweden provides furthermore for Commission authorization of long-term national aids granted by Finland and Sweden designed to ensure the continuation of farming in regions located north of the 62nd parallel, which account for 14% of the agricultural area of Sweden and 55% of that of Finland (Decision 95/196/EC [1] for Finland and Decision 96/228/EC [2] for Sweden).

[1] OJ L 126, 9.6.1995.
[2] OJ L 76, 26.3.1996.

(97/C 217/168)

WRITTEN QUESTION E-0162/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Employment

At the Conference on Growth and Employment held in Rome in June 1996, the Commission President, Mr Santer, presented a Commission proposal which was described as wholly innovatory. He proposed that an appropriate selection procedure should be used to secure applications by the end of 1996 from cities and regions in each Member State which intended to promote exceptional measures to support employment under a territorial pact. These territorial pacts would set an example to Europe and enable better use to be made of the margins available in the Structural Funds.

Since we are now in 1997, will the Commission say what stage has been reached with these territorial pacts for employment?

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

(3 March 1997)

At 31 January 1997, 65 proposals for territorial employment pacts had been officially forwarded to the Commission by the authorities of the Member States. The majority of these proposals comprise only the indication of a territory: an area or sub-region in which it is envisaged to launch a pact. Under these circumstances, the Commission is contacting the authorities in order to obtain additional information, in particular regarding the identity of the promoters and the coordinator of each pact and the guidelines of its action plan.

As soon as the pact promoters have been identified, negotiations can take place at bilateral meetings, in particular on the grant of Community aid for technical assistance.

The Commission thus hopes to be able to provide a progress report to the European Council at Amsterdam including the formalization of the majority of the pacts as well as the guidelines of their action plans.

(97/C 217/169)

WRITTEN QUESTION E-0164/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Innovation

The Commission has stated that Europe must act decisively in the area of innovation, which is as vital to the Member States as to firms.

To this end, it has set out 13 lines of action in its green paper on innovation. On the basis of this green paper and the consultations held in the Member States, the Commission has given an undertaking to draw up a plan for coordinated priority measures by the end of 1996.

Since 1996 has now ended, will the Commission say whether it has kept its word and, if so, with what measures?

Answer given by Mrs Cresson on behalf of the Commission

(12 March 1997)

The public debate launched by the green paper on innovation (1) has largely confirmed the basic principles of the Commission's diagnosis of the reasons for the Community's innovation deficit.

The Florence European Council requested the Commission to draw up a plan of action for the measures to be undertaken in the field of innovation.

On 20 November 1996, the Commission adopted the first action plan for innovation in Europe (2), which includes a limited number of priority actions to be launched at Community level and incorporates actions which are in progress or which have been announced since the publication of the green paper and which were identified there as vital for the process of innovation. The proposed measures seek to foster an innovation culture in the economy and society, to establish a framework conducive to innovation and to link research and innovation more effectively.

This innovation action plan has been transmitted for opinions to the Parliament and Council. Further to this, the Commission will draw up a detailed implementation schedule. It will submit the corresponding legislative and regulatory proposals to the Council, the Parliament, the Economic and social committee and the Committee of the regions. It will report regularly to the European Council on the implementation of the action plan, including, where necessary, proposals for any adjustments or additions which may prove necessary in the light of developments or in view of the specific contexts in which the plan is applied.

(1) COM(95)688 final.
(2) COM(96)589 final.

(97/C 217/170)

WRITTEN QUESTION E-0165/97

by Amedeo Amadeo (NI) to the Commission

(3 February 1997)

Subject: Employment

The confidence pact for measures to promote employment in Europe, hailed at the tripartite conference on growth and employment in Rome in 1996, requires the Commission to follow up its White Paper on Growth, Competitiveness and Employment.

Will the Commission say, in particular:

1. To what extent the commitments made have been met?
2. How much has been accomplished?
3. What has not worked?
4. What action is needed to make the strategy set out in the 1993 White Paper more effective?

Answer given by Mr Flynn on behalf of the Commission

(26 March 1997)

The confidence pact for employment proposed by the Commission is underpinned by the White Paper on Growth, Competitiveness and Employment, and by the cooperation process set in train after the Essen European Council with a view to promoting a European strategy for employment. The social partners have expressed their support for the proposed integrated approach, making their views known during the round-table discussions on employment on 28 and 29 April 1996 and at the tripartite conference on 14 and 15 June 1996.

In the report which it submitted to the Dublin European Council, the Commission took stock of the positive aspects of the pact for employment, then identified areas where further action is needed. The report stresses the progress made in terms of macro-economic policies, harnessing the potential of the internal market, reforming employment systems and utilising structural policies. It also points to the difficulties encountered, particularly as regards the funding of trans-European networks and research.

(97/C 217/171)

WRITTEN QUESTION E-0170/97

by Barbara Weiler (PSE) to the Commission

(3 February 1997)

Subject: Environmental training in industry

On 3 May 1994 the European Parliament adopted a resolution on environmental training in industry (A3-0314/94 [1]). This calls upon the Commission, among other points, to identify the relevant training needs of the different sectors of industry while emphasizing the problems of small and medium-sized enterprises. It also calls on the Commission to draw up a proposal along the lines of the resolution with the aim of having a Community-wide training programme for environmental and working environment training operational 'by mid-1996'.

In view of the foregoing:

1. Can the Commission provide an accurate estimate of training needs in the various sectors and branches of industry (possibly on the basis of the data compiled in connection with the Community eco- management and audit scheme (Council Regulation (EEC) No 1836/93) [2])?
2. When is the Commission proposal in question likely to be forthcoming, and what are the reasons for the delay?
3. Does the Commission have any information concerning the current activities of the social partners, regional training facilities, Cedefop, the Dublin Foundation and the European Environment Agency in Copenhagen in the field of environmental training?
4. When does the Commission intend to submit proposals in line with Article 13(2) of Council Regulation (EEC) No 1836/93 (to promote 'greater participation in the scheme by small and medium-sized enterprises, in particular by providing information, training and structural and technical support')?

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[1] OJ C 205, 25.7.1994, p. 76.
[2] OJ L 168, 10.7.1993, p. 1.

Answer given by Mr Flynn on behalf of the Commission

(26 March 1997)

1. The objective of the system set up by Regulation (EEC) No 1836/93 allowing voluntary participation by companies in the industrial sector in a Community eco-management and audit scheme is to promote continuous improvements in the environmental performance of industrial activities. The system is not designed to provide specific and precise data on environmental training needs in industry.

The tripartite Advisory Committee on Safety, Hygiene and Health Protection at Work, as part of the follow-up to the Community programme concerning safety, hygiene and health at work (1996-2000) [1], is currently considering training requirements in the field of occupational health and safety. Its opinion will provide a basis for the future activities of the Commission. The Safety Actions for Europe (SAFE) programme, when operational, could be used to finance training initiatives for small and medium-sized enterprises.

2. Environmental training is one of the priority action areas adopted by the Commission in its proposal for a Decision on the review of the Community programme of policy and action in relation to the environment and sustainable development [2].

In this connection, a number of recent developments illustrate the desire to incorporate environmental aspects into various Community initiatives.

For example, an assessment of the projects adopted under the Leonardo da Vinci programme in 1996 shows that 10% are directly connected with the environment. In its seventh report on the Structural Funds, the Commission for the first time identified a relatively large number of programmes financed by the European Social Fund (ESF) focusing on vocational training in relation to the environment. The Commission has made recommendations on this subject to the monitoring committees associated with the Funds.

The Commission has also continued to support more specific environmental training measures, in particular within the Life-Environment programme (training projects for SMEs in the industrial sector, with the active participation of unions and employers). Since 1995, budget heading B4-304, which includes co-financing for environmental education projects, has been extended to take in training projects in the field of vocational teaching.

Finally, in 1996 the Commission established a specific working group on the subject of environmental training, comprising representatives of the Member States. The objective of this working party is to improve cooperation and exchanges between the Commission and Member States and to contribute to the implementation of a coherent and consolidated strategy in this field.

3. The Commission is continuing to support and monitor with great interest projects run by the European Centre for the Development of Vocational Training (CEDEFOP) and the Dublin Foundation in the field of environment-related vocational training, in particular Dublin Foundation project No 0206 'Education and training for sustainable development' and CEDEFOP project No 140096 'Changing occupations, new occupations and the development of occupational skills and qualifications in the field of environmental protection'.

The Commission is aware of certain activities of the social partners concerning environmental training, in the context of the activities of the Dublin Foundation.

4. Article 13 of Regulation (EEC) No 1836/93 requires the Commission to 'present appropriate proposals to the Council aiming at greater participation in the scheme by small and medium-sized enterprises, in particular by providing information, training and structural and technical support, and concerning auditing and verification procedures'.

With a view to collecting data on the real needs of SMEs in the context of Regulation (EEC) No 1836/93, an invitation to tender, aimed primarily at SMEs, was published in September 1993. Projects had to pursue one of the following objectives: preparation of implementation of Regulation (EEC) No 1836/93 through pilot demonstration measures; provision of information for businesses and national and local authorities on the system; training of workers responsible for environmental matters in businesses and for professionals responsible for auditing and validation. The results of these projects were analysed by a European coordinator, thus allowing the problems encountered by SMEs in connection with Regulation (EEC) No 1836/93 to be identified more precisely, together with the approaches giving the best results.

This first stage involved a second call for tenders in March 1996, which referred explicitly to the aforementioned Article 13. The idea was to develop efficient means of providing technical assistance for SMEs with a view to their participation in Regulation (EEC) No 1836/93. The five projects being financed as a result of this call for tenders are just starting.

The Commission's preoccupation as regards participation by SMEs in activities pursuant to Regulation (EEC) No 1836/93 is therefore clearly in evidence. Further proof is the fact that a large proportion of SMEs have already registered under EMAS (Community eco-management and audit scheme).

These various projects could certainly constitute an interesting foundation for the development of an environmental training policy for industrial SMEs.

(1) COM(95)282 final.
(2) OJ C 140, 11.5.1996.

(97/C 217/172)

WRITTEN QUESTION E-0171/97

by Mark Killilea (UPE) to the Commission

(3 February 1997)

Subject: EU financial assistance to animal rights organizations

The proliferation of animal welfare organizations in the European Union is a fact. While the goals of such groups are totally legitimate, there is a growing concern that some organizations flying the animal welfare flag are in

reality promoting the animal rights philosophy among our constituents, sometimes through very subliminal slogans which make it difficult to distinguish animal welfare from animal rights goals. Many of these organizations tend to present their activities under the conservation label. However, it is widely known that the groups want to prevent the use of any animal species.

This issue was highlighted in Montreal, Canada, last October on the occasion of the IUCN-World Conservation congress, where one of these organizations, named IFAW, was rejected from membership by the huge majority of governments and NGOs on the grounds that its objectives were not compatible with IUCN's mission, this is 'to ensure that where the earth's natural resources are used, this is done in a wise, equitable and sustainable way'. According to press reports, some animal rights organizations are under investigation for promoting radical ideas on the non-use of animals and raising funds without being legally registered.

In the light of the above, could the Commission give assurances that, in the framework of the 'Community Action Programme promoting non-governmental organizations primarily active in the field of environmental protection', no financial assistance will be provided to animal rights and/or pseudo-animal welfare organizations which do not believe in the conservation of natural resources as universally agreed, but seek to prevent the legal use of any animal, in particular wild species, even if its use is humane and sustainable?

Answer given by Mrs Bjerregaard on behalf of the Commission

(13 March 1997)

As the Honourable Member will be aware, the proposal [1] for a Community action programme promoting non-governmental organisations (NGOs) primarily active in the field of environmental protection is currently under discussion at Council level.

This programme would only provide funding of those activities of European NGOs which contribute to the development and implementation of Community policy and legislation.

[1] COM(95)573, amended by COM(97)28.

(97/C 217/173)

WRITTEN QUESTION E-0173/97

by Anita Pollack (PSE) to the Commission

(3 February 1997)

Subject: Statistics on use of animals in experiments

Is the progress described by Mrs Bjerregaard in the answer to Written Question E-0547/96 [1] in collecting improved statistics on the use of animals in experiments being maintained? In particular:

1. Is the definitive set of tables accompanied by an explanatory glossary of terms which were said to be agreed, still going to be implemented?
2. Will the Commission still be requesting all Member States to fill in these agreed tables in 1997 with data from 1996?

[1] OJ C 280, 25.9.1996, p. 38.

Answer given by Mrs Bjerregaard on behalf of the Commission

(12 March 1997)

The answer to question 0547/96 to which the Honourable Member refers describes the Commission's efforts to collect and publish statistics on the use of animals for experimental purposes in the Community, but also the problems encountered in this connection.

The Commission has prepared a draft set of statistical tables in consultation with numerous experts. This draft was presented to the authorities of the Member States in September 1996 but was not accepted. In particular, these authorities wanted the tables to be simplified and stressed that they should be kept as similar as possible to the statistical tables accepted in the framework of the Council of Europe Convention for the Protection of Vertebrate Animals. The Commission is currently continuing its efforts to secure the adoption of a harmonized format for statistics on the use of animals for experimental purposes.

As regards, in particular, statistics relating to cosmetic products, as provided for in Article 4(2)(i) of Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products [1] as amended by Council Directive 93/35/EEC of 14 June 1993 [2], the Member States have several times been asked to supply them. The data received so far are incomplete and another reminder is to be sent.

(1) OJ L 262, 27.9.1976.
(2) OJ L 151, 23.6.1993.

(97/C 217/174)

WRITTEN QUESTION E-0180/97

by Roberta Angelilli (NI) and Spalato Belleré (NI) to the Commission

(3 February 1997)

Subject: Infringement of free competition on the Italian market in third party motor vehicle insurance

On 8 June 1994, in decision No 2024, the Italian Monopolies Commission, chaired by Giuliano Amato, which upholds the market and competition, imposed a fine of some LIT 20 billion on 11 leading Italian insurance companies for infringement of the laws on competition. The Monopolies Commission established that the main companies had reached an understanding for the purpose of setting premiums and other policy terms for the years from 1990 to 1993.

The companies concerned made up 68% of the Italian market, thus constituting an illegal cartel.

Last year, under measure No 4129 of 29 July 1996, the Monopolies Commission opened an inquiry into the specific sector of third party motor vehicle insurance, which in Italy, as in the rest of the Union, accounts for a substantial portion of the insurance market. It believed that there was a possibility that competition in the sector was being obstructed, curbed, or distorted.

Can the Commission confirm the report that the appropriate Community institutions have begun a similar inquiry into the lack of transparency in the insurance sector in some Member States, including Italy, Belgium, and Luxembourg? If the report is true, can it provide further information about the inquiry?

Answer given by Mr Van Miert on behalf of the Commission

(10 March 1997)

The Commission would inform the Honourable Members that no inquiry has been instituted under the Community competition rules into third-party motor vehicle insurance. In the event of a complaint being lodged, consideration could, of course, be given to initiating such a procedure. The Commission is though drafting a communication on the concept of general interest and the freedom to supply services in the insurance sector, including third-party motor vehicle insurance.

The work currently being carried out in this connection within the Commission is not designed to deal with the anti-competitive behaviour reported in the motor vehicle insurance field; it is confined to the aspects relating to application in the insurance field of the principles of freedom to supply services and freedom of establishment — and of the restrictions imposed on those principles by national general-interest rules — as interpreted by the Court of Justice.

(97/C 217/175)

WRITTEN QUESTION E-0181/97

by Spalato Belleré (NI) to the Commission

(3 February 1997)

Subject: Derailment of a high-speed train on the Milan to Rome line

A high-speed train ran off the rails near Piacenza Station, in Italy.

There is speculation that the track, the rolling-stock, and the electronic speed regulation systems had been poorly maintained.

Does the Commission not believe that, in addition to the steps already being taken in Italy, it should open an inquiry – to prevent the whole incident from being classed as human error and thus laid to rest – and reiterate the criteria to be observed, not least where shift work is concerned?

Answer given by Mr Kinnock on behalf of the Commission

(14 March 1997)

The Commission attaches the greatest importance to maintaining the very high level of safety that is usual in rail transport, and safety is, of course, a major objective of the common Transport Policy.

The Commission considers that it is essential that new forms of rail transport, like high speed trains, are at least as safe as conventional rail. It was therefore very concerned to hear of the tragic accident near Piacenza station.

The Commission understands that the Italian authorities and the Ferrovie dello Stato are enquiring into the cause of the accident and awaits their conclusions with great interest. Legal responsibility for the safe operation of the railways remains with the authorities of Member States and, because the Commission does not have such statutory obligations or powers, it would not be appropriate for the Commission to conduct its own enquiry into the Piacenza accident.

Working time issues are, however, a responsibility of the Community, and in the near future the Commission will be proposing a White Paper on working hours in the sectors not covered by the 1993 Directive on working time, including the transport sector. Actions by the Commission in rail transport would be strongly influenced by the agreement in the Joint Committee on rail transport which brings together trade unions and employers.

(97/C 217/176)

WRITTEN QUESTION E-0183/97

by Magda Aelvoet (V) to the Commission

(5 February 1997)

Subject: Land consolidation schemes in Antwerp province

The Flemish Regional Council is currently drawing up plans for the Weelde, Zondereigen and Merksplas land consolidation projects in the north-east of the province of Antwerp. Both the Weelde and the Zondereigen projects will cover a large part of the areas to the north of Turnhout and Ravels which fall under the wild birds diredctive. The Merksplas project adjoins for a large stretch, and is partly within, the main part of the Turnhout fen district. Furthermore, some of the plots of land to which the land consolidation relates are covered by the habitats directive. In Spring 1996 the Flemish Executive submitted to the Commission the designation of forty areas, including some of the plots covered by the land consolidation. A large-scale drainage scheme is planned for the Weelde and Merksplas areas. Nature conservationists have informed me that the of the area (abiotic) will be changed irrevocably as a result and that this will destroy the ecological features.

Is the Commission aware of these plans?

Is the Commission of the opinion that such projects, which take very little account, if any, of nature, can be carried out on the perimeter, or in the immediate vicinity, of an area protected under the wild birds directive and the natural habitats directive?

Do not these projects contravene Article 4 of directive 79/409/EEC [1] on the conservation of wild birds and Article 6 of directive 92/43/EEC [2] on the conservation of natural habitats and of wild fauna and flora, in that they will have a direct or indirect adverse effect on ecological features?

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

(97/C 217/177)

WRITTEN QUESTION E-0184/97

by Magda Aelvoet (V) to the Commission

(5 February 1997)

Subject: Land consolidation schemes in Antwerp province

The Flemish Regional Council is currently drawing up plans for the Weelde, Zondereigen and Merksplas land consolidation projects in the north-east of the province of Antwerp. Both the Weelde and the Zondereigen projects will cover a large part of the areas to the north of Turnhout and Ravels which fall under the wild birds diredctive. The Merksplas project adjoins for a large stretch, and is partly within, the main part of the Turnhout fen district. Furthermore, some of the plots of land to which the land consolidation relates are covered by the habitats directive. In Spring 1996 the Flemish Executive submitted to the Commission the designation of forty areas, including some of the plots covered by the land consolidation. A large-scale drainage scheme is planned for the Weelde and Merksplas areas. Nature conservationists have informed me that the nature of the area (abiotic) will be changed irrevocably as a result and that this will destroy the ecological features.

In accordance with Article 6(3) of the habitats directive 92/43/EEC [1], any project not directly necessary to the management of special areas of conservation but likely to have a significant effect on the site is subject to appropriate assessment.

In the case in question environmental impact reports were used to examine the suitability of the land consolidation schemes. The reports showed that the analysis of the consequences of the land consolidation on the ecosystem was inadequate and incomplete.

Does this mean violation of Article 6(3) of the directive? Is the Flemish legislation not in contravention of the provisions of that directive since it does not expressly state that environmental impact reports must be used to examine and analyse the impact of the land consolidation on the conservation area?

[1] OJ L 206, 22.7.1992, p. 7.

(97/C 217/178)

WRITTEN QUESTION E-0185/97

by Magda Aelvoet (V) to the Commission

(5 February 1997)

Subject: Land consolidation schemes in Antwerp province

The Flemish Regional Council is currently drawing up plans for the Weelde, Zondereigen and Merksplas land consolidation projects in the north-east of the province of Antwerp. Both the Weelde and the Zondereigen projects will cover a large part of the areas to the north of Turnhout and Ravels which fall under the wild birds diredctive. The Merksplas project adjoins for a large stretch, and is partly within, the main part of the Turnhout fen district. Furthermore, some of the plots of land to which the land consolidation relates are covered by the habitats directive. In Spring 1996 the Flemish Executive submitted to the Commission the designation of forty areas, including some of the plots covered by the land consolidation. A large-scale drainage scheme is planned for the Weelde and Merksplas areas. Nature conservationists have informed me that the nature of the area (abiotic) will be changed irrevocably as a result and that this will destroy the ecological features.

In Spring 1996 the Flemish Regional Executive submitted the designation of 40 areas for approval to the European Commission pursuant to the habitats directive 92/43/EEC [1]. Some of the plots involved in the land consolidation schemes fall within these defined areas. Given the fact that these areas have already been designated, is there any point in declaring the land consolidation projects suitable?

[1] OJ L 206, 22.7.1992, p. 7.

(97/C 217/179)

WRITTEN QUESTION E-0186/97

by Magda Aelvoet (V) to the Commission

(5 February 1997)

Subject: Land consolidation schemes in Antwerp province

The Flemish Regional Council is currently drawing up plans for the Weelde, Zondereigen and Merksplas land consolidation projects in the north-east of the province of Antwerp. Both the Weelde and the Zondereigen projects will cover a large part of the areas to the north of Turnhout and Ravels which fall under the wild

birds diredctive. The Merksplas project adjoins for a large stretch, and is partly within, the main part of the Turnhout fen district. Furthermore, some of the plots of land to which the land consolidation relates are covered by the habitats directive. In Spring 1996 the Flemish Executive submitted to the Commission the designation of forty areas, including some of the plots covered by the land consolidation. A large-scale drainage scheme is planned for the Weelde and Merksplas areas. Nature conservationists have informed me that the nature of the area (abiotic) will be changed irrevocably as a result and that this will destroy the ecological features.

In accordance with Article 75 of the Law of 22 July 1970 on land consolidation of properties pursuant to the law, the plots used for land use measures within the agricultural area, may not account for more than 2% of the total area of the plots prior to consolidation..

Is this not in contravention of the objectives of the wild birds directive 79/409/EEC (1) and the natural habitats directive 92/43/EEC (2), now that agricultural interests clearly take precedence over the ecological features, despite designation as a wild birds and natural habitats area?

(1) OJ L 103, 25.4.1979, p. 1.
(2) OJ L 206, 22.7.1992, p. 7.

Joint answer
to Written Questions E-0183/97, E-0184/97, E-0185/97 and E-0186/97
given by Mrs Bjerregaard on behalf of the Commission

(13 March 1997)

Since it is unaware of these projects the Commission has requested information from the Belgian authorities and drawn their attention to the obligations arising from Articles 4 and 6, respectively, of Directives 79/409/EEC and 92/43/EEC on the conservation of wild birds and fauna and flora (1), and on natural habitats (2). Once the information requested has arrived, the Commission will assess whether the particular conditions under which the land-consolidation projects at issue are to be carried out, or indeed are likely adversely to affect species or habitats that are protected under Community law.

In the absence of such information the Commission is unable to inform the Honourable Member whether the projects at issue run counter to the obligations arising from Community environmental law. In any case the Commission cannot state a view on the suitability of carrying out land consolidation operations, since such a matter falls within the purview of the Member States. In such situations the Commission's role is solely to ensure that when such operations are carried out the relevant Community rules are observed.

As regards Article 75 of the Belgian law of 22 July 1970 on the consolidation of rural properties the Commission does not see in what way this provision would in principle run counter to the aims of Directive 79/409/EEC. The Commission feels that as a function of the specific impact of a land-consolidation operation on species and habitats that are protected under Community law, it would be appropriate to assess, on a case by case basis, whether the rule referred to in the above article is likely, or otherwise, to conflict with Community law.

(1) OJ L 103, 25.4.1979.
(2) OJ L 206, 22.7.1992.

(97/C 217/180)

WRITTEN QUESTION E-0187/97

by Wilmya Zimmermann (PSE) to the Commission

(5 February 1997)

Subject: Use of Commission funds to help export European jobs to India

Is the Commission aware that the Indian organization NASSCOM (the National Association of Software and Service Companies, # 109, Ashok Hotel, Chanakyapuri, New Delhi 110 021), which receives funding under the ECIP programme, forwards the addresses of German software producers and consumers to Indian software companies, which then offer their substantially cheaper services in Germany,with the result that jobs — eg of computer scientists — are lost here?

Does the Commission agree that an association supported from European public funds should not be helping to destroy jobs in Europe?

Could the Commission set out its aims in providing NASSCOM with financial support?

Could the Commission state what action it intends to take to stop NASSCOM continuing this practice, which jeopardises European jobs?

Answer given by Mr Marin on behalf of the Commission

(13 March 1997)

The Commission is well aware of this programme and has been following this matter carefully. NASSCOM is an Indian industry association representing computer software and service companies. It has carried out a programme in liaison with European software industry associations with the purpose of creating joint ventures and business associations. 272 companies took part in the action, and 18 business partnerships have resulted. These business partnerships are of a significant benefit to the Community companies in the development of their international marketing programmes. Furthermore, these partnerships specifically promote the acceptance and the use of European software engineering tools, methodologies and standards within the Indian market, rather than non-European standards. As a result the programme is of significant benefit to the Community.

The Commission provided a 50% cofinancing (ECU 96 000) from the European Community investment partners (ECIP) financial instrument to the specific workprogramme carried out by NASSCOM with European entrepreneurs to promote Indian business partnership. The Commission has not provided general support for NASSCOM's national activities.

The Commission has also provided support to the software services support and education centre in Bangalore India, a joint initiative to promote European software tools, standards and technologies in India.

The budget financing for NASSCOM was provided under facility 1 of the ECIP financial instrument which promotes the creation of joint ventures between Community business operators and those in the eligible developing economies of Asia, Latin America, the Mediterranean and South Africa. Council Regulation (EC) No 213/96 [1] provides that projects selected by the Commission should contribute to the development of the eligible country concerned and must also present mutual benefit to the Community, which is the case here. In approving this application the Commission was acting in pursuance of the objectives of the ECIP Regulation, and was mindful of the fact that the country concerned, India, is a lesser developed country. The Commission has not found evidence that this has reduced employment levels in the Community. On the contrary, the action has contributed in a modest way to reinforcing the position of the Community software industry and standards worldwide and in India.

[1] OJ L 28, 6.2.1996.

(97/C 217/181)

WRITTEN QUESTION E-0188/97

by Mihail Papayannakis (GUE/NGL) to the Commission

(5 February 1997)

Subject: Measures to clean up the river Kifisos

The recent rainfall (on 12 January 1997) in Greece has shown that the River Kifosis is still in a very poor state, despite the presidential decree issued two years ago to protect it. The most damaged part of the river is that passing through the run-down urban districts of Peristeri, Aegaleo, Rendi, Moschato, Neo Faliron and the region of Elaiona before it discharges itself into the heavily polluted Saronic Gulf. The last stretch of the River Kifisos, notably in the municipalities of Rendi, Moschato and Neo Faliron which is some 9 km long has become a vast open waste tip in which rubbish is thrown and liquid waste is discharged through illegal conduits from factories and cottage industries.

Since, according to allegations brought by the Attica Ecology Campaign:

(a) all kinds of waste and rubble are thrown into the river bed without any controls;

(b) the public woodlands along the riverbanks are steadily being eroded by illegal construction work in its most protection zone;

(c) solid and liquid waste are discharged into the river, polluting both the river and the sea where they end up;

(d) plans are afoot to build over the last stretch of the River Kifisos and construct a speedway, which would cut off Athens' last source of fresh air and also greatly increase noise levels and pollution from car exhaust fumes;

(e) these developments constitute a violation of both Greek and Community legislation,

Will the Commission say:

1. whether it intends to make representations to the relevant Greek authorities to respect Community legislation and to put an end to these violations?

2. whether it is in principle in favour of drawing up a study comprising a coherent plan for the integrated, rather than fragmentary, management of the River Kifisos, so as to avoid disasters in future, and

3. whether it intends to finance a balanced investment plan aimed at cleaning up and deepening the bed of the River Kifisos, and ridding it of all the waste and effluent which is currently being discharged into it?

Answer given by Mrs Bjerregaard on behalf of the Commission

(14 March 1997)

1. The Commission has already written to the Greek authorities regarding pollution of the river Kiphisos and the implementation of Community legislation, as a follow-up to Parliamentary petition No. 237/96.

2. and 3. The Commission will examine any proposals relating to improvement of the state of the river Kiphisos which the Greek authorities submit under existing programmes, but it is up to them to take the first step.

(97/C 217/182)

WRITTEN QUESTION E-0194/97

by Nuala Ahern (V) to the Commission

(5 February 1997)

Subject: Safety inspections

With regard to the reports of corrosion of canisters containing high-level vitrified liquid waste and resultant leaks, shipped from France to Japan in April 1995, has the Nuclear Safety Inspectorate investigated this reported incident, what were the findings of such an investigation and, what investigation has been undertaken to examine the waste manufacturing process by COGEMA and the physical composition of the canister used?

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 March 1997)

The Commission has no specific powers of inspection relevant to the external contamination found on waste canisters subsequent to their shipment from France to Japan in 1995. In terms of its general authority as guardian of the treaties, the Commission has no role since the contamination was not a risk to health and indeed only became a problem because of severe contractual limits combined with a lack of intercalibration of measurements, which difficulty has now been resolved between the contracting parties, France and Japan.

Vitrification — which incorporates the radioactive wastes in a solid, very stable matrix — is widely accepted as the preferred option for dealing with such wastes. Cogema is a world leader in the industrial application of vitrification technology.

While the composition of the canister is under the technical responsibility of the operator of the plants and the national safety authorities, the Commission is, through research and development programmes, well informed about safety related issues like the selection of materials. The material normally used for the canisters in which vitrified waste is stored is a low carbon (0.08%) high chromium (22%) steel. Extensive testing has shown no susceptibility to leaking by pitting corrosion or stress corrosion cracking, even under extreme conditions of storage, as regards attack either of the inner face by the contents or of the outer face by the external environment.

(97/C 217/183)

WRITTEN QUESTION E-0196/97

by Glenys Kinnock (PSE) to the Commission

(5 February 1997)

Subject: Commission policies on child labour in India

Is the Commission aware that several observers – including a senior adviser to the Canadian Government – have been given a very positive assessment of the present certification and inspection system of Rugmark? Is the Commission aware that Robert B. Reich, Secretary of Labour of the USA declared in Geneva at the ILO Ministerial meeting on Child Labour, 12 June 1966: 'We are now exploring other initiatives to enlist consumer support. For example, a voluntary labelling scheme has now emerged for hand-knotted carpets, called Rugmark. This system has gained wide attention in the United States, and I am exploring this further with regard to other products.'?

What is the comment of the Commission on these assessments?

Answer given by Mr Marin on behalf of the Commission

(25 February 1997)

The Commission would refer the Honourable Member to its answer to Written Question E-31/97 by Mrs Aelvoet ([1]).

([1]) OJ C 138, 5.5.1997, p. 180.

(97/C 217/184)

WRITTEN QUESTION E-0202/97

by Gianni Tamino (V) to the Commission

(5 February 1997)

Subject: Support for cultural initiatives in prisons

Volterra, Italy's, theatre and prison experiment is recognized as being valid from both the artistic and social point of view, involving prisoners as it does in the company. Because of an isolated escape attempt the experiment was suspended in December and was recently authorized again by the Italian authorities.

Have cultural initiatives within and without the Italian prison system received contributions from Community programmes or funds or been patronized by EU institutions?

Will the Comission consider assessing the possibility of also granting funding for the artistic sector to such forms of social reintegration?

If cultural initiatives in Italian prisons have received Community funding or the patronage of EU institutions does the Commission not consider it should approach the Italian authorities to prevent them from being suspended?

Answer given by Mr Oreja on behalf of the Commission

(26 March 1997)

The Commission has granted support to a project entitled 'Tea-rooms and prisons in Europe', proposed in 1994 by the Italian association 'TICVIN Tea-room', as part of its measures to encourage contemporary cultural creation under the Kaleidoscope programme.

The Commission would state that no category of actors or cultural operators is automatically excluded from its cultural action programmes Kaleidoscope (contemporary cultural creation — already adopted and operational), Ariane (books and reading — being adopted) and Raphael (cultural heritage — being adopted).

Projects proposing cultural activities in prisons could therefore be eligible for financial support from the Commission, provided they meet the criteria for cultural programmes and measures specified in the calls for proposals published in the Official Journal each year. They must, for instance, follow an integrated interdisciplinary approach and have a European dimension, which means they must be the fruit of active cooperation between partners from at least three countries including two Member States. Depending on the measures or programmes, they must also reflect the work themes set each year.

(97/C 217/185)

WRITTEN QUESTION E-0208/97

by Jens-Peter Bonde (I-EDN) to the Commission

(5 February 1997)

Subject: Exemptions from satellite surveillance of fisheries

Why will Dutch beam trawlers and English and Scottish herring vessels be exempt from satellite surveillance in the first phase and what is the Commission's reaction to a letter from Mr Bent Rulle, chairman of the Danish Fishery Association, to the Folketing in which he describes the compromise proposal as a 'game' in which one of the key elements is the exemption of problem fisheries in the countries that go in for satellite surveillance?

Answer given by Mrs Bonino on behalf of the Commission

(5 March 1997)

No later than 1 January 2000 all Community vessels exceeding 20 metres between perpendiculars or 24 metres overall length wherever they operate, except those making trips of less than one day or operating exclusively within the 12 miles zone, will be subject to satellite-based monitoring. There are no exemptions for certain types of vessels or gear such as referred to by the Honourable Member.

Certain sensitive fisheries (vessels operating on the high seas, except in the Mediterranean Sea, vessels operating in the waters of third countries and vessels catching fish for reduction to meal and oil) will be covered by the satellite-based vessel monitoring system (VMS) already as from 30 June 1998.

The decision to introduce a satellite-based monitoring system for Community fishing vessels is a major step towards improved fisheries enforcement from which the whole fishing industry will benefit in the first place.

(97/C 217/186)

WRITTEN QUESTION E-0211/97

by Glyn Ford (PSE) to the Commission

(5 February 1997)

Subject: Scientific Committee for Food

Referring to the minutes of the 103rd meeting of the Scientific Committee for Food (III/5693/96-EN) item 14 which indicates 'immediate implementation' of declaration of members' interests, can the Commission say when the declarations will be available for public scrutiny, where they are published and how one may access them?

Answer given by by Mr Bangemann on behalf of the Commission

(12 March 1997)

Commission Decision 95/273/EC of 6 July 95 relating to the institution of a scientific committee for food (1) requires members to declare during meetings any interests which may be liable to prejudice their independence.

The committee agreed at its 103rd plenary meeting in September 1996, to implement declarations on the basis of a document prepared by the Commission which included a proposal that the annual declarations would be made available for public inspection at the Commission's offices and may be published at the discretion of the Commission.

Since September 1996, the requirement for declarations of interest at meetings of the committee and its working groups has been implemented, any such declarations being recorded in the minutes of the plenary meeting.

Practical arrangements for defining the format of the annual declarations and the way they should be made available are under consideration.

(1) OJ L 167, 18.7.1995.

(97/C 217/187)

WRITTEN QUESTION E-0212/97

by Glyn Ford (PSE) to the Commission

(5 February 1997)

Subject: Firework safety

In view of the growing incidence of accidents involving fireworks from outside the European Union, what can the Commission do to regulate or stop public availability of such hazardous products?

Answer given by Mr Bangemann on behalf of the Commission

(13 March 1997)

The Commission is very concerned about firework accidents.

The Honourable Member is certainly aware that local customs on the public use of fireworks differ among the Member States and influence the number and gravity of accidents. The differences in public attitudes to fireworks extend to the times of the year when fireworks are most demanded, their characteristics (visual and sound effects) and the way in which children and young people approach these products.

According to available information, all Member States enforce safety regulations on fireworks which fit the local customs. After a careful examination of the safety problems at stake, the Commission reached the conclusion that a directive on fireworks would not be a more effective solution to prevent accidents than these national safety regulations. These regulations should not cause unjustified barriers to intra-Community trade, in accordance with Articles 30-36 of the EC Treaty.

Fireworks originating in a third country should have their safety controlled before they can be marketed in any of the Member States. In the event that safety controls have been omitted, the product would not be considered as having been legally marketed, and would therefore not be entitled to circulate freely within the Community.

Although not specifically intended to regulate fireworks, Directive 92/59/EEC on general product safety (1) contains provisions which may guide national authorities on the adoption of measures aimed at the prevention of accidents related to consumer products.

Prevention and information campaigns by national or local authorities can also play an effective role in diminishing the number of accidents. There is evidence that the number of injuries tends to diminish when such a campaign precedes a period when fireworks are especially demanded (e.g. new year celebrations).

The Commission will continue to assess, together with national authorities, the need for a Community measure on fireworks.

(1) OJ L 228 of 11.8.1992.

(97/C 217/188)

WRITTEN QUESTION E-0215/97

by Michl Ebner (PPE) to the Council

(6 February 1997)

Subject: Office of the three Alpine regions — the autonomous province of Bolzano, Trento and the Tyrol — in Brussels

The chapter on extreme right-wing political subversion (pp. 30-33) of the 1995 annual report to Parliament on the activities of the police forces, public law and order and security on national territory (Article 113 of law No 121 of 1 April 1981) of the Italian republic states that close attention is still being paid to the most extremist fringes influenced by transalpine anti-Italian organizations that have opened an office of 'Euregio' (a draft agreement between representatives of the north-east Tyrol, south Tyrol and the province of Trento in order to create the 'European region of the Tyrol') in Brussels.

The office was opened by the Chambers of Commerce of Bolzano and Trento and the Land of Tyrol, Austria, as a service centre in Brussels in 1995 and not by extremist fringes, along the lines of some 150 other offices in Brussels that represent regions, Länder and towns of Europe.

Can the Council inform the Italian Ministry for the Interior that other Italian Chambers of Commerce and regions have offices in Brussels based on an existing Italian law?

Will the Council not set up an ad hoc office to inform the media and private individuals as appropriate of all the nationalistic and anti-European press outpourings of state, provincial and local bodies and other associations?

Answer

(18 April 1997)

As the Council indicated in a previous reply (1), it has no knowledge of the matter referred to by the Honourable Member.

In any event, it would be the responsibility of the competent authorities of the Member States concerned to check that the activities of the offices referred to by the Honourable Member complied with current legislation.

(1) QE 3106/95, OJ C 122, 25.4.1996.

(97/C 217/189)

WRITTEN QUESTION E-0216/97

by Michl Ebner (PPE) to the Commission

(5 February 1997)

Subject: Office of the three Alpine regions — the autonomous province of Bolzano, Trento and the Tyrol — in Brussels

The chapter on extreme right-wing political subversion (pp. 30-33) of the 1995 annual report to Parliament on the activities of the police forces, public law and order and security on national territory (Article 113 of law No 121 of 1 April 1981) of the Italian republic states that close attention is still being paid to the most extremist fringes influenced by transalpine anti-Italian organizations that have opened an office of 'Euregio' (a draft agreement between representative sof the north-east Tyrol, south Tyrol and the province of Trento in order to create the 'European region of the Tyrol') in Brussels.

The office was opened by the Chambers of Commerce of Bolzano and Trento and the Land of Tyrol, Austria, as a service centre in Brussels in 1995 and not by extremist fringes, along the lines of some 150 other offices in Brussels that represent regions, Länder and towns of Europe.

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Will the Commission not set up an ad hoc office to inform the media and private individuals as appropriate of all the nationalistic and anti-European press outpourings of state, provincial and local bodies and other associations?

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

(13 March 1997)

The Commission, when responding to previous questions in this vein (1), has already several times stated its deep conviction that cross-border cooperation between local authorities and the organization of joint economic, social and cultural activities represent a fundamental advance in the construction of a genuine Community and a People's Europe and encourage the success of initiatives for the structural development of these border communities and areas.

However, the Treaty does not give the Commission the authority to judge the advisability, the form or the organizational structure of any individual or grouped regional representation in Brussels.

On the other hand, the Commission is insistent that operations under the Interreg initiative should be programmed and managed jointly by the local authorities on either side of the border concerned. In this way it hopes to encourage the development of these areas and to help spread a culture of mutual confidence.

(1) E-3107/95 (OJ C 91, 27.3.1996) and E-640/96 (OJ C 305, 15.10.1996).

(97/C 217/190)

WRITTEN QUESTION P-0218/97

by Honório Novo (GUE/NGL) to the Commission

(3 February 1997)

Subject: Amendment of Regulation 3030/93

To the best of my knowledge, the meeting of the College of Commissioners last week adopted the text amending Regulation 3030/93 (1) concerning agreements on texts.

Regulation 3030/93 was only adopted after Parliament, as is normal, had returned its opinion. However, I learn that this time the Commission decided not to consult Parliament on the amendments it was making to Regulation 3030/93, a decision for which I can find no basis and which therefore strikes me as very odd.

Would the Commission therefore give me an exhaustive list of its reasons for proposing to amend Regulation 3030/93 and inform me of the substantive and legal reasons on the basis whereof the Commission decided not to consult the European Parliament on the amendments it has adopted to Regulation 3030/93?

(1) OJ L 275, 8.11.1993, p. 1.

Answer given by Sir Leon Brittan on behalf of the Commission

(5 March 1997)

Council Regulation (EEC) No 3030/93, as last amended by Commission Regulation (EC) No 152/97 (1), lays down common rules for imports of certain textile products from third countries which are members of the World Trade Organization or with which the Community has bilateral agreements, protocols or other arrangements.

In the light of experience in implementing the Regulation the Commission has put to the Council a proposal (2) for a number of amendments to streamline the text and clarify some of the rules on the administration of the import regime. Apart from some purely editorial changes and the removal of two annexes which are substantially declaratory in content, the aim of the proposal is to clarify the rules for exercising the Commission's powers of administration in two respects in particular.

Article 8 of the Regulation provides that the Commission may, in certain circumstances, and after the Textiles Committee has delivered a favourable opinion, authorize the importation of additional quantities, i.e. over and above the agreed quantitative limits. The new wording of the Article will make explicit the ability — hitherto implicit — to make the granting of additional import facilities for a given category of textiles, origin and quota year subject to certain conditions, in particular the deduction of corresponding quantities of products with the same origin in other categories in the same year or in the same category in the following year.

At present no exceptions are permitted to the rule fixing the time limit for submission of an export licence to the competent authority for the issue of an import licence (31 March in the year following the quota year). Inability to import the goods in consequence appears in certain circumstances to be disproportionate to failure to meet the time limit. It is therefore proposed that the Commission be authorized, subject to the Textiles Committee's opinion, to grant a three months' extension of the time limit in duly substantiated exceptional circumstances.

Since they are legislative texts in the field of common commercial policy both Regulation (EEC) No 3030/93 and the proposed amendment to which the Honourable Member refers are based on Article 113 of the EC Treaty, which does not require Parliament to be consulted. The Commission nevertheless sent Parliament a copy of its proposal for information on 20 January 1997.

(1) OJ L 26, 29.1.1997.
(2) COM(96 703 final.

(97/C 217/191)

WRITTEN QUESTION E-0220/97

by Klaus-Heiner Lehne (PPE) to the Commission

(5 February 1997)

Subject: Promotion of tourism

Following the decision on the 1995 European Union budget, I should like to put the following questions to the Commission:

Which European Union programmes serve to promote tourism?

Do they include any that are specially targeted at small and medium-sized enterprises?

To what extent are funds available to promote new media and Internet services that travel agents and relatively small tour operators can take advantage of?

How far are agricultural programmes, such as the Leader II Community initiative, or support from the Structural Funds, suited to promoting rural tourism?

Answer given by Mr Papoutsis on behalf of the Commission

(2 April 1997)

The Honourable Member will be aware there are many financial instruments with a wide range of objectives which can be called upon to assist tourism. This is why, in 1996, the Commission published the document

entitled Tourism and the European Union: A Practical Guide, in order to facilitate access to information on the subject. It provides an overall picture of specific financing to assist tourism as well as financing available under other policies or programmes.

Small and medium-sized enterprises (SMEs) are given particular attention in view of their important contribution to the development of tourism. For example, in the field of telematic services, the Commission launched a project aimed at encouraging SMEs operating in the tourism sector and located in the least favoured regions to use the Internet in order to facilitate the marketing of their activities. This project comes under the implementation of the integrated programme and the Community initiative in favour of SMEs. It gave rise to the call for proposals for the establishment of a European coordination structure.

Furthermore, the Community programmes on the information market, entitled Impact II and Info 2000 (multiannual Community programme to stimulate the development of a European multimedia content industry and to encourage the use of multimedia content in the emerging information society), enabled the selection of projects on the tourism industry following calls for proposals. The 'Alto' project is directed at, for example, databases relating to information on local tourism.

Otherwise, Community aid may be granted to encourage the development of rural tourism and thus to contribute to the aim of social and economic cohesion. In particular, this involves the financing granted by the Structural Funds and the Community initiative entitled LEADER II concerning measures to develop the rural economy. Under this initiative, aid for projects on rural tourism represents for example approximately ECU 700 million, i.e. 40% of the total amount allocated.

All in all, it is estimated that the resources assigned to the Structural Funds' measures for the various forms of tourism approach ECU 7 300 million. This accounts for approximately 5% of the total amount allocated to these funds for the period 1994-1999.

(97/C 217/192)

WRITTEN QUESTION E-0221/97

by Christa Klaß (PPE) to the Commission

(5 February 1997)

Subject: Legal authenticity of optically stored social security documents

Many EU citizens avail themselves of their right of free movement and work in various Member States of the European Union during their careers. However, this welcome development continually encounters obstacles, for example in the field of social security. Thanks to the coordinating Regulation on the social security of employed persons, self-employed persons and their families (1408/71/EEC [1]), fundamental questions – particularly in the pensions field – have also been settled at European level. However, in individual cases the use of new media can call everyday acts into question. For example, in the social security field the question definitely arises whether optically stored documents and reproductions of such documents are legally authentic, and in particular whether and to what extent such images are accepted instead of the originals in the judicial systems of the Member States. This has a particular impact in the area of the periods that have to be proved to qualify for pension entitlement as well as the crediting of periods of insurance. In this context the following questions arise:

1. Is the Commission aware of any measures at the national level in the Member States concerning the legal authenticity of optically stored documents and reproductions of such documents in the field of social security? Is there perhaps already a legislative proposal at European level on the harmonization of provisions in this area in the EU?

Or, if not:

2. Is there already a legislative proposal on the subject at European level? Is the Commission aware of any projects – in-house or by anyone outside the Commission – which have has their main theme a study of the technical and legal aspects of this problem?

[1] OJ L 149, 5.7.1971, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(19 March 1997)

The social security systems of the Member States are coordinated by Council Regulations (EEC) No 1408/71 and 574/72, amended and updated by Regulation (EC) No 118/97 [1]. It must be noted, however, that these regulations aim to coordinate but not to harmonise.

As far as the exchange of social security data between two or more Member States is concerned, the Commission has recently proposed [2] to amend Regulation (EEC) No 1408/71 and to insert a new provision that seeks to ensure that documents exchanged by electronic means are given the same status as paper documents. Consequently, such documents may not be rejected on the grounds that they were received by electronic means, provided the receiving institution has declared its ability to use telematic services. Of course, like paper documents, a document received by electronic means may be rejected for other reasons. It is proposed to introduce a further rule in respect of the burden of proof in cases where the correctness and quality of the document received by electronic means is questioned.

In addition, appropriate security measures are to be taken in accordance with the relevant Community provisions. These provisions are contained in Parliament and Council Directive No 95/46/EC of 24 October 1995, on the protection of individuals with regard to the processing of personal data and on the free movement of such data [3], covering the various aspects of the processing of personal data referred to in this text, with particular reference to questions of security in the event of telematic data transfer.

Finally, the Commission has recently launched a study [4] on the legal aspects of digital signatures. This study should provide the Commission with a complete overview of policies, existing and envisaged rules and regulations concerning digital signatures in Europe and in the Community's main trading partners. The study will help the Commission to analyse divergences between national regulatory frameworks for digital signatures and any resulting potential regulatory barriers.

(1) OJ L 28, 30.1.1997.
(2) OJ C 341, 13.11.1996.
(3) OJ L 281, 23.11.1995.
(4) OJ C 257, 4.9.1996; see also http:// www2.echo.lu/legal/en/digsigcall.html.

(97/C 217/193)

WRITTEN QUESTION E-0222/97

by Nikitas Kaklamanis (UPE) to the Commission

(5 February 1997)

Subject: Delays in the passage of lorries across borders

According to articles in the Greek periodical 'TROCHOI KAI TIR', lorries crossing the borders between the countries of Central and Eastern Europe still face lengthy delays, a situation which increases transport costs and frustrates drivers.

These delays fluctuate between 1- 3 hours at the border between Bulgaria and Skopje (Macedonia) and up to 55 hours at some points on the Polish-German border.

Will the Commission say what action it has taken to resolve this problem which makes life so difficult for drivers from EU countries, particularly drivers from Member States such as Greece, who also have to contend with long distances and a restricted choice of alternative routes?

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

(13 March 1997)

The Commission is aware of the problems raised by the Honourable Member. Eliminating delays at border crossings is one of the major aims of the Community transport policy towards Central and Eastern Europe. Since 1992 the Commission has through the Phare transport programme, addressed these problems and particular attention has been paid to the border crossings situated on the nine multimodal transport corridors identified by

the second pan-European transport conference in Crete 1994. Up to 1996 the Community has co-financed the improvement of border crossings in the Phare countries with 91 MECU and the effects of the investments made under the early programmes are starting to show. An additional 21 MECU is foreseen for the period 1997 to 1999.

Delays at borders are not only caused by inadequate infrastructure but also by outdated customs procedures, together with the fact that the border crossing posts in question are often understaffed with badly trained customs officers. Financial support to infrastructure projects has been made conditional upon the availability of sufficient well qualified and motivated staff from the recipient countries. The Commission has since 1993 under the Phare customs programme given financial support to the introduction of basic customs legislation (e.g. customs codes and tariffs, the single administrative document, transit procedures) together with training in these fields. It should be emphasised, however, that it takes time to transform the customs services in the beneficiary countries into modern customs administration capable of handling all matters related to customs clearance procedures in order to implement trade and economic policies based on a market economy.

The Commission is aware that although the major border crossings on the German-Polish border have been modernised there are still significant delays from time to time. These are in general due to lack of well trained customs staff combined with an increase in traffic. The Commission has since 1994 under the cross border co-operation programme set aside over 100 MECU to finance projects on the Polish side according to the wishes of the Parliament and this matches similar funds made available under Community structural funds for the German side. Since May 1995 regular meetings have taken place between the German and Polish authorities and the Commission in order to monitor the situation and to agree on practical measures to alleviate border crossing problems between the two countries.

(97/C 217/194)

WRITTEN QUESTION E-0223/97

by Mark Watts (PSE) to the Commission

(5 February 1997)

Subject: Road safety: regulations concerning speed limits

In view of the fact that transport safety is listed as one of the priority objectives laid down in the common transport policy (COM(92)494):

1. What Community action has been taken in the field of regulations concerning speed limits?
2. What Community action has been taken, if any, regarding speed restrictions in rural areas of Member States?
3. Has the Commission investigated the link between road traffic accidents and speed restrictions in rural areas?
4. Are there any funding opportunities for pilot projects concerned with speed restrictions on rural roads?

Answer given by Mr Kinnock on behalf of the Commission

(27 February 1997)

The improvement of transport safety is a key priority of the common transport policy. Consequently, in the near future the Commission will submit a communication on road transport safety that evaluates the actions of the last three years and presents a strategy for the coming years.

To date, Community legislation on speed restrictions relates only to the mandatory introduction of speed limiters in heavy commercial vehicles and buses (Directive 92/6/EC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community) [1]. In addition, in 1989 the Commission proposed the harmonisation of speed limits for commercial vehicles [2] but the Council has not yet acted on that proposal.

Speed restrictions on rural roads are applied in all Member States but since the character of such roads obviously varies, local authorities are best placed make judgements and to impose the appropriate speed limit. For the same reason, a general assessment of the link between speed limits in rural areas and accidents is difficult.

Funding from the Community budget may be available if a pilot project offers a new development with scope for Community-wide application.

(1) OJ L 57, 2.3.1992.
(2) OJ C 33, 9.2.1989; amended propose OJ C 96, 12.4.1991.

(97/C 217/195)

WRITTEN QUESTION E-0224/97

by Mary Banotti (PPE) to the Commission

(5 February 1997)

Subject: Regulation of conditional access and related technical services

Following the answer to my Written Question E-2941/96 (1), I should like to put the following supplementary questions to the Commission:

To be made available to the public, GSM telephones must allow access to competing networks. Customers do not have to buy several phones, or all use the same network to know that they can be reached. To be made available to the public, digital television receivers do not have to allow access to competing networks — why is this not a reasonable parallel and a cause for concern?

The most successful and innovative consumer and industrial product of our time, the PC, uses common architecture and common interfaces, and this is acknowledged to be the reason for its success and widespread use. How is it that, as claimed by Mr Van Miert, the directive's non-insistence on a common interface encourages innovation?

Press reports indicate that DVB receivers are being sold which at worst may not allow reception of free air services as stipulated by the directive, and at best make it forbiddingly complex to find them. Even though the directive has not yet been ratified by Member States should this situation not give cause for concern?

(1) OJ C 91, 20.3.1997, p. 52.

Answer given by Mr Bangemann on behalf of the Commission

(21 March 1997)

Access to competing networks for digital television services is ensured by the combination of two provisions of Directive 95/47/EC of the Parliament and of the Council of 24 October 1995 on the use of standards for the transmission of television signals (1):

— the incorporation of a descrambler conforming to the common European scrambling system in all relevant consumer equipment (Article 4 a. 1st indent);

— the offer by conditional access providers of their services to broadcasters on fair and non-discriminatory terms (Article 4 c. 1st indent).

The analogy with the personal computer market is not correct. In fact, the success of the personal computer as a product is not the result of an agreed or mandated common architecture or interface, but of consumer choice and preference. Competing personal computer architectures exist. Major families are built around an Intel-compatible chip with a Microsoft operating system (the 'IBM compatible PC', or a Motorola-compatible chip with an Apple operating system (Mac Intosh, called 'MAC'), and other often incompatible personal computers. The personal computer market is indeed a good example of solution by the market for problems of incompatibility with applications softwares offering some degree of compatibility across the two main competing architectures.

The Commission's answer to the Honourable Member's written question E-2941/96 stated that Directive 95/47/EC does not require a common (i.e. standard) interface in order to encourage innovation and risk taking in introducing the new technology for digital broadcasting services. To promote investment in decoder development and production, the process of the introduction of digital television should, as far as possible, be market-led. As already explained, some safeguards are incorporated in the Directive to ensure that the interests of consumers are taken into account. As digital services develop, if competition concerns emerge which are not covered by the Directive, the Community competition rules will be applied as appropriate.

Article 4 a, second indent of Directive 95/47/EC requires that all consumer boxes be capable of showing free-to-air broadcasting on the television. If any violation of this requirement occurs in practice in the market, it should be brought to the attention, in the first instance, of the Member State authorities responsible for enforcing compliance with the Directive.

(1) OJ L 281, 23.11.1995.

(97/C 217/196)

WRITTEN QUESTION P-0228/97

by Salvador Jové Peres (GUE/NGL) to the Commission

(3 February 1997)

Subject: Community tariff quota for barley for malting falling within CN code 1003 00

The Commission has put forward a proposal for a Council regulation (COM(96)552 final) opening a Community tariff quota for barley for malting falling within CN code 1003 00 in order to open a 30 000-tonne quota for barley intended for the production of malt to be used for the manufacture of beer aged in tanks containing beechwood.

Apparently the production of malt to be used for the manufacture of beer aged in tanks containing beechwood is affected by specific problems which the Council regulation is intended to resolve.

1. Can the Commission describe the specific problems in question?

2. How many companies are there in the European Union which manufacture beer aged in tanks containing beechwood?

3. Can the Commission provide a list of the companies which manufacture beer aged in tanks containing beechwood in the European Union, together with details of their location?

Answer given by M. Fischler on behalf of the Commission

(26 February 1997

Under the agreement on cereals and rice between the Community and the United States, in the context of the conclusion of the General agreement on tariffs and trade (GATT)

The United States has drawn attention to problems regarding consignments of barley for malting, which meets specific quality criteria and which is destined for the production of certain beer aged in tanks containing beechwood. The high price of such barley for malting has led to certain problems with the application of the representative price for barley.

The proposed tariff rate quota is intended to remedy this problem. It would be open to any barley meeting the specifications, including those concerning end use. The Commission does not have specific details of which companies produce beer using this method.

(97/C 217/197)

WRITTEN QUESTION E-0235/97

by Glyn Ford (PSE) to the Council

(13 February 1997)

Subject: Consultative Commission final report

Can the Council explain the reasons for not publishing the final report of the Consultative Commission on Racism and Xenophobia which was finalized in May 1996, particularly as its publication was promised in the Commission's terms of reference?

Does it not feel that it would be appropriate to do so in 1997, the European Year Against Racism, and could it now be published under the logo of the European Year Against Racism?

Answer

(18 April 1997)

The final report of the Consultative Commission 'Racism and Xenophobia' has been published under the logo of the 1997 European Year Against Racism. It was distributed at the Conference in The Hague on 30 and 31 January 1997, at which the European Year was inaugurated.

(97/C 217/198)

WRITTEN QUESTION E-0236/97

by Kenneth Collins (PSE) to the Commission

(7 February 1997)

Subject: Labelling of medicinal products

Is the Commission aware of the problem that colourings used in medicines authorized before Directive 92/27 [1] came into force may not always be identified on package labels and inserts?

What measures does the Commission intend to introduce to protect patients who may be allergic to some products used to colour medicines and which are not identified on the label and insert?

[1] OJ L 113, 30.4.1992, p. 8.

Answer given by Mr Bangemann on behalf of the Commission

(18 March 1997)

According to Directive 92/27/EEC on the labelling of medicinal products for human use and on package leaflets, the user package leaflet of a medicinal product must state, in full, the active and inactive ingredients present in the medicinal product. Therefore, any colouring would be stated in the leaflet.

In addition, according to the Directive, certain inactive ingredients must be stated on the label. The Commission is currently preparing a guideline which lists the inactive ingredients to be stated on the label. This guideline will include a corresponding leaflet warning for each of these excipients. Tartrazine and other azo colouring agents feature in the current draft of this guideline.

The Directive applies to any new medicinal product from 1 January 1994 and is being progressively applied to existing medicinal products at the time of renewal. This means that by 1 January 1999 the Directive will apply to every medicinal product.

(97/C 217/199)

WRITTEN QUESTION E-0241/97

by Gastone Parigi (NI) and Amedeo Amadeo (NI) to the Commission

(7 February 1997)

Subject: Request for deferred payment of milk quota fines

The establishment of quotas for Community milk production for the purposes of price support is a valid and valuable system, provided that its organization does not create large-scale imbalances between production potential and the internal consumption of the individual Member States. The fines imposed when milk quotas are exceeded are objectively fair only if they are accompanied by a specific, direct and conscious sense of responsibility regarding the infringement.

In Italy the exceeding of quotas by a substantial number of farmers was due not to deliberate fraud on their part but to:

1. the foolishness of an Italian minister who at the time and in the context of the Community was only capable of negotiating a quota equivalent to little more than half Italy's internal consumption, thereby condemning Italy to being a net importer of milk, to the advantage of Germany, France and the Netherlands, who obtained a quota far higher than their own consumption;
2. the contradictory nature of successive Italian laws which, combined with the notorious superficiality or, what is worse, bad faith of the trade unions and workers' organizations and the state of confusion which has long prevailed in the public authorities in the sector, led many farmers astray, by encouraging them on the one hand to produce more and more and, on the other, informing them of the quantitative restrictions only when the quotas had been exceeded; not only this, but also by creating and encouraging the disgraceful trading of 'paper quotas' and providing incentives for imports of milk at ridiculously low prices and not actually of Community origin.

In view of this situation, will the Commission consider whether it would be appropriate not to waive the fines but to extend the deadline for payment, provided that in the meantime the degree of responsibility shared by the authorities and by the trade unions involved in the matter is established?

Answer given by Mr Fischler on behalf of the Commission

(5 March 1997)

The Commission considers that when the quota system was adopted in Italy, producers were given several opportunities to rectify the errors made when individual reference quantities were allocated, by taking the matter either to the regional authorities or directly to AIMA (Azienda di Stato per gli interventi nel mercato agricolo), without prejudice to their right to appeal to the courts.

With regard to the payment of the additional levy for the 1995/96 marketing year, it should be noted that the Commission initiated an infringement procedure against Italy concerning the rules on calculating the levy owed at the level of producer associations. Italy subsequently adopted Decree Law No 353 of 8 July 1996 and Decree Law No 463 of 6 September 1996 suspending compensation at the level of associations of milk producers with effect from the 1995/96 marketing year.

The Commission is aware that these changes with retroactive effect caused very serious administrative problems which had direct effects on meeting the 1 September 1996 deadline for payment by purchasers of the additional levy. These problems do not alter the fact that purchasers are responsible for collecting the additional levy and producers are responsible for paying it.

In conclusion, the Commission considers that an additional extension of the deadline for payment to the European Agricultural Guidance and Guarantee Fund is not likely to solve the problem.

(97/C 217/200)

WRITTEN QUESTION P-0243/97

by Daniel Varela Suanzes-Carpegna (PPE) to the Commission

(3 February 1997)

Subject: Freezing of aid for the fishing fleet pending approval of MAGP IV

In view of the announcement that the Commission is to freeze structural aid to the fishing fleet until MAGP IV is adopted, what action is the Commission intending to take in order to ensure that the fishing fleets of the Member States which have fulfilled the objectives of the current MAGP are not affected?

Answer given by Mrs Bonino on behalf of the Commission

(3 March 1997)

The third-generation multiannual guidance programme (MAGP III) expired on 31 December 1996. At its meeting of 20 December 1996, the Council was not able to adopt targets for the period from 1 January 1997 to 31 December 2002 for restructuring the Community fisheries sector.

The conclusions drawn by the Commission regarding this situation are as follows:

— Member States remain subject to the obligation to ensure that the fishing effort of their fleets does not exceed the final objectives of MAGP III; this obligation arises from Article 1 of Council Decision 94/15/EC of 20 December 1993 relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation [1] and Article 5 of the EC Treaty;

— the Community can no longer finance the measures provided for under Title II of Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products [2].

Consequently, the arrangements for part-financing the measures referred to in Articles 7 to 10 of Regulation (EC) No 3699/93 are suspended as from 1 January 1997 for all the Member States and for all the measures applied to the fleet.

[1] OJ L 10, 14.1.1994, p. 20.
[2] OJ L 346, 31.12.1993, p. 1.

(97/C 217/201)

WRITTEN QUESTION E-0249/97

by Daniela Raschhofer (NI) to the Commission

(7 February 1997)

Subject: Support funds from the agricultural budget

A European Commission report indicates that ECU 1 755 billion from the agricultural budget was not utilized and therefore reverts to the EU Member States. In view of the fall in income suffered by Austrian farmers:

1. What level of support funding from the EU agricultural budget was provided for Austria?
2. How much support funding was applied for by Austrian farmers?
3. How much support funding was refused and what were the main reasons for this refusal?
4. What level of support funding in total was paid out to Austrian farmers and what was the average sum per farmer?
5. What proportion of the agricultural budget surplus has reverted to Austria?

Answer given by Mr Fischler on behalf of the Commission

(13 March 1997)

The Commission reminds the Honourable Member that the budget of the European Agricultural Guidance and Guarantee Fund (EAGGF) is drawn up with reference to expenditure forecasts, for a given financial year, on the basis of Community legislation. It is a budget for the Community as a whole and it is not established, either at the level of forecasts or in its final presentation, on the basis of expenditure to be envisaged per Member State.

Consequently, the Commission cannot provide the answers to the specific questions raised by the Honourable Member. However, it can be stated by way of information that in 1996 EAGGF expenditure of benefit to Austria amounted to ECU 1 121.2 million in respect of the Guarantee Section (market and farm income support) and to ECU 122.6 million in respect of the Guidance Section (structural aid); these figures represent 3% of total expenditure for these two sections, which ran to ECU 39 107.8 million and ECU 3 934.5 million respectively for the Community of Fifteen. The fact that this 3% share is an average should be borne in mind. The share varies enormously depending on the type of payment. For example, the ECU 544.7 million paid out for accompanying measures means that Austria received close to 30% of EAGGF financing in this field.

As far as examination of individual applications of potential beneficiaries of such payments is concerned in order to reject those not eligible and set the level of payments, this is a matter in most cases for the relevant paying agencies of each Member State. The Commission therefore invites the Honourable Member to obtain information from the Austrian paying agencies as to the precise number of recipients, the number of ineligible applications and the reasons for ineligibility, as also the average aid per Austrian farmer. As regards the latter point, it should be said that such an average is not very informative given the differences in structure and production within agriculture.

Lastly, if expenditure remains below appropriations there is generally no 'reversion of funds' to Member States but normally a reduction in the call-rate on own resources which Member States are required to pay into the Community budget. There was consequently no money returned to Austria in 1996.

(97/C 217/202)

WRITTEN QUESTION P-0250/97

by Felipe Camisón Asensio (PPE) to the Commission

(3 February 1997)

Subject: Rules to ensure free competition on the digital-television market

Under Directive 95/47 [1], which was adopted in October 1995, the governments of the Member States are required to adopt the legal measures required to ensure free competition on the pay-television market, a task which the Spanish Government has duly undertaken.

Does the Commission consider that such a decision is an appropriate one, in view of the fact that suitable rules need to be drawn up sufficiently in advance of the introduction to the market of digital television services?

Does it not also believe that the need to draw up suitable rules is further strengthened by the requirement to include codes which ensures that all pay-service providers are able to supply their programmes to all consumers, for which reason it is essential for regulations on the awarding of access technology licences to be established?

How does the Commission intend to set about considering, from July of this year onwards, the terms and conditions for the implementation of such rules and the extent of their development in each Member State, and issuing a report on the matter?

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[1] OJ L 281, 23.11.1995, p. 51.

Answer given by Mr Bangemann on behalf of the Commission

(12 March 1997)

Directive 95/47/EC of the Parliament and of the Council on the use of standards for the transmission of television signals was adopted unanimously, on 24 October 1995, by the Council, having received a large majority in the Parliament.

The Directive requires the use of standardised transmission systems for digital television. In relation to conditional access to digital pay television it also requires the incorporation of a descrambler conforming to the common European scrambling system in all relevant consumer equipment, and that conditional access providers offer their services to broadcasters on fair and non-discriminatory terms.

The Directive sets out the general principles which must be followed by Member States. It had to be implemented by Member States, when the necessary detailed provisions should be set out before 23 August 1996.

Against this background, the following answers are given to the Honourable Member's questions.

Spain has to adopt legal measures to implement the Directive. It is clearly desirable that this be done sufficiently in advance of the introduction to the market of digital television services. As stated above, this should have occurred before 23 August 1996.

The requirement to use the common scrambling systems and the requirement of fair reasonable and non-discriminatory relations between conditional access providers and broadcasters, provide the basis for ensuring that all pay-television service providers are able to supply their programme to all consumers.

Once the various national implementing measures have been communicated, the Commission will check that these conform to the requirements of the Directive and will report to the Parliament, to the Council and to the Economic and social committee.

(97/C 217/203)

WRITTEN QUESTION P-0251/97

by Giovanni Burtone (PPE) to the Commission

(4 February 1997)

Subject: Alarming situation of Italian milk producers

Italian milk producers are faced with an alarming situation caused by the 'milk quota' allocated to Italy, which is still totally out of step with actual production capacity and domestic needs. With a national consumption level of 15.5 million tonnes and a real production rate of more than 10.5 million tonnes, Italy has been allocated a quota of only 9.9 million tonnes.

Despite determined efforts to rationalize the sector, of which the Council and Commission are well aware, it has not been possible to keep real production within the quota limits. As a result, a superlevy is being imposed on the 15 000 producers who have failed to keep within the maximum quantities. However, most of these producers cannot pay this fine without going bankrupt. The impact on the social fabric, the natural environment and, most importantly, on the thousands of families depending on this work for their livelihood would be devastating.

The farmers concerned are extremely angry: they feel that they are being unfairly penalized as a result of the unacceptable quota allocated to their country.

(a) Does the Commission agree that, for the sake of fairness, the Italian milk quota should be raised by at least 600 000 tonnes, with retroactive effect from the 1995/96 farming year?

(b) If this cannot be done retroactively, does the Commission not consider that the authorities responsible should provide for support measures and special credit facilities to enable producers to cover the superlevy due in respect of the 1995/96 farming year?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1997)

The Commission considers that the inspection missions carried out between 1992 and 1995 showed that the milk quota system is being properly applied. At that time the Commission proposed to the Council a permanent increase in the Italian quota of 900 000 tonnes. The additional levy to be paid by producers who exceed the quota is a key element of the arrangements, acting as a deterrent to further production increases.

Overall guaranteed quantities per Member State were fixed in 1984 on the basis of the quantities produced in 1981, except for Italy and Ireland where 1983, which was more favourable to them, was taken as the reference year. Moreover, in 1993 the Council decided to allocate an additional 900 000 tonnes to Italy. From then on individual quantities were allocated to Italian producers taking the 1988/89 marketing year as the reference year, corrected by the deliveries made during the 1991/92 marketing year in cases where these were higher. Because of the rise in yield, this has given Italian producers considerable advantage.

With regard to the Honourable Member's request, the Commission takes the view that market considerations mean that any increase in the Italian quota without a corresponding decrease for the other Member States must be ruled out. Indeed, an increase in the Italian quantity would result in an increase in the quantities of dairy products put on the European market, which would be likely to cause increased intervention in butter and skimmed milk powder. It might well also lead to additional disturbances on the cheese market.

If the Italian authorities decide to introduce national measures to improve the situation of the producers who have to pay the additional levy, the Commission will examine the measures in question to judge their compatibility with Community law.

In conclusion, as far as the basic issue is concerned, the question of the level of the Italian quota can only usefully be discussed as part of an overall consideration of the whole milk and milk products policy.

(97/C 217/204)

WRITTEN QUESTION E-0252/97

by Mihail Papayannakis (GUE/NGL) to the Commission

(7 February 1997)

Subject: Restructuring of the Commission's veterinary services

According to information received by the European Parliament, the Commission is undertaking a major restructuring of its veterinary services: part of them will be attached to DG XXIV, while research activities regarding BSE, for instance, will remain with DG XII.

Will the Commission say how it justifies these changes and whether it has taken steps to ensure that the potential and competences of its various services are fully exploited and that services concerned with the same subject and pursuing the same objectives, for example, combating BSE, are satisfactorily coordinated?

Answer given by Mr Santer on behalf of the Commission

(11 March 1997)

Following the bovine spongiform encephalophathy (BSE) crisis in Europe, the Commission has recently decided to re-organize its services in the fields of food and health. Improved organization in these fields will not only assure the separation of the Commission's legislative function from the management of its scientific committees but also the separation of legislation from control, and will reinforce transparency as well as the dissemination of information. The Commission decision largely follows demands from the Parliament, particularly those presented recently in its committee of inquiry's report on BSE. Also, this new organization will ensure that the contributions of the individual services dealing with different aspects of the problem will be better coordinated, so that the potential of the Commission as a whole will be best exploited. On the political level, coordination will be strengthened by the establishment of a group of commissioners for health to be chaired by the President. He outlined the new concept in detail in his presentations to the Parliament on 15 January and 18 February 1997.

(97/C 217/205)

WRITTEN QUESTION E-0253/97

by Nikitas Kaklamanis (UPE) to the Commission

(7 February 1997)

Subject: Environmental pollution caused by a quarry

In Aetidolakkos in the province of Apokoronos in the prefecture of Chania in Crete a quarry has been in operation for a number a years, systematically violating Greek and European legislation covering this type of undertaking.

In particular, the quarry is located 300 metres from the edge of the community of Machairon, at the base of the local road and below the springs used by this community.

The quarry is damaging the environment of the Gorge of Aghios Nikolaos, and in particular the surface and ground water, the microclimate and its outline.

Allegations have also been made concerning accidents, damage to monuments and homes, atmospheric pollution and excessive noise levels.

Will the Commission say what action — if any — can be taken to close down this quarry, and whether it can ask the Greek authorities for information on the circumstances under which they granted an operating licence to this quarry?

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 March 1997)

There is no specific legislation at European level covering the operation of quarries.

Since the entry into force in July 1985 of Directive 85/337/EEC on assessment of the effects of certain public and private projects on the environment [1], this type of installation must, where the authorities consider it necessary after an initial evaluation, undergo environmental impact assessment before going into operation. It is not clear whether the quarry in question was already in operation before 1988 or only afterwards. In any event, since, according to the Honourable Member, it is operating in contravention primarily of Greek law, the Commission feels that the first step must be to apply to the Greek courts for a formal opinion on the matter.

[1] OJ L 175, 5.7.1985.

(97/C 217/206)

WRITTEN QUESTION E-0257/97

by Richard Howitt (PSE) to the Commission

(7 February 1997)

Subject: Citizens' access to the European Court of Justice

Is the Commission aware of difficulties faced by citizens in my constituency for whom withdrawal of legal aid by the UK authorities may impede their opportunity to take a case as far as the European Court of Justice on points of European law?

What jurisdiction does the Commission have in this matter?

Given that many citizens do not have the financial means to support such a legal case, how can the European Union ensure full access to legal redress in the Court?

Answer given by Mrs Gradin on behalf of the Commission

(12 March 1997)

The Commission would refer the Honourable Member to its answer to Written Question E-3524/96 by Mrs De Esteban Martin [1].

In addition the Commission would like to point out that both the Court of justice's rules of procedure (rule 76 and additional rules 4 and 5) as well as the rules of procedure of the Court of first instance (rules 94 and 97) [2] contain identical provisions for free legal aid under certain conditions. It is however, hard to imagine that anyone who meets these conditions would take a matter to the Court of justice without first having legal aid under national legislation (which may then be extended to cover certain proceedings in the Court of justice [3]).

[1] OJ C 186, 18.6.1997, p. 105.
[2] OJ L 136, 30.5.1991.
[3] see the English Case R. v. Marlborough Street Stipendiary Magistrate, ex parte Bouchereau 1977 3 All ER 365 (Divisional Court of Queen's Bench, 17 January 1997); Case 30/77 of 27 October 1977, ECR pages 1-2000-20281.

(97/C 217/207)

WRITTEN QUESTION E-0260/97

by Richard Howitt (PSE) to the Commission

(7 February 1997)

Subject: Follow-up to the zero tolerance campaign in Thurrock, UK

Will the Commission join me in congratulating the South Essex Rape and Incest Crisis Line which is currently conducting a 'zero tolerance' campaign in my constituency to raise awareness of male violence against women? What opportunity exists to contribute the results of the campaign to future European decision-making, and what assistance under the women's action programme or other sources could provide financial support to follow up the results of this excellent local campaign?

Answer given by Mrs Gradin on behalf of the Commission

(12 March 1997)

The Commission welcomes national or local initiatives designed to increase public awareness of the prevention and combating of sexual violence in all its forms and is consequently very much in favour of the zero tolerance campaign in Thurrock, South Essex, to which the Honourable Member refers.

The Commission would point out that in 1997 Parliament created, on its own initiative, a new budget heading B3-4109 to finance measures for combating violence against children, adolescents and women. The Commission will therefore be able to use this heading, inter alia, to support preventive measures and pilot projects through grants to NGOs and voluntary organizations which are pursuing these ends and which meet certain criteria, such as a European dimension to the proposed initiatives.

(97/C 217/208)

WRITTEN QUESTION E-0261/97

by Richard Howitt (PSE) to the Commission

(7 February 1997)

Subject: Retraining of public sector workers under ADAPT and Objective 4 structural programmes

In relation to comments raised during a recent conference of public sector workers from the UNISON trade union in the eastern region of the UK, can the Commission confirm that 'house rules' exist against Commission funding for retraining of public sector workers in EU structural fund programmes?

Does the Commission not recognize that the public sector has been subject to financial pressure as great as the private sector, and will it ensure future ADAPT and Objective 4 programmes are fully available for retraining of public sector workers?

Answer given by Mr Flynn on behalf of the Commission

(21 March 1997)

What is eligible for funding in programmes co-financed under the structural funds is set down in broad terms under the regulations adopted by the Council on 20 July 1993 (1). How the regulations are interpreted in relation to the specific situation in each Member State is a matter for negotiation between the Commission and the national authorities.

In some Member States the training or retraining of public sector workers has been agreed for funding under objective 4 and Adapt operational programmes under certain conditions. The Commission understands that the operational programme for objective 4 in the United Kingdom will be presented later this year. The Adapt programme for the United Kingdom has as its principal focus the training or retraining of management and workers in enterprises employing 50 people or less or in agencies or organisations providing support to such enterprises. Workers in the public sector are not a direct target group.

(1) OJ L 193, 31.7.1993.

(97/C 217/209)

WRITTEN QUESTION E-0263/97

by Richard Howitt (PSE) to the Commission

(7 February 1997)

Subject: Control of the international arms trade

Given the existing KONVER Community initiative for defence conversion, and joint procurement by several Member States of defence equipment, what precise steps are planned by the Commission to contribute to increased controls against arms sales by EU members to third countries?

Answer given by Sir Leon Brittan on behalf of the Commission

(10 March 1997)

In Europe national policies on arms exports have traditionally differed considerably. Furthermore, assessments of the risk of exports to certain destinations, linked to foreign policy considerations, have traditionally been made on a national basis. Member States have therefore considered that such issues fall within the remit of Article 223 EC Treaty.

National arms export policies and controls are currently examined within the common foreign and security policy with a view to approximation of national practices. Progress has been achieved through the definition of eight criteria for arms exports policies and their national interpretation.

In its communication on 'The challenges facing the European defence-related industry, a contribution for action at European level' (1) the Commission supported a gradual approach. As a first step, a regular exchange of information between Member States on arms exports (such as type and quantity of exported material, destination, end use) should be pursued. Following this, attempts should be made to establish an operational system aimed at eliminating the distortions between the various national treatments. The communication is presently being discussed by the Council and the Parliament.

As regards the Community initiative Konver, it should be borne in mind that it is a special instrument of the structural funds which contributes to the implementation of the Commission's regional policy and is not intended to support a particular industrial sector. Its purpose is to accelerate the diversification of economic activities in regions dependent on the defence sector, inter alia by the conversion of economic activities linked to this sector so as to render them less dependent on this sector and encourage the adjustment of commercially viable businesses in all sectors of industrial activity.

(1) COM(96)10 final.

(97/C 217/210)

WRITTEN QUESTION E-0264/97

by Richard Howitt (PSE) to the Commission

(7 February 1997)

Subject: Training for prospective cooperative businesses in South Essex

Can the Commission state examples of which it is aware, or which it has supported, to assist training of prospective cooperative businesses at the local level in the European Union?

How can planned training from the Essex Cooperative Development Agency in my constituency make transnational links with such examples, and what European financial support is available in this respect?

Answer given by Mr Flynn on behalf of the Commission

(25 March 1997)

Assistance is provided to co-operative businesses through a variety of Community programmes. The principal means of providing support for transnational co-operation in training under the structural funds is through the Community initiatives Adapt and Employment.

Details of these two programmes are sent direct to the Honourable Member and to the Parliament's Secretariat. Information on how to apply for funding under these programmes in the United Kingdom is also provided in each report.

Networks such as Aries exist, which may be of assistance to co-operative training organisations searching for partners.

(97/C 217/211)

WRITTEN QUESTION E-0266/97

by Bernie Malone (PSE) to the Commission

(7 February 1997)

Subject: Discrimination against non-practising teachers by the Department of Education in Ireland

Is the Commission aware that non-practising teachers are being prevented from applying for the position of 'directors' with the Development of Education Centre Network in Ireland, which is co-financed by the European Social Fund, and that the department is also breaching the EU's commitment to equal opportunities for all EU citizens by discriminating against Irish and European citizens who are working in other EU Member States?

What action does it intend to take to rectify this matter?

Answer given by Mr Flynn on behalf of the Commission

(1 April 1997)

The Commission has been informed about the recruitment criteria regarding the post of director with the Development of education centre network which receives funding from the European social fund (ESF).

According to the information supplied to the Commission, the selection criteria for the post do not include any discriminatory condition based directly or indirectly on nationality. Furthermore, the Commission does not consider that the selection criteria for such posts, including the condition that applicants must be practising teachers, are disproportionate or contrary to ESF objectives.

(97/C 217/212)

WRITTEN QUESTION E-0267/97

by Carmen Fraga Estévez (PPE) to the Commission

(7 February 1997)

Subject: Community rice imports

The Community rice sector is unable to withstand the impact of rice imports from third countries. During the last marketing year, 212 000 tonnes of milled rice were imported and the figures for the first three months of this year show a gradual increase. The current situation is that most of the Community's rice production remains unsold.

Consequently, Community producers are calling for the safeguard clause to be applied, as already formally requested by Italy.

Does the Commission not consider that the market conditions necessary for the application of the safeguard clause now exist?

Answer given by Mr Fischler on behalf of the Commission

(12 March 1997)

The safeguard clause requested by Italy and Spain was introduced by Commission Regulation (EC) No 21/97 of 8 January 1997 introducing safeguard measures in respect of imports of rice originating in the overseas countries and territories ([1]). Its purpose is to limit the volume of quantities imported of this origin with a view to reducing the effects duty-free imports have on the marketing of indica type Community rice. The Regulation establishes a maximum quantity of 42 650 tonnes of husked rice equivalent to be imported at zero duty until 30 April 1997.

In order to take account of the natural disaster on the island of Montserrat, the Council replaced the Commission Regulation and increased the overall quantity for Montserrat and for the Turks and Caicos Islands to 8 000 tonnes (Regulation (EC) No 304/97 of 17 February 1997) ([2]).

([1]) OJ L 5, 9. 1.1997.
([2]) OJ L 51, 21. 2.1997.

(97/C 217/213)

WRITTEN QUESTION E-0268/97

by Carmen Fraga Estévez (PPE) to the Commission

(7 February 1997)

Subject: Management of rice quotas

With reference to the quotas negotiated under Article XXIV.6 of GATT and allocated to the United States, will the Commission say which body is responsible for managing the US quota and whether the transparency of the management procedures can be guaranteed?

Answer given by Mr Fischler on behalf of the Commission

(4 March 1997)

Council Regulation (EC) No 1522/96 of 24 July 1996 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ([1]) stipulates that rice imports from the United States will commence only when the current negotiations are finalized. Since these negotiations have not yet been concluded the imports from this origin provided for by the above-mentioned Regulation have therefore not yet started.

([1]) OJ L 190, 31.7.1996.

(97/C 217/214)

WRITTEN QUESTION E-0270/97

by Carmen Fraga Estévez (PPE) to the Commission

(7 February 1997)

Subject: Community rice exports

The restrictions on subsidized exports imposed by GATT are clearly inadequate for the needs of the sector. However, the quantities laid down and the funds available for the last marketing year were not fully used, as they were not needed for the effective marketing of the product. If the 75 000 tonnes outstanding from last year were added to the quantities laid down for the current year, this would ease the market situation considerably.

Will the Commission therefore say whether it considers that the outstanding 75 000 tonnes should be added to the quotas available for the current year?

Answer given by Mr Fischler on behalf of the Commission

(4 March 1997)

The Commission would refer the Honourable Member to its answer to Written Question E-0020/97 by Mr Arias Cañete [1].

[1] See page 72.

(97/C 217/215)

WRITTEN QUESTION E-0272/97

by Carmen Fraga Estévez (PPE) to the Commission

(7 February 1997)

Subject: Fresh and canned tuna from the ACP countries

With reference to the EU's preferential trade arrangements for fresh and canned tuna from the ACP countries, will the Commission give details of exports of these products to the EU and, in particular, France, for the period from 1986 to 1995?

Answer given by Mr Pinheiro on behalf of the Commission

(19 March 1997)

The table sent direct to the Honourable Member and Parliament's General Secretariat shows the value and weight of canned tuna imports into the Community, and more specifically France, from the ACP countries since 1988.

The table shows that tuna imports are increasing steadily, almost doubling in weight in the period 1988-95. France is the Community's largest importer. In 1995 canned tuna imports from ACP countries accounted for 2% of all ACP trade.

(97/C 217/216)

WRITTEN QUESTION E-0276/97

by Daniel Varela Suanzes-Carpegna (PPE) to the Commission

(13 February 1997)

Subject: Current situation of the EU fish canning industry

Will the Commission give details of the current situation of the EU fish canning industry (current output, production capacity, number of firms, number of jobs, etc)?

Will it give details of the restructuring operation under way in this industry in major producer countries such as Italy, France, Portugal and Spain?

What provisions is the Commission making for aid to this sector once the current arrangements for the period from 1994 to 1999 expire?

Answer given by Mrs Bonino on behalf of the Commission

(13 March 1997)

The Commission would refer the Honourable Member to its answer to Written Question E-3504/96 by Mr Arias Cañete [1] and to his Written Question E-3987/96 [2].

[1] OJ C 186, 18.6.1997, p. 98.
[2] OJ C 186, 18.6.1997, p. 154.

(97/C 217/217)

WRITTEN QUESTION E-0277/97

by Daniel Varela Suanzes-Carpegna (PPE) to the Commission

(13 February 1997)

Subject: Marine biotoxins in fish and seafood

What measures will the Commission take to introduce new methods of analysis into Community legislation in order to monitor the existence of marine biotoxins in fish and seafood?

Answer given by Mr Fischler on behalf of the Commission

(27 February 1997)

Article 11 of Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs [1] provides that the chapters of the Annex containing, in particular, provisions on the control of marine biotoxins may be amended by the Council, acting by a qualified majority on a proposal from the Commission.

However, Chapter V of the Annex to the Directive stipulates that when there is scientific evidence indicating the need to introduce other health checks or to amend the parameters in this Chapter for the purpose of protecting public health, such measures are to be adopted by the Commission in accordance with the Standing Veterinary Committee procedure. When drawing up any proposals to introduce new methods of analysis into Community legislation, the Commission receives scientific assistance from the Community reference laboratory for marine biotoxins in Vigo, designated for this task by Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins [2].

[1] OJ L 268, 24.9.1991.
[2] OJ L 166, 8.7.1993.

(97/C 217/218)

WRITTEN QUESTION E-0278/97

by Yvan Blot (NI) to the Commission

(13 February 1997)

Subject: Defence of tobacco growers in Alsace

In many regions tobacco helps keep farming communities employed. This is the case in Alsace, France's second tobacco producing region; in the Bas-Rhin department alone, there are still 600 producers despite a reduction in the number of farmers active in this sector.

Tobacco growers in Alsace have adjusted to the market and European legislation (limitations on tar content) by diversifying their production and directing it towards varieties that are in greater demand, without however exceeding their quotas.

What does the Commission, as guardian of the Treaties and of the principle of Community preference, intend to do to avoid penalizing European tobacco growers, who only provide 30% of the sector's needs?

In the face of unfair competition from third countries which charge dumping-level prices, is the Commission prepared to react by imposing quota restrictions, applying minimum import prices or using the protective clause in the event of the Community market being disrupted, as is the case at present?

Answer given by Mr Fischler on behalf of the Commission

(28 February 1997)

The Commission can confirm that it is fully aware of the important role played by tobacco growing in the economy and rural life of certain European regions. This aspect of tobacco growing is, moreover, a key part of the report on the common organization of the market in raw tobacco presented by the Commission to Parliament and the Council.

The Commission can also assure the Honourable Member that the conditions which must be met before a safeguard clause can be invoked to protect the tobacco market do not, to its knowledge, exist today. Nor does the Commission have plans to restrict trade with third countries under its international commitments.

(97/C 217/219)

WRITTEN QUESTION E-0289/97

by José Pomés Ruiz (PPE) to the Commission

(13 February 1997)

Subject: Evaluation reports

In my mail I have received the first page of an evaluation report on the distribution of the EU budget for assistance to countries in need.

The report in question is an assessment of the aid given to Central America and was drawn up by the DG VIII Evaluation Unit.

Could the Commission keep Parliament informed of such reports?

Will the Commission also say whether other reports of this kind exist concerning developing countries? If so, which?

Answer given by Mr Pinheiro on behalf of the Commission

(7 March 1997)

The Honourable Member refers to the report on the evaluation of operations concerning credit lines, micro-enterprises and small- and medium-sized enterprises financed by the Community in Latin America.

This evaluation exercise was conducted in 1995-96 and covered operations throughout Latin America over a ten-year period. The summary report is being sent direct to the Honourable Member and Parliament's General Secretariat.

There is another report of this kind; it concerns the evaluation of credit lines and projects to assist small- and medium-sized enterprises in Africa. It too is being sent.

In the past three years, other areas of activity in Latin America, including rural development and land reform, have been evaluated and there have been overall evaluations in Bolivia, Chile and Guatemala.

(97/C 217/220)

WRITTEN QUESTION E-0292/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: Fisheries

In the context of the common fisheries policy, Council Decision 89/631/EEC [1] allows the Community to finance investments in fisheries surveillance activities by the Member States with effect from 1991. At 31 December 1995, the expenditure recorded for such measures amounted to ECU 119 million.

The decision provides for the Community to contribute to certain enforcement expenditure for some Member States where the scale of the enforcement task is unrelated to budgetary capacity or relative prosperity.

However, the Commission has not laid down any precise criteria for determining which Member States should qualify for the Community contribution or to set the level of aid. It has systematically granted the maximum rate of 50% even when the structures financed were not intended exclusively for fisheries monitoring. Nor has the Commission undertaken a cost-benefit analysis of the proposed investments, especially for expensive items such as aircraft.

In its annual decisions according the financial contribution, the Commission is required to take account of the use made of contributions in previous years and the improvement in the Member States' performance in fisheries enforcement. This has not been done properly and in some Member States investment programmes have suffered considerable delays or been partially abandoned.

In addition, the Commission has not officially monitored the question of whether adequate sanctions are actually taken against vessels which have breached the rules.

What future measures will the Commission take to ensure effective controls as regards the supervision of fishery activities, which in the past have not been sufficiently rigorous?

[1] OJ L 364, 14.12.1989, p. 64.

Answer given by Mrs Bonino on behalf of the Commission

(5 March 1997)

The comments made by the Honourable Member are identical to those made by the Court of Auditors in Chapter 4 of its annual report for 1995 entitled 'Common policy on fisheries and the sea' [1].

The Honourable Member is therefore requested to refer to the Commission's replies accompanying the report.

[1] OJ C 340, 12.11.1996.

(97/C 217/221)

WRITTEN QUESTION E-0294/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: VAT revenue

Identifying infringements by the Member States of the common VAT system is important in ensuring that own resources are protected and properly collected. As a general rule, therefore, all infringements should be the subject of adequate checks to ensure that the own resources in question are immediately made available by the Member States, while reserving the right to charge interest in the event of delays.

The effects of the abolition of frontiers from January 1993 have been examined by the Court of Auditors, working together with a number of national supervisory bodies.

Does the Commission believe that the fall of 5-6% in VAT revenue in 1993 – an occurrence which the available data cannot fully explain – could be a result of increased tax evasion?

Answer given by Mr Monti on behalf of the Commission

(11 March 1997)

In its replies to the observations on VAT own resources made by the Court of auditors in its annual report concerning the financial year 1995 (1), the Commission noted that the actual VAT revenue for 1993 was broadly in line with Member States' expectations. These expectations were reduced in 1993 because account was taken of a number of one-off effects on VAT revenues that were acknowledged in advance by the Member States. The Commission also emphasized that the Court's observation related only to 1993 and had no sustained impact on revenues thereafter. If the potential loss of VAT revenues was not fully explained by these one-off effects, it was clear that it had no lasting effect and therefore was not attributable to any inherent weakness in the transitional regime.

The Honourable Member may refer to the Court of auditors report for more detailed information concerning the replies of the Commission to the observations of the Court on the matters raised.

(1) OJ C 340, 12.11.1996.

(97/C 217/222)

WRITTEN QUESTION E-0297/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: Feta cheese

Denmark is the main producer and exporter of feta cheese, which is made from cows' milk. (Its exports, mainly to Iran, enjoyed refunds from the Community budget of approximately ECU 480 million over a five-year period (1989-1994).

In order to be eligible for the refunds, feta cheese must meet certain criteria which the Danish authorities are required to check. For example, the refunds should not be paid if the cheese has an excessive water content or an insufficient fat content.

The rate of error in the water or fat content recorded by the control system during the period June 1989 to June 1995 was a minimum of 3.3%, which means that some ECU 16 million of refunds have been paid unduly.

What steps does the Commission plan to take vis-à-vis the Danish authorities, which have made no attempt to recover the refunds unduly paid for feta cheese?

Answer given by Mr Fischler on behalf of the Commission

(4 March 1997)

The recent Court of Auditors report (1) gave rise to an investigation into certain items of European Agricultural Guidance and Guarantee Fund (EAGGF) expenditure, including spending on refunds for exports of feta charged to the EAGGF.

In carrying out this survey, the Commission used a database set up by the Danish authorities, which contains records of batches of feta not complying with the required quality standards. On the basis of this information, the final use of those batches was investigated. Where they were exported, under Article 2 of Regulation (EEC) No 729/70 the export refund cannot charged to the EAGGF. This is being dealt with at present and should lead to a financial correction which will be integrated into the decision on the EAGGF clearance of accounts for the 1994 financial year.

The Commission, in its dealings with the Danish authorities on this matter, did not encounter any negative attitudes. Initially there was a problem because according to the Danish interpretation of the legislation, any check carried out at a stage prior to the export procedure could not be cited as a basis for assessing eligibility for refunds. Clarification of the definition (2) of what documents are to be included in retrospective administrative checks led Denmark to the change its position on this matter.

Denmark has modified its national system for checking the quality of feta for export to Iran (in application since 11 March 1996) designed to make it impossible to export feta which does not meet requirements. The new checking procedure will be the subject of a detailed examination during a future inspection.

(1) OJ C 340, 12.11.1996.
(2) Article 1(2) of Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC – OJ L 388, 30.12.1989, p 18.

(97/C 217/223)

WRITTEN QUESTION E-0299/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: Rice-growing regions

In the last five years, the Court of Auditors has audited and reported upon the management of a number of different common market organizations.

The Court has examined the follow-up to the observations it made in its annual reports on the financial years 1990 to 1992 in an effort to determine whether the Commission has improved the management and control of various agricultural markets in line with the recommendations and observations made by the Court.

The Council also supported the Court of Auditors' recommendation that a land register be established for rice-growing areas. No progress has been made on this matter.

What deadlines will the Commission set and what measures will it take to ensure that the Member States establish a land register for rice-growing regions?

(97/C 217/224)

WRITTEN QUESTION E-0348/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: register of cultivated areas

In its 1992 discharge recommendation the Council recognized the need to introduce land registers for areas supporting rice cultivation in order to improve control procedures in respect of appropriations paid out under the common market organization for rice.

In its 1992 discharge decision of 5 April 1995 (1), the European Parliament stressed the need for Member States to have comprehensive land registers.

Nevertheless, the Court of Auditors' annual report concerning the financial year 1995 notes that the Commission has not yet responded to the Council's request to set up a land register for areas supporting rice cultivation.

When will the Commission start the process of setting up such a register?

(1) OJ L 141, 24.6.1995, p. 51.

Joint answer
to Written Questions E-0299/97 and E-0348/97
given by Mr Fischler on behalf of the Commission

(4 March 1997)

Following the reform of the common organization of the market in rice, a maximum guaranteed area was established for each producer Member State by Council Regulation (EC) No 3072/95 of 22 December 1995 on

the common organization of the market in rice (1). From the 1997/98 marketing year these areas, which are the basis for the compensatory payment intended to offset the reduction in the intervention price, are included in the integrated control system established by Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes (2) and Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes (3).

(1) OJ L 329, 30.12.1995.
(2) OJ L 355, 5.12.1992.
(3) OJ L 391, 31.12.1992.

(97/C 217/225)

WRITTEN QUESTION E-0300/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: Cotton market

In the last five years, the Court of Auditors has audited and reported upon the management of a number of different common market organizations.

The Court has examined the follow-up to the observations it made in its annual reports on the financial years 1990 to 1992 in an effort to determine whether the Commission has improved the management and control of various agricultural markets in line with the recommendations and observations made by the Court.

With regard to the cotton market, the Council and Parliament endorsed the Court's view that effective control measures should be introduced.

Will the Commission say whether the control methods for the 1995-1996 marketing year in the cotton sector have produced the expected results and avoided the recurrence of the serious abuses that occurred in previous years?

Answer given by Mr Fischler on behalf of the Commission

(4 March 1997)

In March 1995 the Commission, acting upon its undertaking 'to reflect on the specific problems of the cotton sector in a spirit of fair management', sent the Council a report on the operation of the aid system (1). On the basis of this report, the Council decided to preserve the basic structure of the support arrangements, while making certain adjustments to it from the 1995/96 marketing year, namely:

- stopping the aid scheme for small producers,
- altering the reduction mechanism to transfer responsibility from the Community to Member States,
- putting an end both to the limit on aid reductions (cut-off) and to the possibility of transferring part of the reduction from one marketing year to another,
- providing for the use of certain control measures like those under the integrated administration and control system (IACS),
- introducing a link relating the quantities of unginned cotton delivered to each ginner and ginned cotton produced.

In addition to its work on this new Regulation, the Commission took part, from end of 1994, in a joint working party (Greece and the Commission) the aim of which was, in particular, to improve control procedures in Greece. In this connection, increasingly targeted measures for checking on the main parties concerned (producers, intermediaries and ginners) have been introduced. Of the changes introduced by the Greek authorities to date, the following main ones should be noted:

- checks on stocks of unginned cotton held by producers,
- progressive harmonization of the system for identifying parcels sown to cotton with the integrated administration and control system,
- an additional check on all the cotton parcels in certain communes,
- a check on the final destination of bales of ginned cotton,

— increased thoroughness in the inspection of ginning undertakings provided for in Council Regulation (EEC) No 4045/89 of 21 December 1989 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC (2).

The implementation of such additional control measures has certainly helped to prevent the repetition of the abuses to which the Honourable Member refers and which were pointed out by the Court of Auditors in its annual report. The Report on the 1995 financial year (3) stresses some of the improvements in this area as referred to above.

(1) COM(95)35.
(2) OJ L 388, 30.12.1989.
(3) OJ C 340, 12.11.1996.

(97/C 217/226)

WRITTEN QUESTION E-0301/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: PHARE and TACIS programmes

With regard to measures in favour of the countries of central and eastern Europe, the newly independent states (former Soviet Union) and Mongolia, the EU's financial and technical cooperation is implemented mainly through the PHARE and TACIS programmes, whose main aim is to help these countries to undertake the reforms necessary to move towards a market economy.

In 1995, for the first time since 1990, the Commission began to make up the delay in concluding contracts. However, the fact remains that, for the PHARE programme (CCE), launched at the end of 1989, financial commitments in respect of which contracts had not yet been concluded amounted to ECU 970 million, while for the TACIS programme (NIS and Mongolia), launched at the end of 1991, the figure was ECU 644 million at the end of 1995.

Both for PHARE and TACIS, the invitations to tender, which were entrusted by the Commission to consultants, led to conflicts of interest in the awarding of public contracts.

What steps will the Commission take to end the conflicts of interest over invitations to tender relating to the PHARE and TACIS programmes?

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

(13 March 1997)

Both for Phare and Tacis, the terms of reference (definition of the activities to be performed by the contractor) are often drafted by external experts in cooperation with the Commission's project manager responsible for the action. The latter ensures the quality and the impartiality of the expert's work. Moreover, when the terms of reference are drafted, the tenders for the project are not yet identified. Any conflict of interest is also avoided by excluding the expert and his company from participating in the restricted tender for the award of the contract.

As far as Tacis is concerned, the Commission is assisted in implementing the administrative activities relating to restricted tenders by an external contractor, usually named a procurement unit (PU). The role of the PU does not raise any problem of conflict of interest since it is not involved in any decision taking. This remains the exclusive preserve of the Commission. The PU is not involved in the approval of any short-list or in any of the other decisions made during the procedure by the committee charged with the evaluation. In fact the PU only handles basic administrative tasks such as the drafting of the minutes of the evaluation committee meetings.

With regard to Phare, as the management of the tender procedure is decentralised, the programme management units (PMUs), located in the relevant ministries of the beneficiary country, are responsible for the approval of the short list and for the evaluation proceedings. External experts are usually employed, but only as technical advisors. However, as they cannot be involved in the short listing procedure, any conflict of interest is avoided. Furthermore, the participation of the external experts to the evaluation committee as voting members does not create any problem as the majority of members are representatives of the relevant beneficiary institutions and the PMUs (the Community delegations participating as observers).

The transparency of Phare tender procedures is also guaranteed by Article 118 of the financial regulations, according to which all procurement opportunities have to be announced on the Internet before a tender is launched. The results of each tender must be published in the official journal.

(97/C 217/227)

WRITTEN QUESTION E-0305/97

by Amedeo Amadeo (NI) to the Commission

(13 February 1997)

Subject: Social Fund

According to the Court of Auditors' annual report for the financial year 1995 ([1]), the controls undertaken by the Court regarding measures to combat poverty and social exclusion reveal a lack of precise objectives, overall cohesion and assessment with regard to most of the measures undertaken.

What are the possible legal and economic implications of the fact that the measures to combat poverty and social exclusion were financed by the Commission without the Council having approved the continuation of these programmes?

([1]) OJ C 340, 12.11.1996.

Answer given by Mr Flynn on behalf of the Commission

(2 April 1997)

The Court of Auditors' report for the 1995 financial year covered the budget heading B3-4103, and more particularly the Poverty III programme spanning the period from 1989 to 1994. Details of the evaluation of the measures taken have been provided by the Commission in its reply to the Court. In this connection, the Commission also explains how Poverty III has helped to lay the foundations of overall coherence, and it intends to continue along this path by drawing up a report on all the Community activities associated with poverty and social exclusion.

As regards the second part of the Honourable Member's question, on budget heading B3-4103, the Commission had at its disposal, in 1995 and 1996, appropriations which could be used outside the framework of the proposal for the fourth programme, which was blocked by the Council, with due regard for the corresponding remarks as adopted by the Parliament.

On 1 April 1996, however, the United Kingdom brought an action before the Court of Justice (C-106/96), contesting the legality of funding in 1995 charged to heading B3-4103 for projects in connection with the fight against social exclusion. The judgment is expected at the end of 1997.

On 10 July 1996, the United Kingdom brought a further action in relation to the same budget heading for 1996, calling also for interim measures pending the final judgment. An order given by the President of the Court indicated that the Commission is authorised to sign agreements for 1996, but it may not make payments until after the date on which the judgment is delivered, and then only if it wins the case.

For 1997, no appropriation has been allocated to the budget heading in question.

(97/C 217/228)

WRITTEN QUESTION E-0308/97

by Niels Kofoed (ELDR) to the Commission

(13 February 1997)

Subject: Implementation of Council Directive 92/66/EEC introducing Community measures for the control of Newcastle disease

The Commission's answer to Written Question P-3514/96 (1) confirms that the rules on protection zones have never been relaxed as provided for in Article 9(7) despite the fact that in Belgium they operate with a 500 metre zone for smaller flocks.

Is the Commission aware that Article 9(7) is impracticable owing to the long periods of time involved? In view of this, will it state whether a proposal has been submitted to bring Council Directive 92/66/EEC (2) into line with Belgian practice and, if so, what it has done to accommodate such a request?

(1) OJ C 138, 5.5.1997, p. 72.
(2) OJ L 260, 5.9.1992, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(12 March 1997)

Directive 92/66/EEC was due for implementation in the Member States just over three years ago. In this time the Commission has not made any proposals to Council for its amendment.

As indicated in the Commission's reply to the Honourable Member's Written Question P-3514/96, amendments to this Directive to take account of new scientific or epidemiological developments or other relevant factors are not ruled out in the medium term but are not an immediate priority.

Any request to consider modifications to Article 9, paragraph 7 or indeed other provisions of the Directive will be taken into account in the future when proposals are next drafted to amend this Directive.

(97/C 217/229)

WRITTEN QUESTION E-0309/97

by Doris Pack (PPE) to the Commission

(13 February 1997)

Subject: Development of the internal market in the construction sector

1. What was the volume (in absolute and percentage terms) of cross-border trade within the Community in the most important construction products (building stones, bricks, cement, asphalt, roofing tiles, windows, doors, roofs) during the period 1992-1995?

2. What has been the volume (in absolute and percentage terms) of cross-border contracts for planning services (architects and engineers) within the Community since the entry into force of the services Directive?

3. What has been the volume (in absolute and percentage terms) of cross-border construction contracts within the Community since the entry into force of the construction harmonization Directive of 18 July 1989?

Answer given by Mr de Silguy on behalf of the Commission

(10 April 1997)

1. The Commission is sending a table containing the information requested directly to the Honourable Member and to the Secretariat-General of the Parliament.

2. and 3. The Honourable Member might like to refer to the Eurostat publication in English entitled 'International Trade in services E.U., 1985-1997' (particularly code No 249 on construction services and code No 280 on architectural, engineering and other technical services), copies of which have also been sent directly to both the Honourable Member and the Parliament's Secretariat-General. The French version entitled 'Echanges Internationaux de services 1985-1994' will be published in April 1997.

(97/C 217/230)

WRITTEN QUESTION E-0310/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(13 February 1997)

Subject: Increase in bogus pharmaceutical products on the world market

According to media reports based on documents and evidence supplied by the World Health Organization, and in particular a document of October 1996, the period between 1994 and 1996 saw a sharp rise in allegations concerning the circulation and marketing of pharmaceutical products from both developing and industrialized countries, including EU Member States, the majority of these products are less effective than the genuine article or have no effect whatsoever, and many of these products are life-saving drugs.

In view of the above, will the Commission say whether it is aware of this WHO information, whether it has collaborated in this area with European producers, NGOs or national authorities and whether it intends to take action under Article 129(2) and (3) of the TEU?

Answer given by Mr Bangemann on behalf of the Commission

(18 March 1997)

The Commission would refer the Honourable Member to the reply it gave to his Oral Question H-48/97 during question time at Parliament's February 1997 part session (1).

Taking account of the strict Community rules already applicable to the production and placing on the market of pharmaceutical products, the Commission presently sees no necessity to start any particular action, except for the measure already announced in its answer to his oral question (information of Member States through the pharmaceutical committee established by Council Decision 75/320/EEC of 20 May 1975 setting up a pharmaceutical committee (2)).

(1) Debates of the Parliament (February 1997).
(2) OJ L 147, 9.6.1975.

(97/C 217/231)

WRITTEN QUESTION E-0314/97

by Michèle Lindeperg (PSE) to the Commission

(13 February 1997)

Subject: Commission initiatives on the right to asylum

On 4 March 1996 the Council adopted a common position on the harmonized definition of the term 'refugee' in Article 1 of the Geneva Convention (96/196/JHA (1)).

That common position recognizes persecution by third parties as within the scope of Geneva Convention only when it is 'encouraged or permitted by the authorities'.

This excludes from the scope of the Convention persons persecuted by non-State groups when the authorities are powerless to restore law and order and guarantee the safety of their nationals. It is stated that '[t]he persons concerned may be eligible in any event for appropriate forms of protection under national law'.

However, those forms of protection vary considerably at present and manifestly do not, in practice, provide a human solution for the persons concerned.

However, the Council Resolution of 14 October 1996 laying down the priorities for cooperation in the field of justice and home affairs [2] contains two priorities that could provide possible solutions:

— '4(b) harmonization of national procedures for granting the right to asylum

— 4(g) examination of forms of alternative protection (de facto protection and humanitarian residence permit)'.

What progress has been made on these matters within the Commission?

Within what sort of time-scale does the Commission expect to adopt an initiative on these issues?

[1] OJ L 63, 13.3.1996, p. 2.
[2] OJ C 319, 26.10.1996, p. 1.

Answer given by Mrs Gradin on behalf of the Commission

(12 March 1997)

As the Commission has already explained in its reply to the Honourable Member's written question E-716/96 [1], the joint position of 4 March 1996 [2] is not to be interpreted as systematically excluding from the scope of the convention people persecuted by third parties, whether or not the responsibility of the state authorities can be established.

It is true that protection which is not based on the Geneva convention varies considerably in form from one Member State to another. The experience of the crisis in the former Yugoslavia, in particular, has shown that mass influx situations may lead to a range of different protection schemes within the Union. The Commission therefore intends to submit to the Council and the Parliament a draft action on the temporary protection of displaced persons in the near future.

With regard to the harmonisation of asylum procedures, the Commission intends to examine carefully how the existing Council resolutions have been implemented by the Member States. The Commission will then consider what further steps need to be taken.

The Commission does not intend, at this stage, to bring forward an initiative on the alternative forms of individual protection mentioned under point 4(g) of the Council Resolution to which the Honourable Member refers.

[1] OJ C 280, 25.9.1996.
[2] OJ L 63, 13.3.1996.

(97/C 217/232)

WRITTEN QUESTION P-0345/97

by Eva Kjer Hansen (ELDR) to the Commission

(4 February 1997)

Subject: Public access to documents of the Community institutions

Considering that the transparency of the decision-making procedure and the access to legislative documents that it implies, represent essential rights of democracy, does the Commission:

1. Consider satisfactory that this fundamental right of public access to information is treated as a purely internal question of the organization of each institution?
2. Not consider it necessary to adopt a general rule containing the minimum conditions and the fundamental principles of public access to documents?
3. Consider that the EU Treaty constitutes a sufficient base to allow the adoption of this rule or does the Commission consider it necessary to introduce a new article explicitly devoted to the principle of transparency and the right to information?

Answer given by Mr Santer on behalf of the Commission

(7 March 1997)

1. The Commission attaches the greatest importance to transparency, as it brings Europe closer to its people. On 23 October 1993, the Council, Parliament and the Commission signed an interinstitutional declaration on democracy, transparency and subsidiarity.

2. Among the measures taken to increase transparency of its work, the Commission would remind the Honourable Member that on 8 February 1994 it adopted Decision 94/90/ECSC, EC, Euratom on access to its documents. [1] This Decision, which implements a common code of conduct agreed by the Commission and the Council on 6 December 1993, lays down the principle that the public should be given the widest possible access to internal Commission documents, with the exception of those whose disclosure could be prejudicial to public or private interests or to the confidentiality of its deliberations.

While this decision is an internal measure, it should be stressed that it lays down specific provisions which guarantee that citizens' requests will be dealt with as soon as possible, with a redress procedure in the event of an unsatisfactory answer.

This initiative shows that the right of access by individuals to documents held by the Commission is gradually being established.

In its judgment of 30 April 1996, [2] the Court of Justice held that, on the basis of their internal power to organize, the institutions could take measures to deal with such requests for access and that these internal rules could generate legal effects vis-à-vis third parties.

3. The Commission feels that it is indispensable to develop its policy on openness in the future. This process would be facilitated by including in the Treaty the appropriate provisions enshrining transparency as a general principle, and establishing the right of access to the documents of the Community's (legislative) institutions.

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[1] OJ L 46, 18.2.1994.
[2] (Case C-58/94).

(97/C 217/233)

WRITTEN QUESTION P-0346/97

by John Tomlinson (PSE) to the Commission

(4 February 1997)

Subject: Accidents suffered by non-resident citizens

The level of compensation for damages suffered as a result of accidents varies from Member State to Member State, and the procedures involved vary greatly.

In order to ensure the proper functioning of the single market and a proper level of protection for citizens who are the victims of accidents in a Member State other than their own, what proposals does the Commisson have to harmonize the level of compensation for accidents throughout the EU and to ensure that the same basis of calculation is used in each Member State?

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

The introduction of a compulsory system of insurance against civil liability that ensures both free movement throughout the Community and compensation of the victims of road accidents has been one of the Commission's concerns ever since the adoption in 1972 of the First Motor Insurance Directive. [1] That Directive made insurance against civil liability in respect of the use of motor vehicles compulsory in all the countries that belonged to the Community at the time.

The basic protection was extended and strengthened by the Second [2] and Third [3] Motor Insurance Directives. The Second Directive determined the extent of the protection by requiring minimum levels of cover in all Member States and specifying the persons that must be covered by compulsory civil liability insurance. The Third Directive ensures that policies cover the entire territory of the Community, on the basis of a single premium.

Nevertheless, as the Honourable Member points out, these Directives do not achieve total harmonization of the level of compensation afforded to accident victims; they bring about minimum harmonization which does not include requirements as to the amount and method of compensation that must be complied with uniformly throughout the Community. Member States are free to set the level of compensation afforded, on condition that they observe the minimum levels laid down in the Second Motor Insurance Directive.

In accordance with the Third Directive, the cover provided must be either that required by the Member State in which the policy was taken out or that required by the Member State where the vehicle is normally based, if it is higher. The compensation paid in each case is therefore calculated in accordance with whichever of the two sets of national rules is more favourable.

The Commission considers that these rules ensure satisfactory protection of accident victims. While allowing flexibility, they are in keeping with the principles of minimum harmonization and subsidiarity and make allowance for Member States' different traditions regarding the level of compensation and the methods of assessing injury or damage.

The Commission is indeed extremely anxious to see the Community rules on insurance against civil liability strengthened as regards the compensation of victims of traffic accidents occurring outside their home Member State. Following the resolution on the settlement of claims arising from traffic accidents occurring outside the claimant's country of origin (4) adopted by Parliament on 26 October 1995 under Article 138b of the EC Treaty, the Commission is currently working on a proposal for a directive aimed at improving the situation of persons who suffer injury or loss caused by a vehicle registered and insured in a Member State other than their country of residence while visiting another Member State. The proposal will probably be presented to Parliament and the Council during the second half of this year.

(1) Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and to the enforcement of the obligation to insure against such liability (OJ L 103, 2.5.1972).
(2) Second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ L 8, 11.1.1984).
(3) Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ L 129, 19.5.1990).
(4) OJ C 308, 20.11.1995.

(97/C 217/234)

WRITTEN QUESTION P-0347/97

by Anne McIntosh (PPE) to the Commission

(4 February 1997)

Subject: Alternatives to cattle labelling

Does the Commission agree that calves, and other animals, could be freeze-branded at birth as an alternative to the present methods of cattle labelling?

Would the Commission agree that this practice would make it both easier to identify cattle and safer for their inspection than the current system of tagging?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1997)

The current provisions under Directive 92/102/EEC (1) on the identification and registration of animals require that all bovine animals present on a holding are identified with an ear tag bearing an alphanumeric code, which shall not exceed 14 characters. Freeze branding is not a permitted method, because it does not allow for the necessary degree of precision and clarity.

Recently the Commission has presented a proposal for a regulation to the Council (2) to replace the current Directive, in which it is proposed that bovine animals shall be identified by an ear tag applied in each ear.

(1) OJ L 355,5.12.1992.
(2) COM(96)460 final.

(97/C 217/235)

WRITTEN QUESTION E-0349/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: techniques for verifying cultivated areas

In its 1992 discharge recommendation the Council recognized the need to introduce land registers for areas supporting rice cultivation in order to improve control procedures in respect of appropriations paid out under the common market organization for rice.

In its 1992 discharge decision of 5 April 1995 (1), the European Parliament stressed the need for Member States to have comprehensive land registers.

Nevertheless, the Court of Auditors' annual report concerning the financial year 1995 notes that the Commission has not yet responded to the Council's request to set up a land register for areas supporting rice cultivation.

Will the Commission promote remote-sensing techniques or other systems for verifying areas supporting rice cultivation?

(1) OJ L 141, 24.6.1995, p. 51.

Answer given by Mr Fischler on behalf of the Commission

(25 February 1997)

The Commission refers the Honourable Member to the answer it gave to question E-3997/96 asked by Mr Arias Cañete (1).

As a further point, the 'Integrated Administration and Control System' (IACS) established under Regulation (EEC) No 3508/92 (2), which has applied to rice since 1996 (Regulation (EC) No 3072/95 (3)), stipulates that there must be 'an alphanumeric identification system for agricultural parcels' and 'an integrated control system.'

Remote-sensing is one of the monitoring methods provided for under the integrated system and areas supporting rice cultivation are fairly easy to verify in this way. The Commission encourages this technique and will part-finance expenses incurred as a result of using remote sensing until 1998 (Regulation (EC) No 165/94 (4)). However, Member States are free to choose their own control methods.

The current situation is therefore entirely in line with the recommendations made by Parliament and the Court of Auditors.

(1) OJ C 186, 18.6.1997.
(2) OJ L 355, 5.12.1992.
(3) OJ L 329, 30.12.1995.
(4) OJ L 24, 29.1.1994.

(97/C 217/236)

WRITTEN QUESTION E-0350/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: EAGGF expenditure in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in 1992 and in 1996?

(97/C 217/237) **WRITTEN QUESTION E-0351/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: EAGGF expenditure in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in 1992 and in 1996?

(97/C 217/238) **WRITTEN QUESTION E-0352/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: EAGGF expenditure in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in 1992 and in 1996?

(97/C 217/239) **WRITTEN QUESTION E-0353/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: EAGGF expenditure in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in 1992 and in 1996?

(97/C 217/240) **WRITTEN QUESTION E-0354/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: EAGGF expenditure in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in 1992 and in 1996?

(97/C 217/241) **WRITTEN QUESTION E-0355/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on refunds in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall

is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in the form of refunds for rice in 1992 and in 1996?

(97/C 217/242)

WRITTEN QUESTION E-0356/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on refunds in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in the form of refunds for rice in 1992 and in 1996?

(97/C 217/243)

WRITTEN QUESTION E-0357/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on refunds in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in the form of refunds for rice in 1992 and in 1996?

(97/C 217/244)

WRITTEN QUESTION E-0358/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on refunds in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in the form of refunds for rice in 1992 and in 1996?

(97/C 217/245)

WRITTEN QUESTION E-0359/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on refunds in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in the form of refunds for rice in 1992 and in 1996?

(97/C 217/246) **WRITTEN QUESTION E-0360/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on public storage in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in respect of the technical and financial costs of public storage in 1992 and in 1996?

(97/C 217/247) **WRITTEN QUESTION E-0361/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on public storage in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in respect of the technical and financial costs of public storage in 1992 and in 1996?

(97/C 217/248) **WRITTEN QUESTION E-0362/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on public storage in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in respect of the technical and financial costs of public storage in 1992 and in 1996?

(97/C 217/249) **WRITTEN QUESTION E-0363/97**

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on public storage in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in respect of the technical and financial costs of public storage in 1992 and in 1996?

(97/C 217/250)

WRITTEN QUESTION E-0364/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on public storage in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in respect of the technical and financial costs of public storage in 1992 and in 1996?

(97/C 217/251)

WRITTEN QUESTION E-0365/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on other storage costs in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in respect of other storage costs in 1992 and in 1996?

(97/C 217/252)

WRITTEN QUESTION E-0366/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on other storage costs in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in respect of other storage costs in 1992 and in 1996?

(97/C 217/253)

WRITTEN QUESTION E-0367/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on other storage costs in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in respect of other storage costs in 1992 and in 1996?

(97/C 217/254)

WRITTEN QUESTION E-0368/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on other storage costs in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in respect of other storage costs in 1992 and in 1996?

(97/C 217/255)

WRITTEN QUESTION E-0369/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on other storage costs in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in respect of other storage costs in 1992 and in 1996?

(97/C 217/256)

WRITTEN QUESTION E-0370/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure arising from the depreciation of stocks in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in respect of the depreciation of stocks in 1992 and in 1996?

(97/C 217/257)

WRITTEN QUESTION E-0371/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure arising from the depreciation of stocks in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in respect of the depreciation of stocks in 1992 and in 1996?

(97/C 217/258)

WRITTEN QUESTION E-0372/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure arising from the depreciation of stocks in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in respect of the depreciation of stocks in 1992 and in 1996?

(97/C 217/259)

WRITTEN QUESTION E-0373/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure arising from the depreciation of stocks in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in respect of the depreciation of stocks in 1992 and in 1996?

(97/C 217/260)

WRITTEN QUESTION E-0374/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure arising from the depreciation of stocks in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in respect of the depreciation of stocks in 1992 and in 1996?

(97/C 217/261)

WRITTEN QUESTION E-0375/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on production aid in Spain

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Spain in the form of production aid for Indica rice in 1992 and in 1996?

(97/C 217/262)

WRITTEN QUESTION E-0376/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on production aid in France

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in France in the form of production aid for Indica rice in 1992 and in 1996?

(97/C 217/263)

WRITTEN QUESTION E-0377/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on production aid in Greece

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Greece in the form of production aid for Indica rice in 1992 and in 1996?

(97/C 217/264)

WRITTEN QUESTION E-0378/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on production aid in Italy

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Italy in the form of production aid for Indica rice in 1992 and in 1996?

(97/C 217/265)

WRITTEN QUESTION E-0379/97

by José García-Margallo y Marfil (PPE) to the Commission

(13 February 1997)

Subject: CMO for rice: expenditure on production aid in Portugal

The Court of Auditors' annual report for the financial year 1995 notes that EAGGF Guarantee Section expenditure on rice has decreased by 38% from ECU 87.3 million in 1992 to ECU 54 million in 1996. This fall is attributed to the phasing-out of the aid for indica rice in 1994 and, in particular, to the drop in rice exports from 375 161 tonnes in 1991/92 to around 125 000 tonnes in 1995.

How much aid was paid under the EAGGF to rice producers in Portugal in the form of production aid for Indica rice in 1992 and in 1996?

Joint answer
to Written Questions E-0350/97, E-0351/97, E-0352/97, E-0353/97, E-0354/97, E-0355/97, E-0356/97, E-0357/97, E-0358/97, E-359/97, E-0360/97, E-0361/97, E-0362/97, E-0363/97, E-0364/97, E-0365/97, E-0366/97, E-0367/97, E-0368/97, E-0369/97, E-0370/97, E-0371/97, E-0372/97, E-0373/97, E-0374/97, E-0375/97, E-0376/97, E-0377/97, E-0378/97 and E-0379/97
given by Mr Fischler on behalf of the Commission

(4 March 1997)

The Honourable Member will find the budgetary data (expenditure) he requested in the table below:

Million ecu

No of the question	Heading	SPAIN		FRANCE		GREECE		ITALY		PORTUGAL	
		1992	1996 (*)	1992	1996 (*)	1992	1996 (*)	1992	1996 (*)	1992	1996 (*)
350/97 to 354/97	Production aid for rice	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
355/97 to 359/97	Rice export refunds	2.4	2.2	0.9	0.2	0.2	0.6	84.3	29.5	3.2	0.1
360/97 to 364/97	Public storage (technical and financial costs)	1.0	0.0	0.2	0.0	0.0	0.0	4.5	0.0	0.0	0.0
365/97 to 369/97	Public storage (other costs)	–4.4	0.0	0.8	0.0	0.0	0.0	–24.9	0.0	–0.3	–0.1
370/97 to 374/97	Public storage (depreciation of stocks)	0.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	0.0	0.1
375/97 to 379/97	Production aid for indica rice	11.6	0.0	0.1	0.0	0.8	0.0	4.9	0.0	0.8	0.0
	Other	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Total rice	10.5	2.2	2.0	0.2	1.0	0.6	70.9	29.5	3.6	0.1

(*) provisional

The difference between expenditure in the 1992 and 1996 financial years is mainly explained by the expiry of the payment period for production aid for indica rice (paid, following an extension, for a longer period than that provided for in the initial Regulation) and by the fact that in 1992 there were massive exports from intervention stocks involving considerable expenditure on refunds.

The data for 1992 are taken from the 22nd Financial Report of the EAGGF Guarantee Section (1992 financial year). This Financial Report is forwarded each year by the Commission to the budgetary authority. The 26th report (for 1996) is currently being prepared.

(97/C 217/266)

WRITTEN QUESTION E-0382/97

by Sérgio Ribeiro (GUE/NGL) to the Commission

(13 February 1997)

Subject: Cases of occupational disease in the firm Ford Electrónica Portuguesa (Setúbal — Portugal)

In November 1995 I tabled a question to the Commission (E-3198/95) [1] on the occurrence of an occupational disease — tendonitis — caused by the methods and pace of work in the Setúbal region, which at that time affected more than 300 workers. In its reply of 13 February 1996 the Commission cited Directive 89/391/EEC [2] and Recommendation 90/326/EEC [3].

Now, more than a year later, around 600 workers employed by Ford Electrónica Portuguesa are suffering from tendonitis, 200 of whom have already been recognized as having contracted an occupational disease by the medical inspection services of the National Centre for Protection against Occupational Risks. Despite the action taken by workers' representatives and the relevant trade union organization, nothing has yet been done to check the spread of the disease and new cases of tendonitis are coming to light every day. It should also be pointed out that workers who have already been confirmed as suffering from an occupational disease are prevented from working even though their performance is not impaired and that their income is therefore limited to social security payments.

Ford Electrónica previously encountered a similar problem in its factory in Brazil, where the situation was resolved by dismissing more than 3000 workers who were suffering from tendonitis and transferring production to Portugal with the equipment from the Brazilian factory.

These circumstances, aggravated by the fear that an identical solution might be found in Portugal, are having an impact on the professional, family and social lives of the workers and on the region as a whole.

In view of the Directive, which has been transposed into national law, and the recommendation, which is not legally binding, does the Commission not consider that it would be justified in issuing a warning to the Portuguese Government in connection with the protection of the health of workers at work and the prevention of anti-social practices?

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(1) OJ C 109, 15.4.1996, p. 32.
(2) OJ L 183, 29.6.1989, p. 1.
(3) OJ L 160, 26.6.1990, p. 39.

Answer given by Mr Flynn on behalf of the Commission

(26 March 1997)

The Honourable Member is referred to the answer given by the Commission to his written question E-3198/95.

The Commission would emphasise that from the moment that Portugal completed transposal into national law of the Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (89/391/EEC), application of the Directive became the responsibility of the national authorities.

(97/C 217/267)

WRITTEN QUESTION P-0383/97

by Annemarie Kuhn (PSE) to the Commission

(4 February 1997)

Subject: Dumping of beef by the European Union in Africa

According to press reports, EU beef supplies to South Africa and Namibia have risen from 3 500 to 42 500 tonnes since 1992. Sales of Namibian and South African beef have fallen by 25% and prices by about 20% as a result.

Can the Commission confirm this case of dumping of beef and what are its views on the economic damage inflicted, which is estimated at ECU 100 million, a sum equivalent to the EU's total development aid for the Cape region?

Answer given by Mr Fischler on behalf of the Commission

(21 February 1997)

At the end of August 1996 the South African authorities sent the Commission a note complaining about the growing exports of Community beef and veal to that country and about the negative effect they were having on the income of its producers and producers in neighbouring African countries.

When the Commission replied at the end of September 1996, it asked the South African authorities to provide concrete examples that would make it possible to pinpoint instances of the dumping mentioned. This request is, as yet, unanswered.

Nevertheless, with a view to encouraging a resumption of trade in beef and veal in the 'Southern African development community' and to supporting the efforts made towards regional integration in Africa, the Commission decided, with effect from 1 February 1997, to group all African countries under one geographical heading.

This measure, which relates to boneless meats put up in single packages other than the meat of adult male bovine animals, has the practical effect of reducing the export refund for these products by about 8.5% in the case of the countries of eastern and southern Africa, South Africa obviously included. It should be pointed out that this reduction in the refund is in addition to an initial linear 10% reduction in the refunds for all beef and veal products and for all destinations with effect from 15 January 1997.

Lastly, it should be noted that Namibia, like the other African ACP (Africa, the Caribbean, Pacific) countries, receives preferential treatment for its beef and veal imports to the Community and accordingly is not a destination for which export refunds are available.

(97/C 217/268)

WRITTEN QUESTION E-0384/97

by Astrid Thors (ELDR) to the Commission

(13 February 1997)

Subject: The Commission's actions as regards xylitol

According to reports in the media, the Commission intends to request an explanation from Finland, pursuant to Article 169 of the Treaty of Rome, as to why xylitol-sweetened products are exempt from excise duty there.

The Finnish exemption is based specifically on extensive studies which focused in particular on xylitol's effects on teeth.

In view of the poor state of dental health in the Member States and the economic cost of dental care, what steps is the Commission considering in order to obtain a better understanding of xylitol's effects and to encourage its use in all Member States?

Answer given by Mr Monti on behalf of the Commission

(11 March 1997)

The Commission would refer the Honourable Member to its joint answer to Written Questions P-0002/97 by Mrs Hautala and E-0022/97 by Mrs Myller [1].

[1] See page 69.

(97/C 217/269)

WRITTEN QUESTION P-0385/97

by Umberto Bossi (NI) to the Commission

(4 February 1997)

Subject: Permitted maximum quantity of residues in certain fish species

Samples taken by the appropriate health departments in Lombardy and Piedmont regions have revealed that the concentration of DDT in some fish species in Lake Maggiore is higher than the maximum values permitted by law. The regional council health offices have imposed a fishing and marketing ban in respect of certain species and are apparently about to extend it to cover the remaining species.

Italian health regulations governing the production and marketing of fishery products are subject to Legislative Decree No 531 of 30 December 1992, adopted in implementation of Directive 91/493/EEC [1], in which the maximum quantities of contaminants that can be tolerated are defined with reference to the 'acceptable daily or weekly intake for humans' (Annex, Chapter V), but the admissible limits are not specified in any more detail.

Can the Commission put a figure on the 'daily or weekly intake' of contaminants considered 'acceptable' for humans?

Can it say whether and to what extent the Member States have regulated the limit values of contaminants present in fish species?

(1) OJ L 268, 24.9.1991, p. 15.

Answer given by M. Fischler on behalf of the Commission

(26 February 1997)

DDT is a persistent organochlorine pesticide which has been prohibited for use as a plant protection product in the Community since 1979 (Council Directive No 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (1)). Although the results of monitoring studies show that contamination in the environment of DDT metabolites and degradation products is now low and continues to fall, significant residues may still arise in fatty animal tissues due to their bioaccumultative properties. Higher levels may arise locally due to previous point contamination, such as dumping of manufacturing waste.

The joint meeting of the Food and agriculture organisation panel of experts on pesticide residues in food and the environment and the World health organisation expert group on pesticide residues (JMPR) in 1994 confirmed for DDT a provisional tolerable daily intake of O.02 milligramme per kilogramme body weight per day.

Accordingly to information available to the Commission several Member States have established maximum levels for fish and fish products.

(1) OJ L 33, 8.2.1979.

(97/C 217/270)

WRITTEN QUESTION P-0387/97

by Ilona Graenitz (PSE) to the Commission

(4 February 1997)

Subject: Gen maize

On 18 December 1996 the Commission decided to authorize the placing on the market of genetically modified maize notified by Ciba-Geigy in accordance with Directive 90/220 (1). This decision was based on reports from three Scientific Committees (The Scientific Committee on Food, The Scientific Committee on Animal Nutrition and The Scientific Committee for Pesticides). The decision was reached although a large majority of Member States (13 out of 15 members) as well as the European Parliament, strongly oppose the placing of this maize.

In view of the above, does the Commission agree that this case proves once again that the existing comitology procedures applied for such important decisions do not correspond to the necessary democratic standards and therefore need to be revised substantially in the course of the current Intergovernmental Conference?

(1) OJ L 117, 8.5.1990, p. 15.

Answer given by Mr Santer on behalf of the Commission

(2 April 1997)

As the Member of the Commission responsible for the environment emphasized when addressing the Committee on the Environment on 21 January 1997, one of the Commission's major concerns, in the procedure in this case, was to ensure that it was informed of all potential health hazards from this product before it took a decision.

The Commission wished to take all the necessary precautions in view of the development of scientific knowledge on the matter and public health constraints. At that stage of the procedure, in order to ensure that it took a studied decision based on the latest knowledge, the Commission consulted three scientific committees on food for human consumption, feedingstuffs and pesticides beforehand.

Thus, on the basis of the opinions delivered by the scientific committees following thorough research, the Commission assured itself that there was no reason to believe that the genetically modified maize produced by Ciba-Geigy constituted any threat to human health or the environment. Moreover, the Commission found that the opinions given by the scientific experts raised no doubts about the grounds for its proposal. On 18 December 1996, in accordance with the provisions in force, the Commission accordingly took a decision on the principle of authorizing the marketing of genetically modified maize following the notification ([1]).

The Commission would recall that it is studying possible improvements to be made to the operation of committees.

([1]) OJ L 31, 1.2.1997.

(97/C 217/271)

WRITTEN QUESTION E-0390/97

by Bernd Lange (PSE) to the Commission

(13 February 1997)

Subject: Implementation of the ALFA programme

There are growing complaints in Germany about the administration of the ALFA programme. One source of particular difficulty for applicants lies in the fact that the necessary documents are always produced initially in Spanish only and the English or German versions are generally not available until after the deadlines specified in the documents have expired. Furthermore, Spanish is the only language used for correspondence by the Commission department concerned.

1. Does the Commission believe this to be an appropriate way to deal with the public?

2. What steps will the Commission take to remedy these shortcomings?

Answer given by Mr Marín on behalf of the Commission

(7 March 1997)

The Commission chose four working languages for the Alfa programme (Spanish, English, French and Portuguese) in view of the languages spoken in the Latin American countries covered by the programme and the languages chiefly used for the dissemination of Community information.

Solely with the aim of speeding up the process of examining proposals received (and, of course, decision-making) it is suggested that proposing groups should – as far as possible – put their proposals in one of the four selected languages. Where they decide to present them in a different language from those suggested the Commission must arrange translation so that the papers can be studied by those running the Alfa programme, the technical assistance office and members of the scientific committee.

The Commission would inform the Honourable Member that documents are always available on time and simultaneously in all four languages used in the programme that correspondence to interested parties is always in the language in which documents were received or, if necessary, in English or French; and that where it is actually requested, the Commission always takes steps for information documents to be translated into other languages.

The Commission's opinion is that its way of dealing with the public is appropriate, in that the parties benefiting directly from the programme are, primarily, the Latin American countries.

The Commission intends to carry on working in the same way in order to facilitate access to Alfa programme documents in several languages whenever an actual request is received.

(97/C 217/272)

WRITTEN QUESTION E-0393/97

by Bernd Lange (PSE) to the Commission

(13 February 1997)

Subject: 1996 PHARE ACE programme

The Commission has enlisted the services of an external agency to implement the PHARE ACE grant programme. The grant contracts used by this agency are drawn up in English only. The agency requires every page of the contract and all the annexes to be initialled individually. In addition, the contracts are governed by Belgian law because the agency is based in Belgium.

1. Does the Commission agree that the requirement of initialling every single page amounts to red tape in which the effort expended is out of all proportion to its usefulness?

2. Does it agree that the act of initialling every single page — that is to say, formal approval of each individual form of words — ought to presuppose that applicants should be furnished with contracts in their own language?

3. Does it agree that a translation into French or Flemish should be attached to contracts governed by Belgian law?

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

(26 March 1997)

1. For both parties to initial each individual page of a contract corresponds to international practices with a view to establishing indisputably the content of the agreement reached. It is not an absolute necessity but rather it serves legal security and clarity with little effort.

2. Contracts are concluded in the language agreed by the contracting parties. It can be supposed that the content of the agreement which they have signed and initialled has been understood.

3. Reference to the use of Belgian or other national laws in a contract would serve to clarify and complete the content of a summary contract text. All questions that are not explicitly covered by the contract are to be answered according to the solutions and rules offered by the agreed legal order. The language of this system of law will not necessarily accord with the language of the contract.

The question of language however could become an issue of importance when a conflict over the contract is brought before a national court which uses a different official language. Such cases are rare and do not justify the expense to establish every contract in multiple yet equally binding language versions. It suffices to translate the original if the need arises.

(97/C 217/273)

WRITTEN QUESTION E-0394/97

by Gianfranco Dell'Alba (ARE) to the Commission

(13 February 1997)

Subject: Prato freight terminal

The Prato freight terminal project, proposed by the Prato-based company Interporto della Toscana Centrale S.p.a., was launched in 1984.

Italian State Railways, the main intended beneficiary of the works, decided that the freight terminal project was unsound, because it was considered to be uneconomic, and has consequently never provided funding for it.

In spite of that fact, EEC funds have already been allocated to Interporto della Toscana Centrale S.p.a., as detailed below:

* Regulation (EEC) No 2052/88: 1988-93 operational programme:
first instalment = LIT 5 756 500 000

* Regulation (EEC) No 2052/88: POT (1991-93):
second instalment = LIT 5 000 000 000

* Regulation (EEC) No 2081/93: SPD: Objective 2 (1994-96):
third instalment = LIT 3 647 000 000

TOTAL = LIT 14 403 500 000

Interporto della Toscana Centrale S.p.a. has submitted a fresh application for further EEC funding.

1. Does the Commission not think it strange for the Community to provide funding, bearing in mind that no intermodal transport project can be viable when the State railway company does not support it?

2. Does it not believe that any further measures should be suspended until exhaustive reports have been drawn up on the actual usefulness of the freight terminal?

3. Should legitimate doubts about the freight terminal prove to be correct, does it not believe that Interporto della Toscana Centrale S.p.a. should be asked to pay back the Community money it has undeservedly obtained?

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

(14 March 1997)

The decision to cofinance the Prato 'Interporto della Toscana Centrale S.p.a.' under the previous three objective 2 single programming documents for the region of Tuscany was based upon the following considerations.

As regards its significance at national level, Prato was included in the network of interports contained in the updated version of the general transport plan, approved by the 'Comitato interministeriale per la programmazione economica dei transporti' (CIPET) on 20th December 1990. Furthermore, in the five year plan on interports approved by CIPET on 31 March 1992 reference is made to Prato and to its area of influence which, inter alia, includes the Milan-Rome and Florence-Viareggio rail routes.

At regional level, the regional integrated transport plan also specifically names Prato as being one of the principal transport interchange points.

With regard to national funding, the Tuscan interport was included in the Italian State railways' list of strategic centres and received funding during 1993-1995 for further development. An additional amount was made available under law No 240/90.

The above facts would support the view that Prato is of strategic importance both to the region and to Italy as a whole.

(97/C 217/274)

WRITTEN QUESTION E-0395/97

by Bartho Pronk (PPE) to the Commission

(13 February 1997)

Subject: Discrimination against EU citizens in Newcomers Assimilation Bill in the Netherlands

A Newcomers Assimilation Bill was published in the Netherlands Government Gazette (Staatscourant) on 11 December 1996. It is intended to apply only to nationals of non-member states of the EU.

At present, EU citizens are not in principle excluded from assimilation courses, and do in fact participate in them. Some newcomers from within the EU originally came from outside the EU and therefore have much to gain from assimilation courses, but ordinary EU citizens too may stand to benefit from them.

1. Is the Commission aware of this bill?

2. If the bill is passed, will it constitute discrimination against EU citizens under the terms of Article 6 of the EEC Treaty?

3. Is the bill's exclusion of EU citizens contrary to the free movement of workers, the integration of members of their families in the host country and Regulation (EEC) No 1612/68 [1]?

4. If so, will the Commission draw the Netherlands' attention to this?

[1] OJ L 257, 19.10.1968, p. 2.

Answer given by Mr Monti on behalf of the Commission

(3 April 1997)

It is not Commission policy to comment on draft legislation.

(97/C 217/275)

WRITTEN QUESTION P-0397/97

by Raimondo Fassa (ELDR) to the Commission

(4 February 1997)

Subject: Approval of NGOs in Italy

Under the Italian Law 49/87 on development cooperation, non-governmental organizations have to be classed as suitable within the meaning of Articles 28, 29, and 30 of that law in order to obtain funding from the Italian Government. This situation, which is totally irregular by European standards, is giving rise to arbitrariness and abuses; it has been challenged several times by voluntary organizations themselves, it has no parallel in other Member States, and is resulting in unfair discrimination between those NGOs which, benefiting as they do from long-standing privileges or arbitrary favouritism, can easily secure approval and those which are equally capable but not classed as suitable and therefore cannot be called upon to assist government departments.

It is significant that many Italian NGOs not classed as suitable have been working for many years with Community and United Nations agencies, do an excellent job, and are highly regarded by the countries benefiting from programmes, but, paradoxically, cannot be used by Italian bodies.

Does the Commission not believe that it should take steps to put an immediate end to this restriction on the principle of free competition within the Community and remedy the unfairness from which Italian NGOs have had to suffer for years?

Answer given by Mr Pinheiro on behalf of the Commission

(13 March 1997)

The Commission considers this to be a matter for the Italian authorities alone.

The Commission has its own eligibility conditions for cofinancing. These are set out in the general conditions for cofinancing, which are applied to the non-governmental organizations of all Member States without distinction. The Commission therefore sees no infringement of the Community's competition rules.

(97/C 217/276)

WRITTEN QUESTION E-0398/97

by Mihail Papayannakis (GUE/NGL), Paraskevas Avgerinos (PSE), Nikitas Kaklamanis (UPE) and Konstantinos Hatzidakis (PPE) to the Commission

(13 February 1997)

Subject: Anti-dumping measures in respect of leather products from China

Greek leather producers are facing serious problems owing to the fact that certain third countries, including China, are marketing leather goods at prices lower than production costs (dumping). It is estimated that between 1992 and 1995, 336 undertakings in Greece went bankrupt and some 3000 persons became unemployed as a result.

Other EU countries (France, Belgium Italy and Spain) are facing similar problems, and this has prompted the European Leather Association to ask the Commission to take anti-dumping measures in respect of 4 products originating from China (women's handbags, school gear, travel equipment and fashion accessories).

Will the Commission say:

1. what progress has been achieved in taking measures in respect of each of the above-mentioned products from China?
2. whether it intends also to take such measures in respect of other leather products from other third countries apart from China, as part of moves to protect EU production from unfair competition?

Answer given by Sir Leon Brittan on behalf of the Commission

(13 March 1997)

Three anti-dumping investigations concerning leathergoods are currently being conducted by the Commission, following allegations of injurious dumping presented by CEDIM (Comité Européen des industries de la marroquinerie). They cover luggage and travel goods, briefcases and schoolbags, and handbags. Concerning luggage and travel goods, in the light of the findings resulting from the preliminary investigation concerning the representativity and economic circumstances of the Community producers sampled for the examination of injury, interested parties have been informed that it has been proposed to the Commission to terminate the proceeding without the adoption of anti-dumping measures. Provisional anti-dumping measures have been adopted concerning imports of handbags [1] and the investigation is being pursued in order to arrive at definitive findings. No definitive conclusions have been reached yet in the investigation concerning briefcases and schoolbags.

The extension of anti-dumping measures to other third countries would normally require the presentation of a complaint by the affected Community industry, substantiated with evidence of dumped imports from the third country in question and of resultant injury.

Furthermore, it is worth mentioning that, as a consequence of the graduation mechanism introduced by the Community's scheme of generalized tariff preferences (GSP), since 1 January 1997 China has lost 50% of the preferential margin on all leather articles and as from 1 January 1998 these items will have to pay the full rate of customs duty.

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[1] Commission Regulation (EC) No 209/97, 3.2.1997, imposing a provisional anti-dumping duty on imports of certain handbags originating in the People's Republic of China, OJ L 33, 4.2.1997.

(97/C 217/277)

WRITTEN QUESTION E-0400/97

by Nikitas Kaklamanis (UPE) to the Commission

(13 February 1997)

Subject: Saving Europe's musical tradition

Europe has a unique musical heritage, and every country has invaluable musical treasures, but many of these are being lost owing to a lack of suitable mechanisms for registering and exploiting them.

One such country is Greece in which efforts are being made — primarily by private initiative — to preserve the valuable heritage of traditional music, notably the treasures of Byzantine and popular music, by recording them and thus saving them from oblivion.

Other forms of European traditional music face similar problems and valuable examples of European culture are being lost.

Will the Commission say whether — apart from the Kaleidoscope programme which covers music to some extent — it has already drawn up an action programme, or intends to do so in future, to preserve traditional music and songs in the Member States of the EU, as well as monuments of Europe's musical tradition, such as conservatoires, concert halls and opera houses which are directly associated with the creation of all the musical masterpieces of Europe?

Answer given by Mr Oreja on behalf of the Commission

(17 March 1997)

As part of its existing programmes and pilot measures, the Commission plans to contribute to the conservation and restoration of the European heritage, to encourage artistic creation with a European dimension, to contribute to the further training of artists and to promote mutual knowledge of European cultures.

Thus, under the Community's Kaleidoscope programme, adopted on 29 March 1996, projects to encourage singing or any other form of traditional or regional music are eligible for assistance, in the same way as other disciplines, provided that they meet the conditions and criteria laid down in Decision No 719/96/EC [1]

and provided that they are cooperation projects presented jointly by operators from at least three Member States. The call for applications under the 1997 Kaleidoscope programme has been published (2).

It may be recalled that in 1994 the pilot project on the conservation and restoration of the architectural heritage had as its theme historic buildings and sites related to entertainment and the performing arts and that Community support totalling ECU 4 million was given for the conservation and restoration of 60 buildings in Europe. Calls for applications for four pilot projects will be published in the coming weeks, in anticipation of the implementation of the Raphael programme (currently being adopted). Whilst one pilot project will more specifically assist cooperation activities to enhance and give access to European museums (with a different theme each year), the others are geared towards the conservation and restoration of the architectural heritage, the further training of professionals and the provision of support for activities or events with a European dimension which are designed to preserve the cultural heritage.

Provided that they meet the conditions and criteria set out in the various abovementioned calls for proposals, some projects to promote the musical heritage or to ensure the conservation of places where music is performed could be eligible for assistance.

On several occasions the Commission has also emphasized the incalculable value of the European musical heritage and the variety and richness of its traditional and regional repertoires. This view was again restated at the recent meeting on music in Europe, held at Ennis (Ireland) on 18 and 19 October. On the basis of a study conducted by the European Music Bureau, supported by the Commission and entitled 'Music in Europe', the aim of this meeting, at which Parliament was represented, was to initiate discussions on areas where cooperation could be developed at Community level in order to promote music in all its forms.

The Commission is now actively preparing for the programmes which will be implemented in 1998. On 26 February 1997, for example, the Commission proposed joint organization of a large-scale meeting between professionals in the field and the relevant Parliamentary Committee, to be held during the summer of this year.

(1) OJ L 99, 20.4.1996.
(2) OJ C 298, 9.10.1996.

(97/C 217/278)

WRITTEN QUESTION E-0401/97

by Nikitas Kaklamanis (UPE) to the Commission

(13 February 1997)

Subject: Low compensation rates for exporters of fresh fruit and vegetables

According to Greek press reports, Greek exporters of fresh produce will receive less than DR 10 per kilo in respect of 1996, which will be paid in two instalments.

This special compensation is paid in respect of fruit and vegetables exports to the EU countries and is intended to offset the increase in transport costs owing to the war in the former Yugoslavia. This compensation is exceptionally low, and does little to defray the financial cost borne by Greek exporters and transport companies due the war which lasted for over 4 years in that country.

Will the Commission specify the exact amounts of money allocated to Greece as special compensation for exporters, and say whether it intends to provide any additional aid to offset the financial losses they have incurred as far as possible, and the loss of competitiveness of Greek fruit and vegetables?

Answer given by Mr Fischler on behalf of the Commission

(13 March 1997)

Council Regulation (EC) No 1600/96 of 30 July 1996 amending Regulation (EEC) No 3438/92 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece as regards the period of application (1) extends to the whole of 1996 the special aid measures for the transport of fresh fruit and vegetables despatched from Greece to the other Member States, with the exception of Italy, Spain and Portugal.

Article 3 of Commission Regulation (EC) No 2133/96 of 6 November 1996 on detailed rules for the application of Regulation (EEC) No 3438/92 of the Council laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece and dispatched in 1996 [2] fixes the temporary special allowance at ECU 3.21 per 100 kilograms for consignments between 1 January 1996 and 17 October 1996, payment being made in two instalments. The first instalment amounts to 60%, i.e. ECU 1.926 per 100 kilograms or approximately GRD 6 per kilogram. The payment of the second instalment must occur no later than 15 October 1997. In the case of consignments between 18 October 1996 and 31 December 1996, the temporary special allowance is fixed at ECU 2.76 per 100 kilograms.

Should the quantity of 175 000 tonnes for the first period and 41 000 tonnes for the second period be exceeded, the respective allowances are decreased in proportion to the overrun. Since consignors have 6 months in which to submit their applications, the final amounts are not yet known so the total amount of temporary special allowances cannot yet be calculated.

The Commission therefore regrets that it cannot yet provide the Honourable Member with an exact figure for the amount of temporary special allowances. In any event, it does not intend to grant consignors further aid. This would be contrary to Article 2(2) of Council Regulation (EC) No 3438/92 of 23 November 1992 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece [3], under which the temporary special allowance is to be tailed off. The Commission would also like to remind the Honourable Member in this regard that the trans-Yugoslav road (Belgrade-Zagreb) has re-opened to transit traffic since the end of hostilities in the region and the lifting of the embargo on Serbia and Montenegro (at the end of 1995).

(1) OJ L 206, 16.08.1996.
(2) OJ L 285, 7.11.1996.
(3) OJ L 350, 1.12.1992.

(97/C 217/279)

WRITTEN QUESTION E-0404/97

by Katerina Daskalaki (UPE) to the Commission

(13 February 1997)

Subject: Monuments of Knossos in danger of collapsing

The archaeological site of Knossos, the very cradle of European culture, is under threat owing to sudden changes in temperature, frosts, strong winds and humidity which are constantly causing cracks and subsidence among the finds and the monuments. The situation is aggravated by the vast number of visitors and farming in the vicinity which cause further humidity.

Given the under-funding and lack of material and technical resources of the local archaeological services, will the Commission back a study to record and repair the damage and finance the recruitment of suitable technical staff and restoration work?

Answer given by Mr Oreja on behalf of the Commission

(17 March 1997)

The Commission appreciates very much the interest of the Honourable Member in the situation of the Knossos monuments which are, undoubtedly, one of the most important archaeological sites in Europe.

In the spirit of Article 128 of the EC Treaty, the Commission has in the last few years supported actions which aim to preserve and enhance Europe's cultural heritage through activities of cooperation at European level. Recently and awaiting the final adoption of the proposed programme Raphael, the Commission has channelled its attention and support in the field through the pre-Raphael pilot actions.

This year, given that the Raphael programme is not, as yet, approved, the Commission intends to launch similar pilot actions which will be published in the course of the next few weeks.

In this context, the Commission would gladly consider a request from the Greek authorities about the Knossos monuments, provided of course that it meets the requirements of this year's pilot action. To this effect, the Commission will forward the relevant call for proposals to the national authorities as soon as it becomes available.

(97/C 217/280)

WRITTEN QUESTION E-0407/97

by Arthur Newens (PSE) to the Commission

(13 February 1997)

Subject: EU funding for population and reproductive health in the light of ICPD

Before the Cairo Conference on Population and Development, the EU committed itself to increase funding for population-related projects to ECU 300 million by the year 2000 (Commission Communication (COM(94)100).

Is the EU on track to meet this target of ECU 300 million by the year 2000?

How will this increase be implemented in the years 1997-2000?

Answer given by Mr Marin on behalf of the Commission

(12 March 1997)

The Community has already reached its target to commit 300 MECU by the year 2000 for support to population and reproductive health in line with the objectives set out in the programme of action of the international conference on population and development. By the year 2000 it is likely that support to population and reproductive health programmes will substantially exceed this target.

In 1995 the Commission committed approximately 45 MECU. In 1996 the commitments in Asia alone have reached 230 MECU. There has also been substantial support in Latin America and the Mediterranean. In addition to these amounts European development fund (EDF) money has been committed to assist African, Carribbean and Pacific countries both in the field of SDT/HIV/AIDS and in health sector support which includes the integration of family planning components in basic health services at primary level. Specific projects amount to a total of 15 MECU for SDT/HIV/AIDS and 14.8 MECU for family planning committed in 1995/1996 under EDF.

These increases in funding for population and reproductive health efforts around the world will be implemented between 1997 and 2000 through the various programmes that have been established. In Asia, for example, a substantial programme of support to the health and family welfare sector in India (200 MECU); a women's health and safe-motherhood programme in the Philippines (19 MECU) and the Asia initiative on reproductive health (25 MECU) have all been approved in 1995/1996. The latter is an example of how the Commission has significantly increased its strategic and actual cooperation with the United Nations population fund (UNFPA) since the Cairo conference.

Small pilot and innovative population and reproductive health projects are also being established in several countries in Asia, Latin America and the Mediterranean under a special budget line (7 MECU in 1996). In addition a total of 30 MECU has been committed in 1995/1996 under a specific AIDS budget line to support interventions at international, regional and national level for developing countries.

(97/C 217/281)

WRITTEN QUESTION E-0415/97

by Christa Randzio-Plath (PSE) to the Commission

(13 February 1997)

Subject: Participation by the Commission at the G7 finance meeting on 8 February 1997

Can the Commission confirm that it has not been invited to take part in the G7 finance meeting in Berlin on 8 February 1997, at which the Euro will be discussed?

If this is the case, how can the Commission ensure that Community bodies will be able to take part in international meetings to discuss the international dimension of the Euro, particularly with regard to implementation of Article 109 of the EC Treaty (1) during the third phase of EMU and with regard to strengthening international monetary cooperation?

(1) Determination of the rate of the Euro in relation to non-Community currencies.

Answer given by Mr De Silguy on behalf of the Commission

(14 March 1997)

It is correct that, despite its express request, the Commission was not invited to take part in the G7 finance meeting on 8 February, which brought together the finance ministers and central bank governors of the seven leading industrialized countries.

It should be pointed out, however, that the agenda for the meeting did not specifically contain any item relating to the euro. No more than a brief discussion took place to inform the G7 members of the results of the Dublin European Council.

It was though noted in the minutes of the Ecofin Council meeting on 27 January that the Commission's absence could under no circumstances constitute a precedent. The Presidency acknowledged, among other things, that any formal discussion within the G7 of the external aspects of the euro would have to be held in the presence of the Presidency itself, the Commission and the European Monetary Institute.

Article 109 of the EC Treaty, and in particular paragraph 4, which will be applicable as of 1 January 1999, provides the reference framework for the decisions that will be taken regarding Community representation at international level following the introduction of the euro. The Commission is currently examining how this Article can be applied and will present proposals in due course.

(97/C 217/282)

WRITTEN QUESTION E-0416/97

by Riccardo Nencini (PSE) to the Commission

(13 February 1997)

Subject: Stolen works of art

There have been many thefts of works of art throughout the European Community and many of these stolen works are subsequently purchased by museums and other institutions. In Italy alone 2 108 valuable works of art were stolen in 1996.

Given that there is specific legislation dealing with this subject, does the Commission not agree that it should:

1. Ascertain which Member States have not yet transposed this legislation?
2. Urge the Member States to make speedy arrangements for cataloguing their works of art as a prerequisite for the application of this legislation?
3. Propose that an agreement on the theft and illegal export of works of art be drawn up with non-EU countries?

Answer given by Mr Monti on behalf of the Commission

(18 March 1997)

1. Six Member States (Belgium, Germany, Greece, Italy, Luxembourg and Austria) have not yet notified the Commission of their respective national measures implementing Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State (1). Infringement proceedings have been instituted against them.

2. Pursuant to, and within the limits of, Article 36 of the EC Treaty, it is for each Member State to determine what its national treasures are, to catalogue them and to establish arrangements for protecting them. The aforementioned Directive and Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods (2) do not replace but complement these national protection arrangements.

3. All the Member States took part in the negotiations which culminated in the adoption, on 24 June 1995 in Rome, of the Unidroit Convention on the international return of stolen or illegally exported cultural objects. According to the information available to the Commission, 22 countries, including five Member States (France, Italy, the Netherlands, Portugal and Finland) have already signed this Convention.

(1) OJ L 74, 27.3.1993.
(2) OJ L 395, 31.12.1992.

(97/C 217/283)

WRITTEN QUESTION P-0420/97

by Josu Imaz San Miguel (PPE) to the Commission

(7 February 1997)

Subject: Inclusion of a renovation programme for the Bay of Pasaia (Basque Country) in the Community URBAN initiative

The municipalities of the San Sebastian Metropolitan District have submitted a strategic urban renovation programme for the Bay of Pasaia. This is a heavily built-up area of 246 000 inhabitants suffering from severe socio-economic problems, as reflected in its unemployment rate of 22.6%. The programme in question involves overall investment of PTA 2 860 million, which would be of considerable benefit in helping to regenerate this deprived neighbourhood.

Moreover, the area around the Bay of Pasaia is one in which the urban fabric has deteriorated and this, together with high levels of pollution and social tensions, make it one of the priority areas for action in accordance with the criteria set out in the guidelines laid down in Communication 94/C 180/02 on the URBAN initiative. It should also be pointed out that the area is included in Objective 2 under the Structural Funds and also forms part of the cross-border conurbation around the San Sebastian-Bayonne highway.

The municipalities of the San Sebastian Metropolitan District submitted the programme to the Spanish Government which did not, however, include it in the list of proposed projects submitted to the Commission. Moreover, this is the second consecutive appeal as regards this project and the Spanish Government's attitude is still unchanged.

Does the Commission know why the Spanish Government has not included the strategic programme for the Bay of Pasaia in the list of projects sent to it?

Does the Commission consider that there are objective reasons for this decision based on the selection criteria for the URBAN programmes?

Does the Commission believe that an urban renovation project along the lines set out in the strategic programme for the Bay of Pasaia can help improve the social tensions experienced in the district in question?

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

(27 February 1997)

The Commission has allocated 77.6 MECU to Spain for the extension of the Urban Community initiative. Priority has been given to cities in objective 1 regions, which receive 56.2 MECU of this budget. 21.4 MECU is allocated to cities outside objective 1 regions.

It is clear that in these circumstances the Spanish authorities could only present a limited number of cities to the Commission. The choice of the individual cities is the responsibility of the relevant authorities in the Member State. The Honourable Member should therefore direct his specific questions to the Spanish authorities. The role of the Commission is to ensure that the urban areas proposed by a Member State meet the criteria defined in the guidelines for the Urban Community initiative (1).

(1) OJ C 200 of 10.7.96.

(97/C 217/284)

WRITTEN QUESTION P-0424/97

by Miguel Arias Cañete (PPE) to the Commission

(7 February 1997)

Subject: Penalties in the oilseed sector for the 1996-1997 marketing year

Can the Commission explain the formula used to determine the penalties fixed by the Management Committee for oilseeds (5% with respect to prices) for the 1996-1997 marketing year?

Answer given by Mr Fischler on behalf of the Commission

(25 February 1997)

The Commission calculates the final regional reference amount on the basis of the observed reference price of oil seeds. The observed reference price of oil seeds, which represents the average price recorded on the markets during the 1996/97 marketing year, was assessed at ECU 223.551 per tonne. This observed reference price was calculated on the basis of the offers and prices reported by the Member States in accordance with Commission Regulation (EC) No 3405/93 of 13 December 1993 laying down detailed rules under Council Regulation (EEC) No 1765/92 as regards the reporting of market prices and offers by certain Member States and the subsequent assessment by the Commission of the observed reference price of oil seeds [1].

The difference between the observed reference price and the projected reference price (ECU 196.80 per tonne) fixed in Article 5(1)(a) of Council Regulation (EEC) No 1765/92 [2] is 13.593%. Taking account of the 8% margin, Article 5 of Regulation (EEC) No 1765/92 therefore requires the projected level of compensatory payments to be reduced by 5%.

[1] OJ L 310, 14.12.1993.
[2] OJ L 181, 1.7.1992.

(97/C 217/285)

WRITTEN QUESTION E-0426/97

by María Sornosa Martínez (GUE/NGL), Angela Sierra González (GUE/NGL) and Sérgio Ribeiro (GUE/NGL) to the Commission

(19 February 1997)

Subject: Situation of women in East Timor

The critical situation which has existed in East Timor for 21 years is still continuing. Article 2(5) of Council common position 96/407/CFSP, [1] adopted in June 1996, explicitly states that the Union '[will support] all appropriate action with the objective of generally strengthening respect for human rights in East Timor and substantially improving the situation of its people, by means of the resources available to the European Union and aid for action by NGOs'.

Women are suffering most grievously as a result of the prevailing conditions, not only because they have become refugees, but also because they are falling victim to rape and abuses at the hands of the occupying forces.

1. What steps have been taken to date to implement the points set out in the common position?
2. Has financial aid been granted to promote respect for human rights in East Timor?
3. Has the Commission considered whether any special measures should be taken to deal with the situation of women?
4. Will the Commission intensify contacts with the Office of the Permanent Representative responsible for East Timor so as to enable any future measures to be targeted more effectively?

[1] OJ L 168, 6.7.1996, p. 2.

Answer given by Mr Marin on behalf of the Commission

(13 March 1997)

The Commission is currently examining possible actions in East Timor with a view to improving the situation of its people.

Such actions will relate to the population of the territory in general but will certainly take into account the situation of women.

A representative from East Timor visited the Commission in January 1997.

(97/C 217/286) **WRITTEN QUESTION E-0427/97**

by Magda Aelvoet (V) and Gianni Tamino (V) to the Commission

(19 February 1997)

Subject: EU aid to the 'CARAPAX' Centre

Under the MEDSPA programme the Commission supported an initiative to protect tortoises, taken by the 'RANA' foundation, which is active in a number of Member states. As part of the same programme the 'CARAPAX' leisure centre was set up near Massa Marittima (Province of Grosseto, Tuscany Region). This centre has expanded over the years, becoming one of the major tourist attractions in the area, with more than 20 000 visitors each year. On account of its recognized and valuable work, it has continued to receive funds from the European Union, through Regulation 2052/88 (1) and the LIFE programme, MEDSPA's successor.

Unfortunately, serious problems have recently arisen in relations with the competent local authorities, such as the Montana council and the Tuscany Regional Council. Those responsible for administering the CARAPAX Centre are apparently being prevented from using Community funds for the purposes for which they were allocated. For instance, opinions on approval of old buildings restored with funds under Reg. 2052/88 are repeatedly being delayed. Approval has not yet been granted despite information to the contrary being sent by the Region to the EU.

Is the Commission aware of this?

Does the Commission still consider it useful to support the above programme? If so, what steps does it intend to take to ensure that its support is implemented efficiently?

(1) OJ L 185, 15.7.1988, p. 9.

Answer given by Mr Fischler on behalf of the Commission

(19 March 1997)

The Commission has always taken a great interest in the Carapax project, which was expressly identified in the 1991-93 Objective 5(b) multifund operational programme for Tuscany.

The project involved the restoration of an area as a natural habitat for tortoises where they could be bred and studied, and the renovation of certain central buildings to house the laboratories, administrative offices, records and a visitor centre.

The regional government decided to grant the project approximately LIT 750 million, 40% of which was to be Community funded.

The project has been completed and on 7 February 1997 those responsible for checking the conformity of the work cleared eligible expenditure of approximately LIT 724 million, i.e. approximately 97%.

The Commission therefore feels that the Honourable Members' concerns have been overtaken by events.

(97/C 217/287)

WRITTEN QUESTION E-0429/97

by Gianni Tamino (V) to the Commission

(19 February 1997)

Subject: Merger of the 'Banca Popolare di Sassari' and the 'Banca di Sassari Spa'

At its extraordinary general meeting of 25 April 1993, the 'Banca Popolare di Sassari' a cooperative company, decided to merge by incorporation with the 'Banca di Sassari Spa', controlled by the 'Banco di Sardegna', without being informed of the economic accounts for 1991 (losses of over LIT 44 billion) and 1992 (losses of over LIT 144 billion) even though the shareholders had requested them. These accounts have not yet been published. As a result of this merger, more than 22 000 shareholders lost approximately LIT 500 billion (devaluation of their shares), in other words all the savings they had been able to make as a result of years of hard work. Their decision to accept the merger was influenced by statements by the Banco di Sardegna management, which had been published in the local press, that the only alternative would be bankruptcy. However, the Banca d'Italia which, despite the negative opinion of the anti-trust commission, was favourable to the merger, could have granted an extension to the management by trustee of the Banca Popolare di Sassari (Article 27(2) of Decree Law 481/92), in order to obtain more favourable evaluations and offers from other banks (Monte dei Paschi, Cariplo, etc.).

The above developments have led to a concentration of bank market shares in Sardinia in the hands of the Banco di Sardegna (42% Banca di Sassari plus 13% Banca Popolare di Sassari), placing it in a dominant position.

Does the Commission agree that the decision to merge the Banca Popolare di Sassari with the Banca di Sassari Spa by incorporation was contrary to Community legislation on competition, in particular Articles 85 and 86 of the EEC Treaty (acquisition of dominant position, uncontrolled mergers, etc.) and on company law?

Answer given by Mr Van Miert on behalf of the Commission

(13 March 1997)

As regards mergers, the sole powers to act which the Commission possesses are those laid down in Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings [1]. The Regulation introduces a criterion for the share-out of powers as between the Commission and the national competition authorities in the merger control sphere, with the Community rules applying in cases where, on the basis of turnover thresholds specified in Article 1 of the Regulation, the merger has a Community dimension

When it was notified, the operation in question did not fall within the scope of the Regulation, with the result that the assessment of it was a matter exclusively for the Italian authorities in accordance with the competition rules laid down in the national legislation in force (Law No 287 of 10 October 1990).

Accordingly, the Commission is not empowered in the case at issue to adopt any measure whatsoever since mergers which do not meet the thresholds for triggering application of the Regulation fall within the exclusive remit of the Member State concerned.

[1] OJ L 395, 30.12.1989.

(97/C 217/288)

WRITTEN QUESTION P-0432/97

by Katerina Daskalaki (UPE) to the Commission

(7 February 1997)

Subject: Operational programme for education (sub-programmes 3 and 4)

The Greek university system is facing enormous problems which can only be solved by institutional and structural changes which will require very substantial financial aid.

Given this situation, can the Commission provide information concerning the take-up rates for appropriations set aside in sub-programmes 3 and 4 (higher education and modernization of the administration of education) within the framework of the operational programme for education and initial vocational training, which forms part of the CSF for structural interventions in Greece (Objective 1) and was approved by the Commission on 29 July 1994 for the period from 1 January 1994 to 31 December 1999?

(97/C 217/289)

WRITTEN QUESTION P-0453/97

by Mihail Papayannakis (GUE/NGL) to the Commission

(7 February 1997)

Subject: Operational programme for education

The operational programme for education and initial training incorporated in the CSF for Objective 1 structural interventions in Greece was adopted by the Commission by decision of 29 July 1994 for the period running from 1 January 1994 to 31 December 1999.

The contribution of the ESF and ERDF structural funds amounts to ECU 1 385 700 000.

In view of the crisis facing education in Greece, and bearing in mind the fact that the implementation of the operational programme for education could contribute to securing the smooth functioning of the educational system, improving the services provided and, possibly, overcoming the crisis, will the Commission give the take-up rate so far for sub-programme 1 (General and Technical Education) and the four basic measures which include:

Measure 1: reorganisation of educational programmes

Measure 2: uniform secondary education

Measure 3: training for teachers and other support activities

Measure 4: infrastructure — equipment?

Joint answer
to Written Questions P-0432/97 and P-0453/97
given by Mr Flynn on behalf of the Commission

(26 March 1997)

The aim of the 'Education and initial vocational training' is to strengthen, modernise and improve the Greek education system. It includes measures covering almost the entire spectrum of education and initial vocational training, with particular emphasis on secondary education, higher education (technical/vocational and university), initial vocational training, structural measures and education system administration.

The take-up rate for Community appropriations during the first three years of programme implementation has been relatively low, amounting to approximately 18.5% of the allocation for the programme as a whole.

Operation	Title	Fund	Take-up rate 1994/1995/1996
1	Reform of education programmes	ESF	13.8 %
2	Integrated secondary schools	ESF	1.2 %
3	Teacher training and other measures	ESF	14.8 %
4	Infrastructure and equipment	ERDF	23.1 %

Sub-programmes 3 and 4 more specifically cover higher education, and modernisation of education administration and technical assistance respectively. The take-up rates for appropriations under the European Social Fund (ESF) and European Regional Development Fund (ERDF) in 1994/1995 and 1996 (estimate) are as follows:

Sub-programme 3: higher education

ESF: 11.4 %
ERDF: 18.8%

Sub-programme 4: modernisation of education administration and technical assistance

ESF: 6.4%
ERDF: 2.2%

Appropriations not used in previous years have been carried forward to the following tranches (1997, 1998 and 1999). This means that the amounts to be consumed in the next three years are very substantial.

As the majority of programme measures have now been analysed, scheduled and adopted by the programme monitoring committee, the Commission feels and hopes that implementation will improve significantly as from 1997. Nevertheless, it is clear that the Member State must continue and intensify its efforts in all areas (definition of measures and actions at project level, development of management, payment and monitoring procedures).

(97/C 217/290)

WRITTEN QUESTION E-0434/97

by Stanislaw Tillich (PPE) to the Commission

(19 February 1997)

Subject: Participation of CEECs in EU programmes

In which EU programmes do the countries of Central and Eastern Europe participate (apart from PHARE)? Can the Commission state how much money has been spent for this purpose?

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

(10 March 1997)

Europe agreements, or the additional protocols to them, on the involvement of central European countries in Community programmes mention the fields in which they may participate in Community framework programmes, specific programmes, projects or other operations.

To date the countries concerned participate in some projects under specific programmes in the Community's fourth framework programme in the field of research and technological development.

Draft decisions of Association Councils (with the Czech Republic, Hungary, Poland, Romania and Slovakia), now in preparation, lay down the terms and practical procedures for them to participate in the Leonardo da Vinci, Socrates and Youth for Europe programmes.

Preparatory discussions have taken place, or are planned, with a view to associated central European countries participating from 1998 in a number of other programmes in the fields of audiovisual media (Media), culture (Kaleidoscope, Ariane and Raphael), the environment (Life), energy (Save), small and medium-sized enterprises (third multiannual small and medium-sized enterprise programme), social policy and health.

The countries concerned will pay their own way, in accordance with Europe agreements or additional protocols. Most of them have informed the Commission that they intend to use part of their Phare allocation to finance their contribution.

(97/C 217/291)

WRITTEN QUESTION E-0436/97

by Stanislaw Tillich (PPE) to the Commission

(19 February 1997)

Subject: Financial support for Saxony during the period 1994-1996

1. Can the Commission state what amounts of money flowed into what projects in Saxony, divided up into those under programmes or funds requiring the provision of matching funds from regional, Federal or local budgets and those under programmes on funds which do not need to activate any matching funds from public sector budgets in order to be paid.

2. What level of EU funds has Saxony called upon in comparison to all other Federal Länder?

Answer given by Mr Santer on behalf of the Commission

(11 April 1997)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(97/C 217/292)

WRITTEN QUESTION E-0437/97

by Nikitas Kaklamanis (UPE) to the Commission

(19 February 1997)

Subject: Turkish settlement of Cyprus

According to reports in the Greek and Turkish Cypriot press, the Turkish Government is continuing with undiminished intensity to settle Turks originating mainly from Anatolia and Kurdistan in the occupied territories of northern Cyprus. There are now almost as many settlers as Turkish Cypriots, and the former will soon constitute a majority.

The population of the illegal Cypriot pseudo-state is approximately 198 000, less than half of whom are natives of the island, without counting the 35 000 soldiers stationed in the occupied territories.

It should be pointed out that in 1960 (when the last official census was held) the Turkish Cypriot population numbered 104 942, while before the Turkish invasion it was approximately 120 000.

Will the Commission say what action it has taken to deal with this problem that has been looming for years, and what immediate steps it intends to take to prevent a reversal of the population balance on the island, which endangers the safety of the entire region and undermines attempts to solve the Cyprus problem, bearing in mind that the lack of response by the EU so far stands in sharp contrast to the zeal shown by some EU Member States in other instances?

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

(19 March 1997)

The Commission is aware of the issue raised by the Honourable Member, which is not, however, within its jurisdiction. The matter, moreover, was referred to in the reports of the Secretary General of the United Nations on his mission of good offices to Cyprus and mentioned in the report of the European Observer on the Cyprus problem.

The Commission is of the opinion that the problem should be addressed in the framework of intra-communal discussions and confirms its commitment to assist the United Nations' efforts to achieve a political settlement of the Cyprus question.

(97/C 217/293)

WRITTEN QUESTION E-0438/97

by Heidi Hautala (V) to the Commission

(19 February 1997)

Subject: Overlogging at Yamdena island

Is the Commission aware of the possible threat of overlogging on the island of Yamdena in the Moluccan archipelago (Indonesia)?

Has the Commission approached the Indonesian Government in any way to express its concern over the possible damaging impact for the people living on Yamdena and their environment?

In the light of the Commission's forestry programme in Indonesia, how does it seek to influence ecologically unacceptable logging in any of the other regions of the country where it is not (yet) active?

How does the Commission monitor in general the situation of the Indonesian forests, and in particular the situation of the forest peoples?

Answer given by Mr Marín on behalf of the Commission

(7 March 1997)

The Commission possesses some general information on Yamdena Island, and is examining the situation in the context of its further strategy for cooperation with Indonesia, which is strongly linked to the environmenent.

The Commission has indeed concentrated its development programme in Indonesia on the forest sector over the last few years, resulting in a programme with total funding of some 140 MECU at present. The last of the present phase of projects concerning sustainable management of the production forest, will be tendered shortly and will then proceed to implementation.

In the context of this programme, a Forest liaison bureau will be set up, to overview the situation and help to encourage positive forest policies.

(97/C 217/294)

WRITTEN QUESTION E-0439/97

by Olivier Dupuis (ARE) to the Commission

(19 February 1997)

Subject: Reversing population transfer to the Chittagong Hill Tracts

In the light of Parliament's comment on budget line B7-3010 'Economic cooperation with Asian developing countries' that part of the budget should be used for the repatriation of Bengali settlers in the Chittagong Hill Tracts back to the plains, does the Commission already have a plan of action how to implement this?

How will the Commission select such projects?

Has the Commission already communicated this comment to the Bangladesh Government and have any negotiations started between the Commission and the Government of Bangladesh with regard to the implementation of this proposal?

Will the Commission in any way involve consultation and participation of the indigenous peoples of the Chittagong Hill Tracts, in order to select those project proposals that are most beneficial to them?

Answer given by Mr Marín on behalf of the Commission

(11 March 1997)

The political negotiations between the ruling Awami League party, and the delegation of the Shanti Bahini, were held in Dhaka on 24-27 January 1997. They took place in a cordial atmosphere and attracted extensive media coverage, but there was no agreement on the key demands of the Shanti Bahini, to remove Bengali settlers from the Chittagong Hill Tracts and to secure the land rights of the tribal people. The parties decided to reconvene on 12 March 1997.

The Commission, through its delegation, is monitoring the situation and, following a peaceful political settlement, will approach the parties to support the implementation of the peace process. This will be done in close consultation with all concerned, including the indigenous people of the Chittagong Hill Tracts. At present, however, it is still premature to consider details of project preparation and implementation in the Chittagong Hill Tracts as the above-mentioned bilateral negotiations continue and the political and security conditions are not favourable to external assistance.

(97/C 217/295)

WRITTEN QUESTION E-0440/97

by Anita Pollack (PSE) to the Commission

(19 February 1997)

Subject: Implementing Directive 95/29/EEC on live transport of animals

Is the Commission aware that eight Member States including the UK have not met the deadline for introducing national legsilation under Directive 95/29/EEC [1] and that those Member States who have met the deadline have made different interpretations of the maximum journey times allowed before a rest period is due?

What action will be taken to ensure prompt and uniform implementation of this directive?

(1) OJ L 148, 30.6.1995, p. 52.

Answer given by Mr Fischler on behalf of the Commission

(11 March 1997)

Most Member States have not yet communicated the text of their national measures implementing Directive 95/29/EC concerning the protection of animals during transport (1). Infringement proceedings will be opened against those Member States which have not met the deadline.

The rules for maximum journey times, including feeding, watering and resting intervals, should have been applied by the Member States as from 1 January 1997. The Commission is not aware of differences in interpretation of the provisions governing maximum journey times except in the case of transport operations involving imports from third countries where at least one Member State claims that the time spent travelling before arrival at the Community frontier should not be taken into account. The Commission will intervene with the Member States, where necessary, to ensure uniform interpretation of the Directive.

(1) OJ L 148, 30.6.1995.

(97/C 217/296)

WRITTEN QUESTION E-0441/97

by Anita Pollack (PSE) to the Commission

(19 February 1997)

Subject: Staff working on forests in DG VIII

How can the Commission hope to manage its global forestry programme without sufficient staff resources in DG VIII? Will the Commission itemize exactly how many staff of what grade are dedicated to forest work in DG VIII?

Answer given by Mr Pinheiro on behalf of the Commission

(20 March 1997)

The staff concerned with forestry in DG 8 (the development directorate general) is composed of one professional (A-grade) detached national expert (DNE) and one assistant (B-grade). When the current DNE incumbent leaves the Commission in just over two years, it is hoped that the post will be transformed into a permanent one.

The overall human resources available in DG 8 and in Commission delegations in the African, Caribbean and Pacific countries have decreased since 1996. In future the Commission will have to do more with less, and rely on internal redeployment to meet the new priorities which have emerged. This is not an easy task, since, as the Parliament has recognised, DG 8 is understaffed in relation to other aid donors.

In order to increase its efficiency, DG 8 cooperates closely with the Member States, particularly through the European tropical forestry advisers group. An example is the preparation of the guidelines for forest sector development cooperation, and this collaborative approach will continue the training phase of the guidelines. DG 8 also cooperates with other Commission services, such as for example in the Commission participation in the intergovernmental panel on forests, where a number of services pool their forestry expertise to ensure an active Commission presence.

(97/C 217/297)

WRITTEN QUESTION E-0443/97

by Anita Pollack (PSE) to the Commission

(19 February 1997)

Subject: Radioactive lobsters

Has the EU imposed any restrictions on the marketing of lobsters originating near Sellafield in Cumbria where tests have shown levels of the radioactive isotope technetium – 99, or is it considering any action related to this problem?

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 April 1997)

The Commission gives the highest priority to protection of the public, including, in particular, food safety and protection of the consumer. However, there are no Community restrictions specific to the marketing of lobsters originating near Sellafield, Cumbria, nor is the Commission presently considering any action to this end for the reasons given below.

Provisions for protection against the hazards from ionising radiation are laid down in the Community basic safety standards directives. For annual exposure of members of the public, a limit of one millisievert is stipulated in the Directive which was adopted in 1996 [1] and which Member States shall bring into force by 13 May 2000. The present limit is 5 millisieverts, given in the 1980 Directive [2].

Information received by the Commission indicates that while the operation of the Sellafield enhanced actinide removal plant has reduced potentially more significant discharges of alpha-emitters in liquid discharges from the Sellafield site, it has also resulted in higher levels of technetium-99 in such discharges and, hence, in measured values in lobsters collected from the area. However, the annual limit for technetium-99 discharged with the liquid effluent from the Sellafield site has not been exceeded. Moreover, for 1995, when discharge of technetium-99 was close to the authorised annual limit, the United Kingdom authorities estimate that the maximum annual exposure to local seafood consumers from technetium-99 in crustaceans, including lobsters, was less than 0.02 millisieverts. There is no evidence that the limits for annual public exposure, given above, could be exceeded in the present case.

The Commission has no grounds, therefore, for action concerning the marketing of lobsters originating near Sellafield. However, the Commission is aware of public concern and will continue to take an interest in the matter.

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[1] Council Directive 96/29/Euratom of 13 May 1996, laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation, OJ L 159, 29.6.1996.

[2] Council Directive 80/836/Euratom of 15.7.1980 – OJ L 246, 17.9.1980, as amended by Council Directive 84/467/Euratom of 3.9.1984 – OJ L 265, 5.10.1984, laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

(97/C 217/298)

WRITTEN QUESTION E-0446/97

by Joaquín Sisó Cruellas (PPE) to the Commission

(19 February 1997)

Subject: Implications of the Bosman judgment

The vice-president of the German Football Federation, Mr G. Mayer-Vorfelder, has told Chancellor Kohl of the great concern felt by the sporting world at the implications of the Bosman judgment of the Court of Justice. According to Mr Mayer-Vorfelder, many clubs are on the verge of bankruptcy and the judgment has only benefited a small number of major stars and clubs with virtually unlimited resources. He held politicians responsible for this situation, and certain provisions of the EU Treaty should be amended so as to limit the opportunities for participating in the 'national' events of other Member States.

What is the Commission's view of Mr Mayer-Vorfelder's comments?

Answer given by Mr Van Miert on behalf of the Commission

(14 March 1997)

Freedom of movement for workers is a basic Community principle and one that is essential to completion of the single market. The judgment delivered by the Court of Justice in the Bosman case is the logical consequence of the application of that principle to football players, who are workers.

Clearly, an effort will be required of the sporting world in adapting to the new conditions created by the Bosman judgment. The main difficulties will be for small clubs that have invested in the training of young players. While affirming its intention to ensure that the judgment is strictly complied with, the Commission has accordingly also been prepared to help sporting organizations find an alternative system that is compatible with the rules laid down in the Treaty. The Court held that the payment of transfer, training or development fees was not an appropriate means of achieving the aims of maintaining a balance between clubs by preserving a certain degree of equality and uncertainty as to results and of encouraging the recruitment and training of young players. The Court stressed that these legitimate aims could be achieved by less restrictive means.

An appropriate means would be the use of joint funds that could be financed by some of the revenue from the sale of broadcasting rights to sporting events. At national level, such funds could be brought in gradually pending the total abolition of national transfer systems.

In conclusion, although sport has well-established specific characteristics, it cannot, as far as its economic aspect is concerned, be excluded from application of the rules laid down in the Treaty.

(97/C 217/299)

WRITTEN QUESTION E-0450/97

by Luciano Vecchi (PSE) to the Commission

(19 February 1997)

Subject: Damaging consequences for Community citizens owing to the delay in implementing Regulation (EEC) No 2080/92 in certain Italian regions

Some Italian regions have been slow to implement Regulation (EEC) No 2080/92, which provides for aid for afforestation of farm land (1).

There have been several cases in which farmers have applied for funding in the proper way and begun to afforest their land but have been refused aid because the technical inspections were conducted only after a lengthy delay and hence when the areas concerned were no longer bare.

What is the Commission's opinion of this state of affairs? How can the farmers affected make good the losses they have incurred through no fault of their own?

(1) OJ L 215, 30.7.1992, p. 96.

Answer given by Mr Fischler on behalf of the Commission

(11 March 1997)

Under Article 4 of Regulation 2080/92, it is for Member States to implement the aid scheme by means of national or regional multiannual programmes. Observance of regional administrative procedures for authorizing afforestation must therefore be ensured according to the rules of internal administrative law.

However, the Commission is aware of the difficulties which have been encountered in the application of the Italian regional programmes and it is in the process, in cooperation with the Italian authorities, of improving the implementation of Regulation 2080/92.

(97/C 217/300)

WRITTEN QUESTION E-0452/97

by Arie Oostlander (PPE) to the Commission

(19 February 1997)

Subject: Reports on the supply to Iraq of primary products for biological weapons by Netherlands undertakings in the period 1989-1992

Is the Commission aware of a US Air Force Intelligence report that identifies the Netherlands firm ORVET as the undertaking that in 1992 supplied anthrax vaccines to Iraq through the UN Food and Agricultural Organization for use in FAO project OSRO/IRQ/103/FIN?

Is it true that this or another Netherlands undertaking has supplied Iraq with vaccines to protect Iraqi troops against the poison botulin, a toxic substance that is also used in weapons produced in Iraq, and that this contravenes international regulations?

Is it true that in 1989 the Iraqi government purchased from an unknown Netherlands source a fungus that is a basic primary product for poisons that were produced at the Saddam University in Baghdad and that may well have been used in waging biological warfare, and that this contravenes international regulations?

Does the Commission intend to conduct an investigation into the monitoring of exports of primary products that can be used for both military and civilian purposes, in particular certain agricultural products that can also be used for the production of chemical and/or biological weapons?

Answer given by Sir Leon Brittan on behalf of the Commission

(19 March 1997)

The Commission has not received the report mentioned and has no knowledge of the supply of anthrax vaccins or anti-botulinum vaccins to Iraq by the company mentioned or any other Dutch company during the period 1989 — 1992, nor of the supply to the Iraqi government of any mould used in the production of poison. The Dutch authorities have informed the Commission that they do not have any knowledge of such supplies to Iraq.

With the adoption of Council Regulation (EC) No. 3381/94 of 19 December 1994 [1] setting up a Community regime for the control of exports of dual usegoods and of Decision 94/942/CFSP of 19 December 1994 [2] a Community framework has been created for the control of exports of dual-use goods, including certain products for agricultural uses, which might also be used for the production of chemical or biological weapons. The list of products covered by the Community legislation is regularly amended, inter alia in the light of the results of discussions in the Australia group and of export control aspects related to the entry into force of the Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction (CWC).

With regard to Iraq, the export of products intended strictly for medical purposes is permitted under the United Nations security council (UNSC) embargo against this country. However, Council Regulation (EC) No 2465/96 of 17 December 1996 [3] concerning the interruption of economic and financial relations between the Community and Iraq, which contains the consolidated Community implementation of the UNSC embargo, requires that such exports take place only after authorization of the Member State of export. This authorization requirement (which does not figure in the relevant UNSC Iraq embargo resolutions) ensures a control on the final destination of the medical products before export takes place.Resolution 1051 (1996) of the UNSC requires notification to the UNSC of export of dual use goods (including the vaccins mentioned) to Iraq, even after the lifting of the embargo.

(1) OJ L 367, 31.12.1994.
(2) OJ L 367, 31.12.1994, last amended by Decision 97/100 CFSP of 20.1.1997, (see OJ L.34 of 4.2.1997).
(3) OJ L 337, 27.12.1996.

(97/C 217/301)

WRITTEN QUESTION P-0454/97

by Konstantinos Hatzidakis (PPE) to the Commission

(7 February 1997)

Subject: Construction of a biological purification plant in Ialysos on Rhodes

Under the CSF for Greece, funds are being provided for a biological purification and sewage project for the City of Rhodes, which is undoubtedly very important both for the City and the island as a whole. However, in order to derive maximum benefit from this project, a sewage system should also be constructed in the municipality of Ialysos which is next to the municipality of Rhodes and belongs to the same ecosystem.

This is a municipality which caters for 25 000 tourists in addition to its permanent population of 15 000, which means that vast amounts of sewage are produced in the peak tourist months.

This sewage can only be properly managed and processed if a sewage system is constructed in the municipality of Ialysos and connected to the sewage system of the municipality of Rhodes with a joint biological purification plant.

In view of the above, can the Commission say why the project for a sewage system in the municipality of Ialysos has not been included among the projects funded by the Cohesion Fund, despite the fact that a comprehensive study that can be directly implemented has been drawn up, and what specific action it intends to take to promote this project which will solve a crucial problem facing the inhabitants, enhance the environment and improve the quality of bathing water, groundwater and drinking water?

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

(11 March 1997)

The construction of the biological sewage treatment plant for the town of Rhodes was part-financed by the Cohesion Fund and not through a Community Support Framework.

It is useful to recall that the Commission examines and, if conditions so justify, approves for part-financing by the Cohesion Fund projects officially submitted to it by the national authorities concerned, in this case, the Greek Ministry for Economic Affairs.

The Commission has so far not received any project or technical study from the Greek Government concerning a sewage system for the town of Ialyssos.

(97/C 217/302)

WRITTEN QUESTION P-0456/97

by Nel van Dijk (V) to the Commission

(12 February 1997)

Subject: Fiscal dumping

Is it true that, according to calculations by the German Government, the latter loses between DM 30 and 60 billion per annum in tax revenue because of 'unfair' fiscal competition?

Does the Commission have comparable estimates for other Member States?

If so, can it give me them?

Is it possible to say approximately how much tax revenue the EU Member States as a whole forfeit because of mutual fiscal competition, whether fair or unfair?

If so, what proportion of this pertains to (a) corporation tax, (b) taxation of interest on savings deposits, (c) other direct taxation of capital?

Answer given by Mr Monti on behalf of the Commission

(7 March 1997)

The Commission does not have any figures estimating the loss of revenue that may occur in the Member States due to tax competition.

Consequently, the Commission cannot calculate, even approximately, how much tax Member States may forego due to fair or unfair tax competition amongst them. Although there is no measure of the overall impact of harmful tax competition, there are reasons to believe that effective taxation of income from capital has been endangered by movement of capital between Member States or outside the Community purely for tax purposes.

(97/C 217/303)

WRITTEN QUESTION E-0459/97

by Amedeo Amadeo (NI) to the Commission

(19 February 1997)

Subject: MED programmes

In the section on the MED programmes, the Annual Report of the Court of Auditors concerning the financial year 1995 notes that the Union, in pursuing a policy of multilateral cooperation with Mediterranean non-member countries, has taken economic measures to help the Mediterranean region to grow into an area of prosperity and political measures aimed at consolidating democracy and regional integration in the above countries. Some of the activities in question have been carried out on a partnership basis in the form of MED programmes.

The nature of the sweeping powers conferred on the ARTM amounts to nothing short of de facto delegation of Commission responsibilities to an external body, brought about, moreover, without following the proper procedure.

Can the Commission say who is to blame for the wrongful delegation of responsibilities to the ARTM and how it proposes to correct the irregularity?

Answer given by Mr Marín on behalf of the Commission

(11 March 1997)

The first decentralised programmes in the Mediterranean zone were launched in 1992. They corresponded to a political priority, consistently supported by the Commission, the Council and the Parliament, to include in the new Mediterranean policy an element of regional multilateral co-operation and the involvement of civil society.

However, these operations, due to the number of parties involved (number of networks involved, number of beneficiaries in each network) implied the acceptance of a certain risk inherent to this sort of cooperation. Given the political importance attached by the Parliament and the Council to these operations, the Commission assumed this risk.

Certain situations arose during the setting up and the experimental phase of programmes. On the basis of the experience and of the report of the Court of auditors, the Commission took, in October 1995, the decision:

- to freeze immediately all decentralised programmes in the Mediterranean zone and not to renew contracts with ARTM and the different technical assistance offices;
- to carry out an evaluation on the impact of the decentralised programmes in the Mediterranean zone;
- to conduct audits on ARTM and the technical assistance offices;
- to set up a new management system which would guarantee more efficiency and transparency.

The Commission will inform the Parliament of all results before relaunching the decentralized programmes in Mediterranean zone.

(97/C 217/304)

WRITTEN QUESTION E-0461/97

by Amedeo Amadeo (NI) to the Commission

(19 February 1997)

Subject: Maximum speed of agricultural or forestry tractors

With reference to the proposal for a European Parliament and Council Directive amending Council Directives 74/150/EEC, 74/151/EEC, 74/152/EEC, 74/346/EEC, 74/347/EEC, 75/321/EEC, 75/322/EEC, 76/432/EEC, 76/763/EEC, 77/311/EEC, 77/537/EEC, 78/764/EEC, 78/933/EEC, 79/532/EEC, 79/533/EEC, 80/720/EEC, 86/297/EEC, 86/415/EEC and 89/173/EEC relating to the maximum design speed of wheeled agricultural or forestry tractors (COM(96)0196) ([1]), the proposed amendment concerning the maximum speed limit for agricultural or forestry tractors is to be welcomed. However, when it next amends the framework Directive, will the Commission take account of the constant developments in tractor design and use by making explicit provision to cover tractors with a maximum speed above 40 k.p.h., naturally on the understanding that such a step will have to be accompanied by appropriate safety and environmental protection measures?

([1]) OJ C 186, 26.6.1996, p. 11.

Answer given by Mr Bangemann on behalf of the Commission

(18 March 1997)

As the Honourable Member says the Commission is aware of the fact that thought should also be given to the fastest tractors on the market, whose design speed exceeds 40 km/h and those in current use, i.e. those which pull a trailer or pull or push an implement. All such instances will indeed be examined in the next amendment of the framework directive.

A working party entitled 'Operational Type Approval' (OTA), comprising representatives of all of the Member States, has been set up in connection with the revision of the framework directive. That OTA working party must pass on its conclusions by the end of June 1997 in order that all of the safety and environmental-protection aspects can be taken into account.

(97/C 217/305)

WRITTEN QUESTION E-0463/97

by Amedeo Amadeo (NI) to the Commission

(19 February 1997)

Subject: Air traffic management

With reference to the White Paper entitled 'Air Traffic Management' (COM(96)0057), the Commission's description of the imperfections in Europe's existing air traffic management system can in general be endorsed. Furthermore, the system must be improved in order to reduce delays, enhance aviation safety, and harmonize national management systems. The situation, however, has to be tackled at international level, and the Commission is right to conclude that Eurocontrol needs to be 'reinvented' and its legislative power increased.

Will the Commission therefore give more details of its views on the differences between legislative and operational responsibilities and the role of the bodies called upon to discharge them? Does it agree that the new Eurocontrol should be responsible for central flow management, whereas other operational matters should be dealt with by the national authorities?

Answer given by Mr Kinnock on behalf of the Commission

(20 March 1997)

The Commission's White Paper on Air Traffic Management (ATM), included the proposition that, as a fundamental principle, the regulatory and service provision functions of ATM should be separated as far as practicable.

In the Commission's view, certain tasks, such as air traffic flow management and, eventually, airspace management should properly fall in the sphere of regulation and consequently should be responsibilities of the Eurocontrol organisation. Other tasks, such as collecting route charges from users, the provision of air traffic control services at national level, the management of the Maastricht centre (which provides air traffic control services for the Benelux countries and Northern Germany) or running training centres such as Instilux, fall within the category of service provision. The way in which this principle will actually be applied, however, in the context of new institutional arrangements for ATM at the European level, is a complicated matter.

The Commission's proposal – also contained in the White Paper – that the Community should itself become a member of the new Eurocontrol organisation involves discussions on Community legal competence and its practical implications. Those discussions are now under way in the Council.

A separate study on the future European institutional arrangements for ATM by the European Civil Aviation Conference (ECAC), representing 35 states, overlaps to a large extent with the Commission's own ideas. There are, however, certain key areas – including the separation of functions – where the ECAC approach is, in the view of the Commission regrettably conservative. A meeting of ECAC ministers on 14 February 1997 decided to adopt the ECAC strategy, while noting the Commission's concerns.

In parallel with the current Council debate on Community membership of Eurocontrol, separate discussions on precisely how the ECAC strategy will be reflected in the revised Eurocontrol convention will allow further opportunities for the Commission's concerns on particular points, including the separation of functions, to be given further attention.

(97/C 217/306)

WRITTEN QUESTION E-0464/97

by Amedeo Amadeo (NI) to the Commission

(19 February 1997)

Subject: Signing of the contract to build the Strasbourg Chamber without prior approval

At Parliament's request, the Court of Auditors has investigated why Parliament's ground lease of the Strasbourg Chamber was signed even though the Financial Controller had not given his prior approval.

The Court has concluded that this case constitutes an infringement of the conditions laid down in the Financial Regulation and Parliament's internal rules governing the signature of leases in accordance with the Financial Regulation and the criteria of sound financial management.

How will the Commission prevent any future recurrence of irregularities such as the signing of the contract to build the Strasbourg Chamber without prior approval? Furthermore, who can be said to be to blame, and in what ways might the guilty parties have to be called to account?

Answer given by Mr Liikanen on behalf of the Commission

(12 March 1997)

The Commission would inform the Honourable Member that this is not a matter on which it has any say. He should address his question to the appropriate institution.

(97/C 217/307)

WRITTEN QUESTION E-0467/97

by Amedeo Amadeo (NI) to the Commission

(19 February 1997)

Subject: Pact for employment

With reference to the Commission communication entitled 'Action for Employment in Europe – A Confidence Pact' (COM(96)0485 – C4-0341/96), the aims of the pact can be endorsed. The seriousness of the crisis triggered off by long-term unemployment and job shedding is the key point to bear in mind. In view of the

gravity of the situation, will the Commission ensure that, in addition to adopting the 'pact for employment', the next European Council lays down an multi-annual plan setting out specific measures and a binding timetable?

Answer given by Mr Flynn on behalf of the Commission

(26 March 1997)

The Commission feels that the European Council, at its meeting in Dublin in December 1996, took full account of the seriousness of the employment situation, in particular by associating itself with the content of the joint report by the Council and the Commission on employment, and by adopting a declaration on employment.

The conclusions of the European Councils since Essen (December 1994), together with the specific recommendations contained in the joint reports of 1996 and 1997, constitute a programme of action to which the Member States have committed themselves at the highest level.

The Commission is of the opinion that an appropriate revision of the Treaty, in the context of the Intergovernmental Conference, would make it possible to reinforce the coordination of Member States' employment policies around common approaches.

(97/C 217/308)

WRITTEN QUESTION P-0469/97

by Mark Watts (PSE) to the Commission

(12 February 1997)

Subject: Export of live cattle to third countries

Further to Mr Fischler's answer to Written Question P-4015/96 [1] given on behalf of the Commission on 20 January 1997, could the Commission say how many live cattle were exported from the EU to third countries in the last year for which figures are available, and how much was paid out in export refunds in respect of those live exports?

[1] OJ C 186, 18.6.1997, p. 167.

Answer given by Mr Fischler on behalf of the Commission

(5 March 1997)

In 1995 the Community exported 660,103 live animals to third countries. For the budget year 1995, 16 October 1994 – 15 October 1995, 302 MECU were granted in export subsidies for live animals.

(97/C 217/309)

WRITTEN QUESTION P-0471/97

by Nikitas Kaklamanis (UPE) to the Commission

(12 February 1997)

Subject: Humanitarian aid for the Republika Srpska

I was surprised to learn following a private visit to the Republika Srpska that the Commission is adopting the same one-sided and biased approach as regards economic aid to the Bosnian Serbs as it did during the war.

I would recall that in a civil war there are no persecutors and victims, winners and losers, only corpses and destruction.

In view of the fact that I intend to raise the matter in the House, will the Commission say:

1. What are the precise provisions of the pacification agreement as regards economic aid for the region as a whole?

2. How much money has been allocated overall (to the three population groups) and how has it been divided among them?

3. Is it true that only 3% of reconstruction aid has been given to the Bosnian Serbs and, if so, does it believe that this will contribute to the pacification and security of the region?

4. How much has been allocated for humanitarian aid?

5. Does the Commission understand that, in a case such as this, it has enormous ethical and political responsibility towards an entire people?

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

(11 March 1997)

1. The Dayton or Paris peace agreements assumed that the different entities would work together in peace and harmony, in order to rebuild an integrated and peaceful country. This principle was confirmed in the London peace implementation conference in December 1996, where paragraph 4 of the summary conclusions states that:

'while the peace implementation council is committed to the peace process, responsibility for reconciliation lies with the authorities and citizens of Bosnia and Herzegovina, who must progressively take charge of their own affairs. The Council's willingness to devote human and financial resources is dependent upon a strengthened commitment from the authorities in Bosnia and Herzegovina to implementation of the peace agreement'

The steering board of the peace implementation conference has reluctantly had to note that the authorities of Republika Srpska are not implementing freedom of movement or allowing returns of displaced people and refugees to their places of origin. It has therefore been decided that economic and reconstruction aid would be largely blocked until the agreement is implemented as foreseen. No such conditionality applies to humanitarian aid.

2. and 4. Since the begining of the conflict, the Commission has been providing humanitarian assistance to the victims affected by the war regardless of ethnic or political criteria. The Commission has allocated since then a total amount of 1 363 MECU to Former Yugoslavia of which 55.6% to the Republic of Bosnia and Herzegovina. The Commission is unable to make a distinction on the final destination by population groups.

As regards the reconstruction of Bosnia and Herzegovina, 300 MECU have been allocated under the 1996 budget, mainly within the Phare programme and under the specific budget line for reconstruction.

3. A similar figure has been advanced by the High representative, Mr Bildt. As the representative of the international community and therefore of the providers of funds, he has encouraged conditional attribution of development and reconstruction aid to ensure compliance with the spirit of the Dayton or Paris agreements and the free movement of people.

5. The Commission makes a clear distinction between humanitarian aid and reconstruction and economic development aid. The former is distributed without conditions and according to need, not only former Yugoslavia but throughout the world. Reconstruction and economic development assistance, as elsewhere, is often subject to conditionality. The Commission, while desiring nothing better than to assist throughout Bosnia and Herzegovina, is tailoring its assistance, in close cooperation with other members of the international community, with a view to encouraging proper observance of the peace agreements.

(97/C 217/310)

WRITTEN QUESTION P-0472/97

by Bernie Malone (PSE) to the Commission

(12 February 1997)

Subject: Employment conditions for trainee pilots with Aer Lingus in Ireland

Is the Commission aware that trainee pilots with Aer Lingus in Ireland apparently have to sign excessively long contracts and have to repay part of the cost of their training to Aer Lingus if they leave before their contracts expire? This is being justified by Aer Lingus on the grounds that they are among the conditions agreed between the Commission and the Irish Government when state aid into Aer Lingus was authorized?

Can the Commission confirm whether such conditions form part of this state aid agreement?

Answer given by Mr Kinnock on behalf of the Commission

(17 March 1997)

The contractual relations between Aer Lingus and its trainee pilots were not the subject of conditions attached to the authorization by the Commission of state aid to the airline. Moreover, the Commission did not examine this matter since it did not form part of the airline's restructuring programme.

(97/C 217/311)

WRITTEN QUESTION P-0473/97

by Sirkka-Liisa Anttila (ELDR) to the Commission

(12 February 1997)

Subject: Measures necessary to secure the lifting of the ban on the importation of hens' eggs suitable for human consumption from Finland into Russia

Russia's Ministry of Agriculture and Food has issued a letter banning the importation from abroad of hens' eggs intended for human consumption, on grounds of animal hygiene. As a result it has been impossible to export hens' eggs from Finland to Russia since 24 April 1996. This ban has caused considerable problems in Finland, both to egg producers and to other businesses operating in the sector, as well as to Russian consumers, who had not always previously been able to purchase high-quality, salmonella-free Finnish hens' eggs.

There is a long-standing tradition of trade in hens' eggs between Finland and Russia, and eggs imported from Finland have met the requirements imposed by Russia.

Russia's Ministry of Agriculture and Food has banned imports of beef and beef products into Russia because of BSE. Finland is not affected by this ban: only Russia's ban on the importation of hens' eggs is affecting us. It seems the ban is being observed only at the border between Finland and Russia, since according to our information hens' eggs are being imported into Russia, for example from Germany and Holland, via Belarus. This matter has been raised repeatedly, inter alia in the management committee for hens' eggs and poultrymeat, but without result.

My question is, therefore, what action has the Commission taken or does it intend to take to secure the lifting of Russia's groundless ban on imports of hens' eggs from Finland, and what is the timetable for it?

Answer given by Mr Fischler on behalf of the Commission

(12 March 1997)

After the announcement of the Russian ban on imports of eggs in shell, the Community exported only 41 tonnes in the period May-October 1996, including 33 tonnes from Germany and less than one tonne from Finland (corresponding period 1995: 1178 tonnes, including 1058 tonnes from Finland).

The Russian authorities are justifying their ban in the case of Finland on veterinary grounds. The other Member States are not meeting problems in the veterinary field, but exports to Russia have decreased for commercial reasons.

Despite repeated requests, the Commission has not yet been able to get precise information from the Russian authorities on the veterinary problems raised by them. The Commission will continue to try and resolve the problem, in close cooperation with the Finnish authorities.

(97/C 217/312)

WRITTEN QUESTION P-0481/97

by José Pomés Ruiz (PPE) to the Commission

(12 February 1997)

Subject: Participation of the peseta in EMU

On 3 February 1997 the position of the peseta against the German mark was weakened by doubts which surfaced on the financial markets regarding its entry into the third stage of EMU, prompted by the suspicion that Spain would not be able to enter EMU in advance of Italy for political reasons. This rumour is contrary to the spirit and letter of the Treaty and the political will of the European Parliament that all countries which meet the Treaty requirements should be able to enter EMU.

Since the financial markets accord importance to an alleged political preconcdition which disadvantages Spain, it would be useful for the Commission to take a clear position on this issue. Will the Commission or Council therefore issue a declaration expressly stating that the entry of each country into EMU will be examined on an individual basis, without reference to discriminatory geopolitical criteria?

Answer given by Mr de Silguy on behalf of the Commission

(13 March 1997)

No rules other than those laid down in the EC Treaty will determine whether or not a particular Member State will participate in monetary union as from January 1999. According to these rules, early in 1998 the Council, on the basis of reports by the Commission and the European monetary institute and on a recommendation from the Commission, will assess whether each Member State fulfils the necessary conditions for the adoption of the single currency. The Parliament will be consulted. Subsequently, the Council, meeting in the composition of heads of state or government, will confirm which Member States fulfil these conditions. A Member State fulfilling the conditions cannot be excluded from participation in monetary union.

(97/C 217/313)

WRITTEN QUESTION P-0482/97

by Marilena Marin (UPE) to the Commission

(12 February 1997)

Subject: Start-up aid for young farmers

In accordance with the regional law on start-up aid for young farmers, pursuant to Regulation (EEC) No 2328/91 [1], Veneto region sent the draft law in question to the Commission on 31 May 1996.

After carefully examining whether the aid earmarked (Lit 15 billion) was consistent with Article 3 of the Treaty, the Commission has apparently given its consent.

However, the regional bodies still do not have all the information required to enable them to take the decision giving effect to the funding.

Can the Commission explain the reasons for the delay and does it consider that it has completed its role in the administrative procedure?

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[1] OJ L 218, 6.8.1991, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(7 March 1997)

On 11 June 1996 Italy notified the Commission of draft law No 78 of the Veneto region.

Since the draft contained provisions for measures which involved both state aid and Community part-financing, those provisions were the subject of two separate examinations. The first, regarding compliance with Articles 92 and 93 of the EC Treaty, has been completed. The resultant Commission's opinion took account of the fact that certain provisions of the draft law also had to be examined under Regulation (EEC) No 2328/91, in particular those concerning:

a) setting-up aid for young farmers;

b) start-up aid for producer groups and agricultural associations aiming to set up farm relief services;

c) aid for organizing training courses and work experience programmes to encourage young people to go into farming.

The second examination has not yet been completed because of a work over-load in the relevant department of the Directorate-General for Agriculture. However, the Commission may be expected to come to a conclusion concerning the abovementioned draft law shortly.

(97/C 217/314)

WRITTEN QUESTION E-0485/97

by Jesús Cabezón Alonso (PSE) to the Commission

(19 February 1997)

Subject: China and the Guatemala peace agreements

Has the Commission considered adopting any measures to counter the effects of the Chinese veto in the UN, which is blocking aid for the international monitoring of the peace agreements signed on 29 December 1996 between the Guatemalan government and the Guatemalan Revolutionary National Unity Movement?

Answer given by Mr Marín on behalf of the Commission

(12 March 1997)

The question raised by the Honourable Member is no longer an issue: China has already lifted its veto on the dispatch of international observers to monitor the peace agreements between the Guatemalan National Revolutionary Union and the Guatemalan government.

(97/C 217/315)

WRITTEN QUESTION E-0486/97

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

(19 February 1997)

Subject: Fisheries agreement with Morocco

On what grounds has the Commission accepted an extension of the 'biological pause' for the cephalopod fishing fleet under the existing fisheries agreement between the EU and Morocco?

What new circumstances have arisen to justify departing from the two-month 'biological pause' provided for in the existing fisheries agreement and accepting its extension to four months?

Does the Commission not consider this a bizarre precedent, since it undermines the legal validity of the agreement and opens the door to future, unilaterally imposed renegotiation of other clauses of the existing fisheries agreement?

Answer given by Mrs Bonino on behalf of the Commission

(14 March 1997)

Fishing datasheet No 1 on cephalopod vessels, annexed to the Fisheries Agreement between the Community and Morocco, originally provided for a two-month biological rest period in September and October. Provision is also made for this period to be adjusted by mutual agreement.

With a view to resource protection and as part of an overall policy on the rational use of fishery resources, the two Contracting Parties agreed to establish for 1997 a four-month biological rest period for cephalopod vessels. This period will apply in a non-discriminatory way to the Community and Moroccan fishing fleets throughout Morocco's fishing waters.

This adjustment to the biological rest period was made by mutual agreement and in accordance with the terms of the Fisheries Agreement. It does not set, therefore, any precedent whereby Morocco could change the Agreement unilaterally.

(97/C 217/316)

WRITTEN QUESTION E-0503/97

by Lucio Manisco (GUE/NGL) to the Commission

(19 February 1997)

Subject: Discrimination against EU citizens in the USA

On 11 December 1996 an EU citizen, Andrea Pettenò, arrived in New York for a holiday, having flown from Venice via Amsterdam. On arrival, he was stopped by the airport's immigration service, taken to a room and harshly questioned, since it was believed that he was travelling on a false Italian passport. Mr Pettenò's passport was, of course, genuine, as was later confirmed by the Italian authorities.

The room in which Mr Pettenò was held also contained 'a South American man in chains, who was vomiting'. A colleague of Mr Pettenò's, Mr Sergio Bordonaro, who is also a EU citizen and holds a US work permit, tried to confirm that his friend was Italian and not Albanian. However, he too was threatened by immigration officers. They were not allowed to make a telephone call to the Italian Consulate.

1. Would the Commission not agree that such behaviour on the part of the US authorities must be deplored?

2. What steps does it intend to take in response to this blatant violation of human rights by the US immigration service?

3. What is it doing to ensure that EU citizens in the United States are not treated like criminals?

Answer given by Sir Leon Brittan on behalf of the Commission

(18 March 1997)

The particular case mentioned by the Honourable Member, while no doubt regrettable, cannot in the Commission's view be considered as indicative of a general discrimination by United States immigration officials against Community citizens. The Commission does not consequently feel it appropriate to raise this as a general issue with the American authorities.

(97/C 217/317)

WRITTEN QUESTION E-0507/97

by Luciano Vecchi (PSE) to the Commission

(19 February 1997)

Subject: Discrimination against Italian citizens applying for admission to universities in the United Kingdom

In the 1996-1997 academic year, Mrs Sara Dallapé, an Italian citizen, made a successful application for admission to the University of Birmingham. For these purposes, however, Mrs Dallapé was considered not to be a Community resident and was therefore required to pay admission fees higher than those payable by Community residents.

Mrs Dallapé is an Italian citizen and has been legally resident in Italy since 1992. Given that her parents spent many years in Africa working on cooperation projects financed by the European Union, part of her school life was spent in Zimbabwe.

The decision taken by the university authorities in Birmingham is therefore clearly contrary to the principles of freedom of movement for students and equal treatment for Community citizens.

What are the Council's views on this matter and how does it intend to make good the discrimination suffered by Mrs Dallapé?

Answer given by Mrs Cresson on behalf of the Commission

(2 April 1997)

The problem which appears to lie behind the question raised by the Honourable Member is the practice in the United Kingdom of charging higher admission fees to Community citizens.

The general principle of equal treatment in access to education in the territory of the Community means that all Community students must be given the same treatment as nationals of the Member State concerned. The admission fees payable by students form part of the conditions of access covered by this principle of non-discrimination.

The relevant UK legislation is based on the idea of the territorial link, in the sense that students wishing to benefit from reduced rates (home rate fees) must have been resident in the territory of the United Kingdom for at least the three years prior to the beginning of the academic year. Community citizens are considered to be included in the category of 'exempted students' and may also benefit from reduced rates if they meet the same condition of residence in Community territory.

In the specific case mentioned in the Honourable Member's question, a complaint has been addressed to the Commission. Given that the information submitted makes no mention of the reasons which led the university authorities to consider the person concerned not to be a Community resident, the Commission has asked her to forward all the information on the nature of the reasons for which she was classified as not being a Community resident and obliged to pay the higher admission fees applicable to overseas students. The Commission will examine the reply, draw the necessary conclusions and, if appropriate, take the measures needed to guarantee compliance with Community law.

(97/C 217/318)

WRITTEN QUESTION E-0509/97

by Frank Vanhecke (NI) to the Commission

(19 February 1997)

Subject: Development cooperation

On Saturday, 10 August 1996 on the island of Negros in the Philippines 10 Belgian students faced an unexpected eruption of the volcano, Mount Canlaon. Some of them were wounded and one Briton and two Filipinos were killed in this eruption.

Press reports indicated that the 10 students from Namur University, five Flemish and five Walloon, had left on 16 July 1996 on a six week familiarization visit to the Philippines with the NGO 'Fondation universitaire pour la coopération internationale au développement' (FUCID).

1. An answer to a parliamentary question given by the Belgian State Secretary for Development Cooperation indicates that FUCID is involved in co-financed projects with the European Union. What amount of subsidy is involved?

2. Was a specific subsidy application made for the project referred to above?

3. What is the relevance to development of such a familiarization visit?

Answer given by Mr Marín on behalf of the Commission

(7 March 1997)

1. The Commission has co-funded two development projects with the Belgian non governmental organization FUCID in Zaire for a total amount of ECU 420,324.

2. The Commission has not contributed to any project of FUCID in the Philippines.

3 It is not up to the Commission to judge the relevance of such action. However, the kind of action cited by the Honourable Member would not be eligible for co-funding on the Commission's budget.

(97/C 217/319)

WRITTEN QUESTION E-0510/97

by Wilmya Zimmermann (PSE) to the Commission

(19 February 1997)

Subject: European programmes for young people aged under 15 and for children

European programmes for young people, such as 'Youth for Europe III', apparently apply only to young people aged 15 or over. However, there are also events which are organized for young people below the age of 15 or for children which have a European dimension and therefore deserve support. These activities likewise promote the sense of community among young Europeans and hence European awareness.

Can the Commission therefore indicate whether there is also scope for subsidizing events with a European dimension for young people aged under 15/children? If not, will the Commission extend existing programmes to this age range or does it plan to propose programmes for the under-14s or children for the future in order to tap into this valuable potential for promoting European awareness?

Answer given by Mrs Cresson on behalf of the Commission

(1 April 1997)

Possibilities for the funding of school activities with a European dimension for young people under the age of 15 are provided by the Comenius chapter of the European education programme, Socrates. Action 1 of this chapter gives schools the opportunity to participate in transnational cooperation, with European financial support. A Comenius partnership involves at least three schools in at least three Member States, which work together on European educational projects based on themes such as cultural heritage, environment, media or transition to working life. During the 1996/1997 academic year some 5000 schools throughout Europe joined a Comenius transnational partnership, including a large number of nursery and primary schools.

In view of the nature of activities under the Youth for Europe programme, and given the financial resources available, it is intended to leave the minimum age for participation in this programme at 15.

(97/C 217/320)

WRITTEN QUESTION E-0514/97

by Jesús Cabezón Alonso (PSE) to the Commission

(19 February 1997)

Subject: Transposition of social protection Directives in Spain

Which Community Directives on social and employment protection have not been transposed into Spanish legislation?

What steps has the Commission taken to remedy the delay?

Has the Commission called upon the Spanish Government to incorporate all the Directives on social or employment matters into Spanish national law?

Answer given by Mr Flynn on behalf of the Commission

(26 March 1997)

The Honourable Member is asked to refer to the progress report on the 1995-97 medium-term social action programme (including the Annex describing the situation as regards notification of national measures to implement the Community Directives in the social sphere). More particularly, as far as the situation in Spain is concerned,

it has transposed only 37 of the 50 Directives entering into force on or before 15 February 1997, i.e. 74%. A list of all the Directives which have entered into force and have not yet been transposed by Spain is being sent direct to the Honourable Member and to the Secretariat of the Parliament.

In so far as it has responsibility, the Commission avails itself of the infringement procedure under Article 169 of the EC Treaty in the event of failure to notify transposal. The Honourable Member's attention is drawn in particular to Annex IV of the 14th annual report from the Commission to the Parliament on monitoring the application of Community law – 1996. In this connection, it should be noted that the judgment of the Court of Justice of 26 September 1996 found that Spain had failed to transpose the first six individual Directives within the meaning of Article 16 (1) of the framework Directive on safety and health at work; further action is to be taken against Spain in the near future for failure to transpose Directive 92/104/EC (1).

The Commission deplores Spain's failure to transpose the Directives in the social sphere. It has made the Spanish authorities aware of its concern, emphasising the extra effort which must be made particularly in the field of safety and health at work. All of the Directives which have not yet been transposed by Spain, except for one, fall within this domain. With regard to Directive 94/45/EC on European Works Councils (2), in the context of the Commission's close cooperation with national authorities aimed at ensuring uniform transposal in all the Member States, the Spanish authorities have reported that a proposal for a law transposing this Directive will be approved shortly.

(1) OJ L 404, 31.12.1992.
(2) OJ L 254, 30.9.1994.

(97/C 217/321)

WRITTEN QUESTION P-0517/97

by Peter Truscott (PSE) to the Commission

(14 February 1997)

Subject: International truck driver qualifications

In December 1995 the Road Haulage and Distribution Training Council (RHDTC) based in Shenley, Hertfordshire, published a report on a suggested European qualification for truck drivers. This report ('International Truck Driver') was part-funded by the European Union. Since that time RHDTC has heard nothing further.

Could the Commission confirm the timescale for the implementation of the proposed qualification, or explain the lack of progress made with developing this qualification?

Answer given by Mr Kinnock on behalf of the Commission

(18 March 1997)

The Commission recognises the importance of training in road transport. The Committee of transport workers unions in the Community (with support from the Commission) completed a report in March 1996 on the training of drivers. This supplemented a January 1996 Commission survey on continuous vocational training in road freight and passenger services which was drawn up under the Force programme.

The Commission is now preparing a report to the Council on training of professional drivers and that report may form the basis of further legislative initiatives or recommendations to produce a common set of rules for improving the skills of professional drivers. Such rules would have the purpose of enhancing, road safety, and allowing mutual recognition of professional competence for drivers and facilitating the free movement of workers in the Community.

(97/C 217/322)

WRITTEN QUESTION E-0525/97

by Maartje van Putten (PSE) to the Commission

(20 February 1997)

Subject: Rugmark carpets

In the past few years several initiatives have been taken to establish certification systems for carpets produced without illegal child labour. Major examples are the Rugmark certification systems in India and Nepal and the Kaleen certification system in India.

1. Is the Commission prepared to ask its delegation in New Delhi to make an assessment of both the Rugmark certification systems in India and Nepal and the Kaleen certification system in India?
2. Is the Commission prepared to inform Parliament about the results of that assessment?

Answer given by Mr Marin on behalf of the Commission

(10 March 1997)

The Commission is not convinced at this stage that the verification procedures in the countries where the Rugmark scheme operates do ensure that rugs bearing this fair trade label are made without the use of child labour. However, as the Rugmark system in India and Nepal has been conceived and is implemented by a Member State, the Commission is of the opinion that an assessment of the system should be made by this Member State. The Commission would of course be happy to be informed of the results of the assessment.

The Commission will take note of experiences gained from the Rugmark initiative, in particular in the context of the Community's revised scheme of tariff preferences ([1]). This scheme provides that additional preferences (more reduced preferential rates of duty) may be granted, as from 1 January 1998, to beneficiary countries which respect the standards of certain International labour organisation conventions, including convention 138 relating to child labour ([2]). In due time the Commission will submit a proposal for a Council decision on the scope of such preferences and their application.

The Commission is not aware of the Kaleen certification system in India.

([1]) Council Regulation (EC) No 3281/94, OJ L 348, 31.12.1994.
([2]) Minimum age for admission to employment.

(97/C 217/323)

WRITTEN QUESTION E-0526/97

by James Moorhouse (PPE) to the Commission

(20 February 1997)

Subject: Aid to Algeria

Following its decision in December 1996 to grant Algeria ECU 125 million in aid and a loan of ECU 100 million, can the Commission specify:

1. For which purpose is the aid being granted?
2. How will the use of the aid be monitored and how regularly?
3. Can we rest assured that the aid will not be used to assist in the campaign against 'terrorism', which in the past has equally targeted innocent civilians, or in the purchase of arms or equipment for the military or security forces?
4. Will a report be made back on how the aid is used?

Answer given by Mr Marin on behalf of the Commission

(7 March 1997)

1. With its decision of December 1996 to allocate an amount of 125 MECU in the form of a structural adjustment grant the Commission provides support to the economic reforms undertaken by the government of

Algeria. These reforms should facilitate the transformation of the Algerian economy from a state -and energy-dominated economy into a diversified private-sector led economy. The Commission's support is given in a framework in which also the IMF and the World Bank participate. Both Bretton Woods institutions have at the moment substantial programmes in Algeria, while also debt rescheduling agreements negotiated in the Paris and London Clubs have played a key role in enabling the Algerian stabilisation and reform process.

The Commission's aid is given in agreement with the principles and recommendations set out in Council Resolution 7566/95 of 1st June 1995 on structural adjustment. This implies that once Algeria has complied with the mutually agreed performance criteria, disbursement of aid will take place in the form of a direct budgetary grant. Extending the assistance in the form of direct budgetary support is justified by the fact that Algeria has made good progress in liberalising its current account operations and that full current account convertibility is within reach.

Lastly, contrary to what is suggested in the question, the Commission did not decide in December to extend a loan of 100 MECU to Algeria. The Honourable Member may be referring to the second and last instalment of 100 MECU of the second macro financial loan to Algeria, which was approved by Council Decision of 22 December 1994 (1). A formal decision as to the disbursement of this instalment has not yet been made.

2. The financing agreement signed by the Commission and the Algerian authorities includes various provisions regarding the use and the monitoring of the aid. Under these provisions the beneficiary country is required to provide the Commission regularly, and at least once every quarter, information regarding its macro economic performance and the proposals for and implementation of reform measures. Moreover, regular review meetings will be held between the Commission and the Algerian authorities.

3. The provisions of the financing agreement concluded with the Algerian government offer a reasonable guarantee that the Community's support will reach exclusively the objective of providing support to the process of economic reform in Algeria, while respecting social constraints.

4. Provisions for the monitoring the implementation of the programme are included in the financing agreement. Moreover, the programme is subjected to the standard reporting requirements applicable to this type of programmes.

(1) OJ L 366 du 22.12.1994.

(97/C 217/324)

WRITTEN QUESTION E-0532/97

by Luciano Vecchi (PSE) to the Commission

(20 February 1997)

Subject: Establishment of a recycling plant at Bronzolo/Branzoll (Bolzano Autonomous Province, Italy)

Despite opposition from the local authorities concerned and from a number of technical bodies, the Bolzano Autonomous Province has decided to grant authorization for the setting up of an inert-matter recycling plant on a site within the Bronzolo/Branzoll municipal area which is of particular importance and sensitivity from the environmental, hydro-geological and landscape points of view.

It is highly likely that such a plant would cause problems for the local population in terms of noise, air and water pollution and may also have geological implications.

In addition it appears that, over a period of time, the authorization documents have been amended as a way of ensuring that the project remains outside the scope of Directive 85/337 EEC (1) on environmental impact assessment.

What are the Commission's views on this matter and what action is it intending to take in order to uphold Community law, in particular that contained in Directive 85/337 (environmental impact assessment) and 91/156 (2) (disposal of waste)?

(1) OJ L 175, 5.7.1995, p. 40.
(2) OJ L 78, 26.3.1991, p. 32.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 March 1997)

The projected facility mentioned in the Honourable Member's question is not automatically submitted to the environmental impact assessment procedure provided for by Directive 85/337/EEC.

However, it is subject to that procedure if it has a significant impact on the environment as a result of its nature, extent or location. No aspect enabling the existence of a significant impact to be identified emerges from the question put by the Honourable Member.

It should be noted that the Commission is currently taking infringement action against Italy with regard to certain aspects of the laws of the province of Bolzano regarding environmental impact assessment.

(97/C 217/325)

WRITTEN QUESTION E-0533/97

by Luciano Vecchi (PSE) to the Commission

(20 February 1997)

Subject: Establishment of a recycling plant at Bronzolo/Branzoll (Bolzano Autonomous Province, Italy)

On 10 September 1996 the Bronzolo/Branzoll authorities lodged a complaint with the Commission concerning a failure to comply with Directives 75/442 [1], 91/156 [2], 92/50 [3] and 85/337 [4] in connection with the granting of authorization for a plan to set up a recycling plant at Bronzolo in the Bolzano Autonomous Province, Italy.

What view does the Commission take of this complaint and what action (and at what time) is it intending to take in order to ensure that Community law is upheld?

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[1] OJ L 194, 25.7.1975, p. 39.
[2] OJ L 78, 26.3.1991, p. 32.
[3] OJ L 209, 24.7.1992, p. 1.
[4] OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 March 1997)

The Commission has brought infringement proceedings against Italy with regard to certain aspects of the laws of Bolzano province concerning environmental impact assessment. The complaint, and others, to which the Honourable Member refers, are being dealt with as part of the abovementioned main procedure, which concerns the basic legislation.

(97/C 217/326)

WRITTEN QUESTION E-0542/97

by Johanna Maij-Weggen (PPE) to the Commission

(21 February 1997)

Subject: Death sentences pronounced against two members of the Bahai faith in Iran

Is the Commission prepared to ask for early clarification from the Iranian Government concerning two recent death sentences pronounced by the Supreme Court of Iran against Mr Dhabihu'llah Mahrami and Mr Musa Talibi on the grounds of 'apostasy', because those two Iranian citizens are members of the Bahai faith?

What is the Commission's view of such death sentences, and what conclusions does it draw from the relevant legislation in Iran with regard to the lack of freedom of religion?

Answer given by Mr Marin on behalf of the Commission

(13 March 1997)

The Commission would draw the attention of the Honourable Member to the fact that a Union demarche to Tehran was made on 13 February 1997 to the Iranian ministry of Foreign Affairs on the cases of Mr Mohamed Yusefi and Mr Musa Talibi, the two Baha'is in question.

The Commission considers that a change of religion is a matter of individual right, and cannot approve that it be made the object of a death penalty. Such an action would be contrary to the Universal declaration on human rights to which Iran is a signatory. The Commission considers that Iran should accept liberty of religious opinion under the terms of the Universal declaration.

(97/C 217/327)

WRITTEN QUESTION E-0543/97

by Johanna Maij-Weggen (PPE) to the Commission

(21 February 1997)

Subject: Ban on Dr Majed Nasser travelling to the Netherlands

Recently, the Israeli authorities refused permission for Dr Majed Nasser, a member of the governing body of the Alternative Tourism Centre in Beit Sahour and Director of the Greek Catholic Convent Clinic (the Palestinian hospital in Beit Sahour), to travel to the Netherlands.

The grounds for the ban appear to be the current Israeli Government's policy of preventing Palestinian citizens engaged in political activities from maintaining their foreign contacts.

Is the Commission prepared to ask the Israeli authorities to explain why they refused to grant Dr Majed Nasser an exit visa?

Answer given by Mr Marin on behalf of the Commission

(26 March 1997)

The Commission is opposed to all those measures which impact negatively on Palestinian life and the Palestinian economy, when these have no proper justification in terms of Israel's agreements with the Palestinians. However, as concerns the case mentioned by the Honourable Member, the Commission has no authority in consular matters.

(97/C 217/328)

WRITTEN QUESTION E-0551/97

by Ulf Holm (V) to the Commission

(21 February 1997)

Subject: Possible decision by Sweden not to participate in EMU

What will the Commission do if the Swedish Parliament decides that Sweden should not participate in EMU?

Answer given by Mr de Silguy on behalf of the Commission

(26 March 1997)

Sweden has signed and approved the Treaty on European Union. According to Article 109j-k EC Treaty a Member State shall join the third stage if it fulfils the necessary conditions for the adoption of a single currency and this is confirmed by the Council. Sweden does not have an opt-out clause and is expected to respect the Treaty.

(97/C 217/329)

WRITTEN QUESTION E-0556/97

by Jannis Sakellariou (PSE) to the Commission

(24 February 1997)

Subject: Potato starch quotas

After the 1995 crop year the Commission decided on a quota system for potato starch. However, this system does not take sufficient account, if at all, of fluctuations in different annual harvests in respect of yield per hectare or starch content. The cases of hardship that arise could be overcome if a generous advance (e.g. of 30%) on the next year's harvest were allowed or – better still – if a quota could be defined as the average crop yield over a number of years (3 to 5).

1. Does the Commission have any plans for a special hardship scheme for exceptional crop yields?

2. Is the Commission considering supplementing or improving the quota system by using advances or mean values?

Answer given by Mr Fischler on behalf of the Commission

(17 March 1997)

Fixing quotas on potato starch production in the Member States is the responsibility of the Council, which adopted a Regulation establishing a quota system in July 1994. (1)

This Regulation provides for flexibility to take account of crop fluctuations. Starch producers can use – in addition to their quota for the current marketing year – a maximum of 5% of their quota for the following marketing year. Should they do so, the following year's quota is reduced accordingly.

The quota arrangements have been laid down for three marketing years and will be the subject of a Commission Report at the end of 1997 that will be accompanied, if necessary, by suitable proposals. The Commission does not intend proposing amendments to the arrangements before this date.

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(1) Council Regulation (EC) No 1868/94 – OJ 197 of 30. 7.1994.

(97/C 217/330)

WRITTEN QUESTION E-0559/97

by James Moorhouse (PPE) to the Commission

(24 February 1997)

Subject: Detention of EU citizens in Saudi-Arabian prisons

How many EU citizens have been arrested and detained in Saudi Arabia in each of the years 1990 to 1996 inclusive, and in 1997 so far? In each year, how many of those persons have complained to their respective Ambassador in Saudi Arabia about ill treatment while they were in custody?

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

(26 March 1997)

The Commission has nothing on which to base a reply to the Honourable Member's question which, moreover, could be put to the Council.

(97/C 217/331)

WRITTEN QUESTION E-0565/97

by Magda Aelvoet (V) to the Commission

(24 February 1997)

Subject: Improving the environment for residents of the Espace Bruxelles-Europe area

Residents' committees and environmental groups in Brussels have just staged a week of initiatives and discussion, from 18-25 January 1997, on the future of housing in the Espace Bruxelles-Europe area and, in particular, of the areas of wasteland along the Chaussée d'Etterbeek;

- although the Protocol between the Belgian State and the Region of Brussels-Capital (May 1989) provides that the majority of public properties in the Espace Bruxelles-Europe area as a whole should not be sold, the areas of wasteland between the Council building and Parliament's buildings have been put up for sale by the Buildings Authority;
- the local environment is threatened not only by the gradual destruction of housing and the growing number of areas in the city blighted by the excessive expansion of public administration but also by the resulting traffic congestion;
- a study on the sustainable mobility of public administration carried out for DG XI of the Commission (final report: May 1996) examined the case of Brussels and finally recommended a series of measures to reduce traffic congestion;
- following the European Parliament's application to operate the car park in Building D3 (2300 spaces), only 900 spaces have been licensed by the Region, subject to a number of conditions, one of which is that a corporate transport plan should be drawn up at the same time;
- the Commissioner, Mr Liikanen, has called for the integration of the European institutions and for all new Commission property policy in the neighbourhood to be frozen;

Is the Commission prepared to take action to ensure that the areas of wasteland, particularly those along the Chaussée d'Etterbeek, are earmarked for housing and services to regenerate the neighbourhood?

Does the Commission intend to promote and apply, along with the other European institutions and public administrations located in the Espace Bruxelles-Europe area, a sustainable mobility plan to reduce traffic congestion in the neighbourhood and the need to use the new car parks?

Finally, does it intend to ask for an official liaison officer to be appointed in order to overcome the problem of the fragmentation of Belgian powers and responsibilities and ensure that the commitments concerning the integration of the European institutions in Brussels are honoured?

Answer given by Mr Liikanen on behalf of the Commission

(19 March 1997)

As the Honourable Member himself points out, the Member of the Commission in charge of Personnel and Administration has on several occasions publicly declared his support for the integration of the European institutions into the surrounding urban environment. Not only does he wish to avoid a proliferation of offices in the 'Espace Bruxelles-Europe', he has also expressed the hope that this area might be redeveloped for the benefit of its residents, for example by the creation of green areas and pedestrian precincts, the development of housing and local shops and encouragement for the use of public transport.

In more practical terms, the Commission is playing an active part in the work of various bodies which have recently been set up to deal with these questions, such as the 'Sentiers de l'Europe' group, the 'Europe-Habitants' monitoring committee and the 'Comité de Quartier de la rue de la Loi', for example. Representatives of the other institutions are also involved in the work of these groups.

Although the Member of the Commission responsible for Personnel and Administration has assured these bodies of his willingness to help in the drafting of planned projects, possibly in the shape of a financial contribution from the Commission, he has also pointed out that the local authorities are responsible for implementing what has been decided and the Commission cannot usurp that responsibility.

(97/C 217/332)

WRITTEN QUESTION P-0570/97

by Maria Berger (PSE) to the Commission

(19 February 1997)

Subject: EUR-1 for cargoes

1. What action does the Commission intend to take to deal with the problem that EUR-1 import certificates may not be issued for parts of a vessel's cargo from non-Community countries? (eg problem of Israeli citrus fruit: EU – Austria – Kopar – Italy). Austrian companies are at a severe competitive disadvantage under the present rules, as Austria has no seaports and therefore can often take only part-cargoes.

2. Might a possible solution be for the EU certificate to be lodged at the border and the part-cargoes recorded? What other solutions are under consideration?

Answer given by Mr Monti on behalf of the Commission

(12 March 1997)

The Honourable Member's question concerns goods imported under preferential treatment into Austria. The goods are imported from a country with which the Community has concluded a free trade agreement (e.g. Egypt, Israel, Morocco) or a country which gets preferential treatment under an autonomous regime (e.g. a country benefitting from the system of general preferences).

All preferential trade arrangements provide for direct transport. The direct transport rule states that preferential treatment only applies to products which are transported directly between the Community and the country party to the agreement. Products constituting a single consignment may be transported through other territories or temporarily warehoused in other territories provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.

The direct transport rule does not allow the splitting of consignments in a country of transit as this could create, and facilitate, fraud. As soon as the goods have arrived in the Community, either directly or through a transit country, the customs authorities can issue replacement certificates for each portion of the split consignment.

When the consignment is imported into a Community port, e.g. Trieste, the importer has the option of either putting it into free circulation or asking the customs authorities to issue replacement certificates for the part of the consignment destined for another Member State.

The Commission considers this procedure, laid down by the Community's rules, to be satisfactory and from a legal point of view the most secure solution for the problem raised by the Honourable Member. The procedure does not appear to hinder the competitiveness of Austrian operators.

(97/C 217/333)

WRITTEN QUESTION P-0571/97

by Carmen Díez de Rivera Icaza (PSE) to the Commission

(19 February 1997)

Subject: Directive on noise reduction

What has happened to the proposal for a Council directive on noise reduction, which was discussed by the committee of experts on 21 February 1996 and of which nothing more has been heard?

Answer given by Mrs Bjerregaard on behalf of the Commission

(10 March 1997)

The Commission opened consultations on a future noise policy with its Green Paper on noise [1]. This covers all relevant aspects of noise policy, including the topics discussed in February 1996. The Commission has invited comments on the ideas and options outlined in this green paper by the end of March 1997. It will decide on the follow-up in the light of these comments.

[1] COM(96)540.

(97/C 217/334)

WRITTEN QUESTION P-0572/97

by Elly Plooij-van Gorsel (ELDR) to the Commission

(19 February 1997)

Subject: Internet child-pornography reporting site

The Netherlands Justice Ministry recently opened an Internet site with the Netherlands Association of Internet Providers on which users can report cases of child pornography on the network.

The provider asks those setting up such material if they are prepared to withdraw it from the network. If that is not done, the person concerned is reported to the police.

This represents a self-regulation measure by Netherlands Internet access providers aimed at keeping child pornography originating in the Netherlands off the Internet.

1. Is the Commission familiar with this initiative?

2. Does the Commission see good reason to encourage other EU Member States to follow this example?

3. Has the Commission any plans to open a similar child-pornography reporting site on theEuropa server?

4. What action is the Commission taking to encourage self-regulation schemes by Internet access providers?

Answer given by Mr Bangemann on behalf of the Commission

(17 March 1997)

1. The Commission supports the Dutch hotline which allows users to report cases where the Internet is being misused to distribute illegal material such as child pornography.

2. Similar initiatives have already been taken in other Member States, and the Commission agrees that such hotlines should exist all over the Community.

3. The I*M Europe server has links from http://www.echo.lu/best-use/best-use.html to existing hotlines, codes of conduct and other self-regulatory activities, as well as other relevant pages including advice to parents.

4. The Commission will be giving support to further action to set up effective self-regulatory schemes in Member States and to ensure dialogue at Community level. This will be among priority items in the action plan on illegal and harmful content on the Internet which will be proposed shortly.

(97/C 217/335)

WRITTEN QUESTION P-0573/97

by Christoph Konrad (PPE) to the Commission

(19 February 1997)

Subject: Vehicle fleet for Commission Members

1. How many motor vehicles are available to Commission Members on an exclusive-use basis?
2. What principles are laid down for use of these vehicles?
3. What is the number of specially protected (bullet-proofed) Commission vehicles?
4. To what extent have security measures been applied to Commission Members' houses and flats?
5. In what security category are Commission Members classified?
6. What authority is responsible for carrying out risk-analysis for Commission Members?
7. Do European Union Member States finance the additional expenditure on providing security for Commission Members?

Answer given by Mr Liikanen on behalf of the Commission

(20 March 1997)

The provision of official cars is governed by a Commission decision of 1973, updated by the decision of 29 July 1996 on the operation of the Commission's car fleet.

Members of the Commission may be supplied with an official car and one or two drivers, as they prefer. The rules governing their use are laid down by the same decision.

For duly substantiated security reasons, a Member of the Commission may also have the use of a second appropriately equipped car.

Since the measures adopted for Members' protection are based on risk-analysis, the arrangements are flexible as regards both personal protection and physical protection (homes, etc.). Risk is evaluated on the basis of information supplied by the Member States' authorities.

In certain cases, in view of a Member's previous status, the Member States may finance additional measures for his or her protection.

(97/C 217/336)

WRITTEN QUESTION P-0574/97

by Concepció Ferrer (PPE) to the Commission

(19 February 1997)

Subject: Erasmus, Comenius and Lingua offices

According to Article 126(1) of the Treaty on European Union, 'The Community shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organization of education systems and their cultural and linguistic diversity.'

Some regions in the Member States have exclusive powers in certain areas, thereby helping to preserve that very cultural diversity in Europe which the Community is supposed to promote and protect.

Article 9 of Catalonia's Statute of Autonomy states that the Catalan Regional Government has exclusive powers in education.

Can the Commission therefore explain why there is only one central office for the whole of Spain for allocating grants under the Erasmus, Comenius and Lingua programmes?

Answer given by Mrs Cresson on behalf of the Commission

(17 March 1997)

Having regard to the principle of subsidiarity applicable to implementation of the Socrates programme, it is the responsibility of the Member States to set up the national administrative structures to act, in the national territory, as national agencies for this Community cooperation programme in the field of education. This principle applies to all participating countries, including those where responsibility for education is largely devolved to the regions.

Against this background, the Commission nevertheless encourages Member States to establish a coordination structure, above all with a view to rationalising action to implement measures both within each Member State and between agencies in the various participating Member States.

It goes without saying that the national agencies, as an integral part of their duties, must establish all useful contacts with the decentralised institutions responsible for education.

(97/C 217/337)

WRITTEN QUESTION E-0586/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(25 February 1997)

Subject: Implementation of the Philoxenia Programme

The European Parliament has already delivered a favourable opinion on the Commission's proposal for a Council decision adopting a First Multiannual Programme to Assist European Tourism 'Philoxenia' (1997-2000). The Economic and Social Committee has also delivered a favourable opinion on the proposal.

Given the importance of tourism in the European Union — it is the biggest job-creating sector, accounting for 13.5% of GDP and directly employing 9 million people — it is vital that the measures set out in the Philoxenia programme are implemented.

Will the Commission say:

1. when the programme is scheduled for final approval by the Council,
2. whether it thinks the programme might be launched in 1997 and whether the appropriate are resources available?

Answer given by Mr Papoutsis on behalf of the Commission

(20 March 1997)

The Commission has done everything it can, and will continue to do so, to work towards approval of the Philoxenia ([1]) programme with a view to its implementation from 1997 onwards.

As the Honourable Member is aware, the final adoption of this programme depends on the political will of the Council. The Commission is unable to give an opinion regarding a definite date for the Council's decision on the Commission's proposal regarding this programme. The Commission will continue to do everything possible with a view to the adoption of this programme in 1997.

In any event, pending the Council's Decision, the Commission intends to pursure a series of lines of action in 1997. These will fit into a global and coherent approach through improved coordination and certain specific measures and will be aimed at the competitiveness of the tourist industry, the quality of service, certain accompanying measures and other initiatives such as implementation of the programme to combat child sex tourism. They will also take into account the political priorities that the Commission has set itself for this year.

The budgetary authority has fixed commitment appropriations at ECU 4 million for 1997. This sum is intended to cover the financing or part-financing of specific measures to implement the Community policy to assist tourism ([2]).

([1]) OJ C 222 of 31.07.1996, as amended by OJ C 13 of 14.1.1997.
([2]) OJ L 44 of 14.02.1997.

(97/C 217/338)

WRITTEN QUESTION E-0587/97

by Angela Sierra González (GUE/NGL), Laura González Álvarez (GUE/NGL), Pedro Marset Campos (GUE/NGL) and María Sornosa Martínez (GUE/NGL) to the Commission

(25 February 1997)

Subject: Project to set up a satellite launching station on the island of El Hierro (Canaries, Spain)

INTA (the National Institute for Aerospace Technology), a body connected with dependent on the Spanish Ministry of Defence, is planning to build a satellite launching station inside the special bird protection area called the 'National Park of El Hierro' included in the network of areas referred to in Council Directive 79/409/EEC ([1]) on the conservation of wild birds.

The satellite base may be located in special protection area No 103, 'El Hierro', covering 11 980 hectares. This area was declared a special protection area because of the large number of species, some of them endemic, such as Cory's shearwater, the little shearwater, the sparrowhawk, the osprey, the stone curlew, the Turquédove and the chaffinch.

Furthermore, the considerable scale of the planned infrastructure, which includes port facilities, roads and various installations such as the launching, control and monitoring complex, general services and support facilities, may affect the natural stability of the area, in addition to the obvious social consequences which the establishment of a centre of this kind would have for such a small and thinly populated island.

Does the Commission know about the project to set up a satellite launching station on the island of El Hierro?

Does the Commission consider that a space launching station is compatible with the conservation of the environment of the island, in particular as regards the protection of birdlife in the area, since the station may be sited in the special protection area laid down in the above-mentioned Directive 79/409/EEC?

(1) OJ L 103, 25.4.1979, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(19 March 1997)

The Commission is unaware of the facts raised by the Honourable Member. It will make the necessary contacts in order to obtain close details of these facts and to ensure compliance with the Community rules applying.

(97/C 217/339)

WRITTEN QUESTION P-0595/97

by Antoine-François Bernardini (PSE) to the Commission

(19 February 1997)

Subject: Refining and distribution of petroleum products in France

Staff of the Esso refinery in Fos-Sur-Mer have drawn my attention to the question of refining and distribution of petroleum products in France. They query the legality of a number of measures taken by the authorities in France which will jeopardize their jobs.

These measures include:

- the practice of a 'loss-lender price' for major distributors which distorts competition;
- a tax system which unduly favours diesel;
- heavy taxes on French oil exploration, resulting in a fall in production.

Can the Commission give a ruling on the legality of these measures in the light of Community law? If so, what action could be taken against the French authorities?

Answer given by Mr Monti on behalf of the Commission

(2 April 1997)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(97/C 217/340)

WRITTEN QUESTION P-0596/97

by Arie Oostlander (PPE) to the Commission

(19 February 1997)

Subject: Press reports on marked swine fever vaccine

Is the Commission aware that the press in the Netherlands has published reports on the existence of a marked swine fever vaccine?

Is the Commission prepared to permit the large-scale use of the vaccine to prevent the disease spreading? If not, why not?

Is the Commission prepared to exercise maximum transparency in respect of this matter and to carry out information campaigns in the near future in order to allay fears and do away with any misunderstanding?

Answer given by Mr Fischler on behalf of the Commission

(13 March 1997)

Some research towards the production of a marker vaccine against classical swine fever has been reported in the scientific literature and the Commission is aware of the existence of articles in journals and newspapers concerning this issue. In order to obtain in-depth information on the subject the Commission has requested the scientific veterinary committee to deliver an opinion on the potential advantages and disadvantages of the use of a marker vaccine during a disease epidemic.

No marker vaccine against classical swine fever has yet received a marketing authorisation within the framework of the Community legislation laid down in Council Directive 90/677/EEC of 13 December 1990 extending the scope of Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products and laying down additional provisions for immunological veterinary medicinal products ([1]). This means that data are not publicly available on the potency, innocuity and safety of such a vaccine. The Commission however has been informed that attempts are being made to produce a marker vaccine and an accompanying diagnostic test. The legislation concerning the use of a vaccine (conventional or marker) in the control and eradication of classical swine fever is laid down in Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ([2]). In general the use of vaccine is prohibited, but it may be decided by a Commission decision to introduce a emergency vaccination. Since the present legislation was adopted in 1990 no emergency vaccinations have been carried out.

When considering the use of a vaccine, one must not forget that the 'carrier sow syndrome' is of special importance in the control and eradication of classical swine fever. When pregnant sows are exposed to strains of low or moderate virulence, the infection may initially go unnoticed but the virus can be transmitted to the foetuses in the uterus. Depending on the stage of pregnancy and the virulence of the virus strain, the sow may later abort or produce mummified piglets, weak piglets, or piglets which appear to be born healthy. Large amounts of virus may be disseminated at farrowing. From an epidemiological point of view the apparently healthy piglets can be the most insidious of all. They may shed large quantities of virus for months without showing signs of disease or developing an immune response. Vaccination of carrier sows will not prevent the birth of piglets carrying the virus.

When applying vaccination, it should furthermore be kept in mind that the immune response, being a biological process, never confers absolute protection under field conditions nor is it equal in all pigs in a vaccinated population. The immune response tends to follow a distribution whereby the response of most pigs will be average, in a few be excellent and in a small proportion will be poor. Those with a poor response may not be protected by an effective vaccine. The prohibition on the use of vaccine is mainly due to the fact that, while vaccination stops occurrence of clinical disease, it conceals infection without guaranteeing its elimination. The non-vaccination policy is also applied by a number of important trading partners such as Canada, Hungary, New Zealand, Switzerland and the United States.

In order to ensure a full transparency on the policy concerning the control of classical swine fever the Commission provided all Member States with a classical swine fever video in 1992. The video was made available in all the official languages and the national veterinary authorities were encouraged to make use of it in order to inform pig producers, vets and others about the classical swine fever control and eradication policy.

([1]) OJ L 373, 31.12.1990.
([2]) OJ L 47, 21.2.1980.

(97/C 217/341)

WRITTEN QUESTION P-0614/97

by Pertti Paasio (PSE) to the Commission

(21 February 1997)

Subject: Securing the conditions to enable Serbia's democratically elected town councils to function

The unprecedentedly large demonstrations in Belgrade and other towns in Serbia are achieving the result of ensuring that the results of the local elections which the government had arbitrarily annulled are finally becoming effective, and democratically elected town councils can begin their work. However, the problems are not over. The members of councils and other local-government bodies who have been elected by the people lack experience and practice in their work. The right technical preconditions are likewise needed for democratic decision-making. It is also possible that the government may try to obstruct the work of town councils. It is therefore essential that, once the town councils have started work, they should receive sufficient political and practical support from the European Union. Otherwise it is possible that at least some of them may fail in their work, which would be extremely damaging to democratic development and would represent a victory for the anti-democratic government.

In view of the above, what will the Commission do to secure the conditions to enable the democratically elected town councils and administration to function?

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

(12 March 1997)

The Commission shares the Honourable Member's concern that the municipal and city councils and administrations in Serbia which, following the re-instatement of the November 1996 election results, are under control of the opposition parties, should be put in a position where they can function properly. The Community, and the Commission in particular, have only limited means to provide political and practical support to these municipalities, given that at present the Federal Republic of Yugoslavia neither benefits from technical assistance programmes, nor has contractual relations with the Community.

The General Affairs Council of 24 February 1997 called upon the Serbian authorities to implement the remaining parts of the Gonzales report, notably an open dialogue with the opposition, based on democratic principles, and reforms of the publicly owned mass media. The positive development of the relations between the Community and the Federal Republic of Yugoslavia will depend on Belgrade taking heed of these recommendations. The obstruction of the work of these new councils and administrations would, therefore, not only be fully at variance with the conclusions of the Gonzales report, but also weaken the perspectives for improved relations with the Community.

Meanwhile the Commission will strengthen its support in favour of independent media and democratisation of the country under the relevant budget lines, and thereby indirectly underpin the position of these democratically elected bodies.

(97/C 217/342)

WRITTEN QUESTION P-0615/97

by Jan Sonneveld (PPE) to the Commission

(21 February 1997)

Subject: Export ban on live pigs from the Netherlands following an outbreak of swine fever

1. Does the Commission feel that the government of the Netherlands has taken all the necessary steps – and may have gone beyond the prescribed measures – in response to the outbreak of swine fever?

2. If so, why has the Commission nevertheless imposed a temporary ban on exports of live pigs from the Netherlands? What aspects does the Commission intend to look into during this temporary period so that, if the results are satisfactory, it can lift the ban?

Answer given by Mr Fischler on behalf of the Commission

(12 March 1997)

The Netherlands reported on 4 February 1997 an outbreak of classical swine fever in the village of Venhorst, RVV Kring Nijmegen. As soon as the disease was confirmed the Dutch authorities established control measures

within the framework of Council Directive 80/217/EEC introducing Community measures for the control of classical swine fever (1). The measures adopted under the Directive are the minimum control and eradication requirements. It is anticipated that Member States will implement additional measures if a risk assessment suggests that control measures may be difficult to put in place or if the prevailing conditions suggest a special high risk for spread of the infection. The overall objective is rapidly to eliminate the swine fever virus from the affected area. The high density of pigs in the area around Venhorst and the findings from the epidemiological investigation on the first infected holding suggested that further outbreaks might be expected. To reduce the risk of spreading the infection the Dutch authorities established a protection zone with a radius of 10 kilometres. The provisions of the Directive require a protection zone with a minimum radius of 3 kilometres around the outbreak site, which shall itself be included in a surveillance zone of a radius of at least 10 kilometres.

On 12 February 1997 the Commission adopted Decision 97/122/EC (2) which introduced a temporary ban on the export of live pigs from a well defined region of the Netherlands. The measures in this Decision were adopted to reduce the risk of spreading the virus to other Member States and they are very similar to measures adopted for implementation by other Member States which have experienced a classical swine fever epidemic. The value of the measures in the Decision could be noted when new outbreaks occurred outside the protection zone originally established by the Dutch authorities. From 16-18 February 1997 a mission with experts from two Member States visited the Netherlands. The mission found that there was effective management of the eradication campaign and that certain recommendations could be made concerning epidemiological investigations and trade in animals.

(1) OJ L 47, 21.2.1980.
(2) OJ L 45, 15.2.1977.

(97/C 217/343)

WRITTEN QUESTION E-0627/97

by Luciano Vecchi (PSE) to the Commission

(4 March 1997)

Subject: Allocation of funding for the 'Meda Democracy' programme

Various Non-Governmental Organizations (NGOs) which are taking part or intend to take part in the 'Meda Democracy' campaign under the Meda programme have pointed to serious problems concerning the provision of funding by the European Commission.

The fact that a conspicuous share of the funds are not being being allocated until after the projects have been completed is causing particular problems, especially for the smaller NGOs which do not have easy access to credit.

Will the Commission say what the current rules are for the allocation of funds for Meda Democracy and whether it is prepared to alter them to take into account the NGOs' particular requirements?

Answer given by Mr Marín on behalf of the Commission

(25 March 1997)

Contracts for projects jointly financed under Meda Democracy in 1996 provided for two or three instalments to be paid depending on the amount of grant. Where this was below ECU 100 000 the first payment after signature could be 80% of the total, with the rest paid on completion of the project.

Where the grant was over ECU 100 000, the first payment after signature was 30% of the total, the second, at the half-way stage, 40%; the final payment, on completion, was 30%.

With sums exceeding ECU 100 000 and projects put to the Commission by non-governmental organizations, it is planned in 1997 to reduce the final payment to 20% of the grant to facilitate the work of small associations with meagre resources.

(97/C 217/344)

WRITTEN QUESTION E-0636/97

by Claude Desama (PSE) to the Commission

(6 March 1997)

Subject: Generalized social security contribution (CSG)

According to the French Ministry of the Budget, French nationals who reside in Belgium and are in receipt of income from a French public employer are not liable to pay the generalized social contribution and the CRDS.

The URSSAF and the French Ministry of Social Affairs take the view that the CSG and the CRDS should be deducted from the salaries of French state employees residing outside national territory.

Lastly, it appears that in 1994 many French state organizations (including schools, the Ministry of Finance, the national police and hospitals) reimbursed all their employees residing in Belgium, and ceased making deductions thereafter.

French citizens residing in Belgium are, therefore, confronted with two conflicting approaches depending on the authority concerned.

Could the Commission state which approach should be adopted in the light of the bilateral agreements in force between France and Belgium?

Answer given by Mr Flynn on behalf of the Commission

(25 March 1997)

The Commission would first of all point out to the Honourable Member that the Community institutions are not in a position to interpret the agreements between France and Belgium, which fall within the competence of the Member States concerned.

However, as regards the circumstances in which the French authorities may deduct the generalised social security contribution (CSG) and the social debt repayment contribution (CRDS) from the salaries of French state employees who reside in another Member State, the question should be answered in the light of the provisions of Regulation (EEC) No 1408/71 on the coordination of Member States' social security schemes [1].

The Commission is of the opinion that, from the point of view of Community law and more particularly Regulation (EEC) No 1408/71, the CSG and the CRDS must be considered as social security contributions and, consequently, the Regulation applies to such contributions. Under Article 13 (2) (d) of this Regulation, civil servants and persons treated as such are subject to the legislation of the Member State to which the administration employing them is subject, even if they reside in another Member State. Consequently, Community law allows the French authorities to deduct the CSG and the CRDS from the salaries of civil servants and persons treated as such who are attached to a French administration.

[1] Updated version of this Regulation adopted by Regulation (EC) No 118/96 of 2 December 1996: OJ L 28, 30.1.1997.

(97/C 217/345)

WRITTEN QUESTION E-0637/97

by Claude Desama (PSE) to the Commission

(6 March 1997)

Subject: French and Belgian social security benefits

I am informed that French nationals who work in France but live in Belgium cannot receive the AJE (young child allowance) and the APE (allowance for parents foregoing paid employment to look after young children), as the French authorities argue that these benefits are 'non-exportable.'

However, such persons are not entitled to receive family allowances under Belgian law.

In other words, French nationals residing in Belgium are penalized by both Belgian and French social legislation by virtue of their status as frontier workers.

Could the Commission state the approach that ought to be adopted in the light of European law and the bilateral agreements in force between France and Belgium?

Answer given by Mr Flynn on behalf of the Commission

(2 April 1997)

Community legislation on social security, in particular Regulations Nos 1408/71 and 574/72 [1], are concerned with the coordination (not the harmonisation) of national social security schemes. Each Member State thus remains free to decide which benefits are to be provided under its legislation, and subject to which conditions. Consequently, the French and Belgian family benefit schemes differ. Community legislation establishes common principles which Member States must adhere to and which are designed to avoid situations where the diversity of national systems penalises persons who exercise their right to freedom of movement within the Community, in particular frontier workers.

In order to avoid a situation in which workers would be insured twice or not at all, Title II of Regulation No 1408/71 stipulates which legislation is applicable to them. Frontier workers are insured in the Member State in which they are engaged in an activity. Frontier workers working in France are entitled to French family benefits, also in respect of family members resident in Belgium, in accordance with Article 73 of Regulation No 1408/71. This means they cannot simultaneously receive Belgian family benefits.

However, Article 73 does not apply to certain benefits, which are listed in Annex VI to Regulation No 1408/71. These include the 'parental child-rearing allowance', which is granted only to persons concerned and to members of their families residing in French territory.

Regarding the 'allowance for young children', the Honourable Member is referred to the definition of family benefits in Article 1 (u) (i), which excludes the special childbirth allowances mentioned in Annex II to Regulation No 1408/71. These include the 'allowance for young children', which is therefore not covered by Regulation No 1408/71 and remains outside the scope of Community coordination.

Furthermore, as the case in point concerns French nationals engaged in activity in France, Community legislation on freedom of movement for workers does not apply [2]. However, the Commission will contact the French authorities in order to examine the situation with regard to nationals of other Member States engaged in an activity in France but resident in Belgium. Such persons could claim entitlement under Article 7 (2) of Regulation No 1612/68 on freedom of movement for workers [3], which imposes equal treatment with regard to 'social advantages', without any residence condition.

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[1] OJ L 28, 30.1.1997.
[2] Case C-112/91, Hans Werner v. Finanzamt Aachen-Innenstadt.
[3] OJ L 257, 19.10.1968.

(97/C 217/346)

WRITTEN QUESTION E-0639/97

by Roberta Angelilli (NI) to the Commission

(6 March 1997)

Subject: Lack of transparency

Under Italy's multi-regional Operational Programmes for Objectives 3 and 4, whose administration is the responsibility of the Ministry of Employment and Social Welfare, funding was provided in January 1996 for a course for engineers specializing in the prevention of hydrogeological and seismic hazards and dangers caused by the vulnerability of buildings, monuments and the environment. This course is organized by the Civil Defence Department and is held at the multipurpose centre at Castelnuovo di Porto (near Rome).

The course appears to have been given no publicity whatever by either the Ministry of Employment or the Civil Defence Department with the result that none of the 70 volunteers in the Civil Defence Organization Federazione Autonoma Radio Urbe (FARU) (Independent City Radio Federation), many of whom were unemployed, were able to apply for a place on the course, which started last November, despite the fact the FARU frequently holds its own exercises in Castelnuovo.

Can the Commission check what measures were taken by the Ministry of Employment to publicise the course in question and can it say whether these measures can be considered sufficient?

Can the Commission give an overall assessment of the steps taken by the Ministry to publicise courses funded under the Operational Programmes?

Answer given by Mr Flynn on behalf of the Commission

(14 April 1997)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform her of its findings.

(97/C 217/347)

WRITTEN QUESTION E-0641/97

by Roberta Angelilli (NI) to the Commission

(6 March 1997)

Subject: Freezing of funds in the EU 1997 budget for measures to support the elderly

On 24 September 1996, the President of the European Court of Justice issued an order blocking funds in 1996 for measures to support the elderly and freezing future commitments pending the conclusion of the legal action taken by the UK Government.

Can the Commission state the effect that this decision will have on the measures already under way, such as the European network to combat the marginalization of the elderly run by Caritas in some European countries, including Italy?

Can the Commission also explain what the position is for 1997 given that the Court is not likely to deliver a judgment before the end of this year?

Answer given by Mr Flynn on behalf of the Commission

(4 April 1997)

The United Kingdom brought an action before the Court of justice against the Commission challenging the legality of executing budget line B3-4104. The effect of the order of the President of the Court of justice given on 24 September 1996 is that the Commission is authorised to sign agreements in 1996, but not to make any payments until the date of the final judgement, and then only if the judgement is in its favour. Those organisations responsible for the projects selected by the Commission for 1996, such as the project cited by the Honourable Member, are able to choose whether to maintain the planned timetable or to postpone the whole project or part of it until the Court has given its final judgement. In the event of a judgement in favour of the Commission the agreement would become operational and both parties would be obliged to fulfil their obligations thereunder. An unfavourable judgement would discharge the parties from their obligations under the agreement.

The Commission is currently examining the implication for the implementation of the 1997 budget line in favour of older people.

(97/C 217/348)

WRITTEN QUESTION E-0655/97

by Wilfried Telkämper (V) to the Commission

(6 March 1997)

Subject: Non-governmental organizations in El Salvador

The Congress of El Salvador adopted a law in November 1996 allowing the Interior Minister to monitor and inspect non-governmental organizations (NGOs), not least with regard to the origin of their funding and the use to which such funding is put. Religious organizations, including shady right-wing sects, are exempt from such controls.

1. Does the Commission perceive here a danger of NGOs being obstructed in their work at the whim of governments? Is it prepared to make representations to the Salvadorian Government with a view to abolishing or modifying these laws and to safeguarding the independence of the NGOs which it supports and, if so, in what way?

2. The internal weekly report of the Commission delegation in Central America contains the following passage: 'It is believed that approximately 3000 NGOs are acting illegally at present.' Does the Commission agree with this desription or will it endeavour to ensure that this text is corrected?

Answer given by Mr Marín on behalf of the Commission

(21 March 1997)

1. The Law on non-governmental organizations (NGOs) came into force on 26 December 1996 and requires NGOs to register with the Interior Ministry, which is empowered to allow or refuse registration of an NGO. The Commission made representations before the Law was adopted to point out the situation of European NGOs operating in the country and obtain clarification of the Interior Ministry's new function, which is defined in the Law in ambiguous and imprecise terms.

The Commission shares the Honourable Member's concern about the difficulties that NGOs could experience in their work following the adoption of the Law – particularly those working in the human-rights field. So far, and despite fears expressed by the latter group of NGOs, no concrete evidence has emerged of abuse of power by the Salvadorian Interior Ministry.

The Commission continues to watch developments very carefully, however, and will if need be take the necessary steps to ensure that the NGOs with which it collaborates are able to operate properly.

2. The internal report to which the Honourable Member refers only repeated what had appeared in the newspapers and does not, therefore, represent the opinion of the Commission.

(97/C 217/349)

WRITTEN QUESTION E-0666/97

by Roberta Angelilli (NI) to the Commission

(6 March 1997)

Subject: Excessively high levels of asbestos dust at the Atac depot at Grottarossa, Rome

The Atac (municipal public transport) depot at Grottarossa, which is housed in a former Fiat factory on the Via Flaminia in Rome, consists of a number of very large sheds (100 metres by 20 metres) whose sloping roofs are lined with asbestos fibre panels.

According to employees at the depot, in addition to the roofing being 25 years old the ceilings are very low, as the sheds were originally designed to house the cars produced in the old Fiat factory. Consequently, it is claimed, there are dangerously high levels of asbestos dust in the air breathed every day by those working in the sheds in question. Despite numerous complaints on the subject, Atac has never taken any action to change the asbestos panels.

This situation would appear to be in flagrant breach of the provisions of directives 83/477/EEC [1] and 91/382/EEC [2] on limiting the concentration of asbestos in the air at places of work. These directives appear to have been incorporated into Italian legislation by means of various laws and regulations including DPR No 303 of 19 March 1956, DPR No 1124 of 30 June 1965, Law No 833 of 23 December 1978 and Legislative Decree No 277 of 15 August 1991 (data taken from the CELEX data bank).

What is the Commission's opinion on this case?

If it is ascertained that Community law has been breached, could the Commission announce whether it intends to initiate any proceedings against Atąc to make it comply with the legislation in force?

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[1] OJ L 263, 24.9.1983, p. 25.
[2] OJ L 206, 29.7.1991, p. 16.

Answer given by Mr Flynn on behalf of the Commission

(2 April 1997)

The Commission would emphasise that from the moment that Italy completed the transposal into national law of Council Directive 83/477/EEC, as amended by Council Directive 91/382/EEC of 25 June 1991, on the protection of workers from the risks related to exposure to asbestos at work, application of the Directive became the responsibility of the national authorities.

(97/C 217/350)

WRITTEN QUESTION E-0678/97

by Frédéric Striby (I-EDN) to the Commission

(6 March 1997)

Subject: Commission subsidy for ASUD/JOURNAL

I should like to thank the Commission very much for its assistance to ASUD/JOURNAL (Spring 1995), a publication planned and produced by drug users and ex-users.

Can the Commission indicate from which programme and under what heading this financial support was possible?

Answer given by Mr Flynn on behalf of the Commission

(7 April 1997)

The Commission granted a single subsidy of ECU 42 471 to the ASUD association (F) under the first 'Europe against AIDS' action plan (1991-93), for the purpose of producing a quarterly publication on the subject of AIDS prevention, aimed specifically at drug addicts.

All the projects funded under the action plan were selected after consultation of the committee composed of representatives of the Member States, as provided for in Article 1 of the Council Decision 91/317/EEC of 4 June 1991 [1] adopting the plan of action.

[1] OJ L 175, 4.7.1991.

(97/C 217/351)

WRITTEN QUESTION E-0679/97

by Frédéric Striby (I-EDN) to the Commission

(6 March 1997)

Subject: Statistics on the number of handicapped persons

NGOs and associations involved with handicapped persons and seeking to set up aid and support programmes are often faced with problems in obtaining statistical information to enable them to tailor their programmes to the number of handicapped persons and/or the nature of the handicaps in a given region.

Does the Commission have access to such information under Helios or other programmes?

Answer given by Mr Flynn on behalf of the Commission

(14 April 1997)

In 1993 the Commission carried out a study on statistics relating to disabled persons. A copy of the report, published by Eurostat (references CA-88-95-008-FR-C ISBN 92-826-9653-7), which is an update of a study carried out in 1990, is on its way now to both the Honourable Member and the Parliament Secretariat.

However, the Honourable Member's attention is drawn to the fact that, despite the large number of disabled persons in the Community, generally estimated to be about 10% of the total population, this study does not include statistical data from the three new Member States. Furthermore, comparison between Member States is difficult because of differences concerning the definitions and data collection methods applied.

(97/C 217/352)

WRITTEN QUESTION E-0680/97

by Frédéric Striby (I-EDN) to the Commission

(6 March 1997)

Subject: Excise duties on mineral oils

Purchasing domestic fuel oil in a neighbouring Member State (e.g. if a person resident in France buys it in Germany) is subject to a complicated procedure not generally known to the public at large. the intra-Community movement of mineral oils remains an exception to the principle of the free movement of goods.

Can the Commission supply a list of the different excise duties on fuel?

Answer given by Mr Monti on behalf of the Commission

(15 April 1997)

The Commission is sending the information requested direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/353)

WRITTEN QUESTION E-0688/97

by Gerardo Fernández-Albor (PPE) to the Commission

(6 March 1997)

Subject: European Committee on Employment

A leading politician from one of the Member States, speaking to journalists, wondered why, given that a monetary committee exists, a European committee on employment has not also been set up.

Querying why no minimum social harmonization had been achieved, he emphasized that it was illogical that a single market and freedom of competition should not be accompanied by minimum rules on social harmonization.

Has the Commission been urged by any European political leader to expedite proceedings and studies in connection with this issue, and does it believe that serious consideration could be given during the forthcoming Luxembourg Presidency to the idea of setting up a European committee on employment?

Answer given by Mr Flynn on behalf of the Commission

(25 March 1997)

On 20 December 1996, following the mandate given to it by the European Council, the Council adopted Decision 97/16/EC setting up an Employment and Labour Market Committee [1]. This Committee, which consists of representatives of the Member States and the Commission, became operational at the beginning of this year. It is destined to play a central role in defining and implementing European the strategy on employment as laid down by the Essen and subsequent European Councils.

The Commission supports the proposal, being discussed in the context of the Intergovernmental Conference, for the institutionalisation of the Committee in the revised Treaty.

[1] OJ L 6, 10.1.1997.

(97/C 217/354)

WRITTEN QUESTION E-0694/97

by Nel van Dijk (V) to the Commission

(6 March 1997)

Subject: Capture of hamsters in France

Has the Centre National de Recherche Scientifique (CNRS) in Strasbourg requested permission from the French Minister of the Environment to capture hamsters in the département of Bas-Rhin?

Is the capture of hamsters, for which a licence has always been granted in the past, a threat to the most viable hamster population in Western Europe which, however, like all the other populations in Western Europe, is visibly on the decrease despite the strict protection which the hamster should enjoy pursuant to Article 12 of the habitats Directive, 92/43/EEC (1)?

Does the French government have any research data to indicate that the capture of hamsters in Bas-Rhin does not harm the efforts to enable the species in question to continue living in its natural range at a favourable conservation status, as laid down in Article 16 of the habitats directive?

Did the Institut de Physiologie of the medical faculty in Strasbourg succeed in breeding hamsters two years ago? Does this not mean that no licence should be granted for the capture of hamsters inv the wild, given that Article 16 of the habitats directive permits such capture only if there is no satisfactory alternative?

Has the French Minister of the Environment granted permission in recent years for the capture of hamsters in Bas-Rhin? Has the French government provided adequate justification for this decision in the biennial report on derogations from the habitats directive which it should have forwarded to the Commission pursuant to Article 16?

Has the Fauna Committee of the Conseil National pour la Protection de la Nature recently advised the French Minister of the Environment not to grant the CNRS permission for the capture of hamsters?

Will the Commission try (once again) to make clear to the French government that France, too, is obliged to comply with the habitats directive and that there can be no question of the capture of wild hamsters?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(9 April 1997)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform her of its findings.

(97/C 217/355)

WRITTEN QUESTION E-0696/97

by Leen van der Waal (I-EDN) to the Commission

(6 March 1997)

Subject: Exploratory talks with Syria

I understand from the Dutch version of the minutes of the General Affairs Council of 20 January 1997 that in March there will be a second round of exploratory talks with Syria on a Euro-Mediterranean treaty.

At the same time it appears from the press that Syria is rushing to stockpile arms, possibly including chemical and biological weapons. The extent of this rearmament programme is far in excess of what Syria needs to protect its own security, and it therefore constitutes a threat to the region. Furthermore, Syria has shown little willingness to reach a peace settlement with Israel.

Moreover, the Syrian government continues to tolerate the fact that in the Syrian controlled part of the Lebanon terrorist groups (Hezbollah) are being trained in preparation for terrorist attacks on Israel, not least with arms supplied by Iran via Damascus. Finally, because of its involvement in international terrorism Syria is on an American list of states against which sanctions may be applied.

1. In the light of the foregoing, does the Commission regard it as opportune to conduct exploratory talks with Syria?

2. Have there been any conditions imposed in the talks with Syria with regard to disarmament, a more accommodating attitude in the peace process and an end to assistance to terrorist organizations, before real talks on a Euro-Mediterranean treaty can start?

Answer given by Mr Marín on behalf of the Commission

(26 March 1997)

Like the other 11 Mediterranean partners, Syria has signed the Barcelona Declaration which, among other things, establishes a political and security partnership calling for observance of the essential principles of international law and reaffirming common objectives for internal and external stability.

The Euro-Mediterranean partnership also sets out to establish an economic and financial partnership providing for – among other things – the gradual institution of a free-trade area through association agreements.

All this provides the framework for the exploratory talks to which the Honourable Member refers.

In accordance with the arrangements adopted by the Council on 29 May 1995 and the conclusions of the Euro-Mediterranean conference held in Barcelona, any association agreement with Mediterranean partners must state that respect for democratic principles and human rights is an essential part of it.

(97/C 217/356) **WRITTEN QUESTION P-0697/97**

by Francisca Sauquillo Pérez del Arco (PSE) to the Commission

(28 February 1997)

Subject: Consultancy assisting the Commission with the management of budget item B7-6000

With regard to the open invitation to tender for a consultant to assist Unit B/2 of GD VIII with the management and control of projects submitted by NGOs for co-financing under budget item B7-6000 [1],

Does the Commission not believe that it is its duty, and not that of a private company, to manage and control projects for co-financing?

Is the Commission to be converted into a mere 'cashier', abandoning its role in carrying out prior control of the implementation of the budget?

Has the Commission considered the possibility that assigning management tasks of this kind to a private company or companies could be prejudicial to NGOs from Member States other than those of the adjudicating companies?

Is the Commission aware that it is jeopardizing the principle of the administration's neutrality?

[1] OJ C 386, 20.12.1996, p. 13.

Answer given by Mr Pinheiro on behalf of the Commission

(24 March 1997)

In the recent call for tender by the Commission for a consultant to assist in the management of budget line B7-6000 the Commission made it very clear that it fully retained its full decision making powers at all stages on questions of the eligibility of non governmental organisations (NGOs) and selection and management of projects. As the terms of the tender itself make clear, the aim was to seek purely technical assistance for administrative support (with a view to receiving NGOs' documents in full accordance with the general conditions for cofinancing) and there was never any question of the consultant being given a role in policy issues nor of the Commission becoming a simple cashier.

In the meantime, agreement has been reached in principle between the Commission and the liaison committee of European development NGOs for the European NGOs themselves to take on greater responsibility for improving the presentation of their files. At present discussions are taking place in the framework of the liaison committee on the best way to organize this.

The Commission is now analysing the offers and no decision has yet been taken.

(97/C 217/357)

WRITTEN QUESTION E-0791/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Operating appropriations of the European Institutions

The Committee on Budgets' Working Document No 7 on the 1997 budget procedure mentions 1 200 studies carried out by the Commission in 1995 under Part B of the budget.

Can the Commission provide:

1. a complete list of the studies carried out in 1996 by the Commission under Part B;
2. the cost of each separate study;
3. the overall cost of the studies.

Answer given by Mr Liikanen on behalf of the Commission

(16 April 1997)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/358)

WRITTEN QUESTION E-0797/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading A-3040 (Support for international and non-governmental youth organizations), can the Commission provide a complete list of associations and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mrs Cresson on behalf of the Commission

(10 April 1997)

The Commission is sending the information requested direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/359)

WRITTEN QUESTION E-0799/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B3-101 (Youth for Europe), can the Commission provide a complete list of associations and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mrs Cresson on behalf of the Commission

(17 April 1997)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(97/C 217/360)

WRITTEN QUESTION E-0802/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B3-4110 (Free movement of workers and measures to benefit migrants, campaign against racism and xenophobia), can the Commission provide a complete list of associations and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Flynn on behalf of the Commission

(14 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a computer print-out containing the information requested.

(97/C 217/361)

WRITTEN QUESTION E-0805/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-210 (Emergency food aid for developing countries and others hit by disasters or serious crises), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mrs Bonino on behalf of the Commission

(15 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(97/C 217/362)

WRITTEN QUESTION E-0806/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-217 (Operations to help refugees and displaced persons), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mrs Bonino on behalf of the Commission

(15 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(97/C 217/363)

WRITTEN QUESTION E-0808/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-6007 (Support for non-governmental organizations working for the Kurdish refugees), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Marín on behalf of the Commission

(26 March 1997)

Organization	Project	Community co-financing grant (ECU)
International Catholic Migration Commission	Income creating activities for Kurdish women by setting up village cooperatives	550 000
Association DIA	Agricultural development and social integration	400 000
Heidelberg International	Rehabilitation and income creation	500 000
The Qandil project	Water-supply project	550 000
Associazione di Rehabilitation Cooperazione allo Sviluppo	Rehabilitation of farming and income creation	550 000
France Libertés	Programme of rehabilitation of vital infrastructures, assistance for agriculture and business creation in Taq-Taq	450 000

(97/C 217/364)

WRITTEN QUESTION E-0813/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-610 (Training and promotion of awareness of development issues), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Pinheiro on behalf of the Commission

(16 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(97/C 217/365)

WRITTEN QUESTION E-0815/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-6200 (Environment in the developing countries), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Marin on behalf of the Commission

(11 April 1997)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/366)

WRITTEN QUESTION E-0819/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-641 (Rehabiliation and reconstruction measures for developing countries), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Pinheiro on behalf of the Commission

(16 April 1997)

The Commission is sending the information requested direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/367)

WRITTEN QUESTION E-0821/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-7000 (Programme for democracy in the countries of central and eastern Europe), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

(97/C 217/368)

WRITTEN QUESTION E-0822/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-701 (Support for democracy in the Independent States of the former Soviet Union), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Joint answer
to Written Questions E-0821/97 and E-0822/97
given by Mr Van den Broek on behalf of the Commission

(14 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(97/C 217/369)

WRITTEN QUESTION E-0823/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-702 (Human rights and democracy in the developing countries), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Pinheiro on behalf of the Commission

(16 April 1997)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/370)

WRITTEN QUESTION E-0824/97

by Jean-Yves Le Gallou (NI) to the Commission

(10 March 1997)

Subject: Community subsidies to associations, NGOs and various other bodies

With regard to heading B7-703 (Democratization process in Latin America), can the Commission provide a complete list of associations, NGOs and other bodies benefiting from Community subsidies and the exact amount of these subsidies for the last completed budgetary year, i.e. 1996?

Answer given by Mr Marin on behalf of the Commission

(10 April 1997)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(97/C 217/371)

WRITTEN QUESTION E-0837/97

by Anita Pollack (PSE) to the Commission

(10 March 1997)

Subject: Energy ratio improvement figures

Can the Commission list the energy ratio improvement in each Member State and in the EU as a whole over the last 10 years and also over the last two five-year periods?

Answer given by Mr de Silguy on behalf of the Commission

(18 April 1997)

The Commission is sending direct to the Honourable Member and to Parliament's Secretariat a table containing the information requested.

(97/C 217/372)

WRITTEN QUESTION P-0854/97

by Per Gahrton (V) to the Commission

(5 March 1997)

Subject: Handling of a written complaint

In a written complaint to the Commission of 1 March 1995, the plaintiff, Mr Reinhard Helmers of Lund (Sweden), made a complaint against the Swedish government on account of alleged breaches of the principle of equal pay laid down in Article 7 of Regulation (EEC) No 1612/68 [1] of 15 October 1968. Notwithstanding the rules, the plaintiff has not received confirmation of receipt. Moreover, the Commission's office in Denmark stated in a letter of 16 August 1996 to the plaintiff that they had tried without success to trace his complaint in Brussels, which the plaintiff takes to mean that the Commission is trying to sweep his complaint under the carpet by not recording its receipt. The plaintiff believes that one possible reason for this could be that the Directorate-General responsible, DG V, is now headed by Allan Larsson, who was a member of the Swedish government whose actions are the subject of the complaint. The plaintiff subsequently wrote to the President of the Commission about this matter (1 September 1996) and addressed his written complaint to the Commission again (16 November 1996).

In view of this, will the Commission say when it received the aforementioned complaint from Reinhard Helmers of Lund (Sweden), when it sent out a confirmation of receipt to him, and how and by whom his complaint is being handled? Has it contacted Mr Helmers, in accordance with the rules, in order to keep him informed of the action taken? What steps will it take as regards this complaint?

[1] OJ L 257, 19.10.1968, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(4 April 1997)

The Commission wishes to inform the Honourable Member that the complaint to which he refers has been investigated thoroughly.

An explanation of the resultant appraisal, from the point of view of Community law, was given in letters dated 6 February 1996 and 9 April 1996, in which the plaintiff was informed that the Community rules were not applicable in his particular case.

Moreover, it should be noted that a petition which the plaintiff had also presented to the Parliament (No 321/94) was wound up in 1995.

(97/C 217/373)

WRITTEN QUESTION E-0881/97

by Wilmya Zimmermann (PSE) to the Commission

(12 March 1997)

Subject: Declaration of intent: 'Europe against racism'

On 30 and 31 January 1997 the European Year Against Racism and Xenophobia was inaugurated in The Hague. A 'Declaration of intent: 'Europe Against Racism'' was distributed to those attending the opening ceremony in Dutch, English, French and German.

Can the Commission state why this declaration was distributed only in these four official languages and not in all eleven official languages of the European Union?

Answer given by Mr Flynn on behalf of the Commission

(4 April 1997)

The opening conference of the European year against racism was organised by the Commission in cooperation with the Netherlands' Presidency. The budget was limited and it was therefore decided to have translation of all documents in German, Dutch, French and English. The declaration of intent was available in these languages as well.

As the Commission is now seeking to promote the signature of this declaration by key decision makers in the Community, it will translate it into all official languages.
