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EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(98/C 196/01)

WRITTEN QUESTION E-1720/97

by Heidi Hautala (V) to the Council

(22 May 1997)

Subject: UN Declaration on indigenous people

Parliament adopted a resolution on the draft UN Declaration on Indigenous Peoples in November 1995 (B4-1415/95) ([1]). Since then, two sessions of the special Human Rights Commission's working group on the Declaration have taken place.

1. Have EU Member States participated in the work of this working group?

2. If so, has there been a common EU position?

3. If not, why not?

4. Is the Council considering discussion of a common position with regard to the Declaration, and/or with regard to the issue of indigenous peoples in general?

([1]) OJ C 323, 4.12.1995, p. 117.

Answer

(30 March 1998)

There has been no common EU position on the subject matter of the Honourable Member of Parliament's question. The Council is not in a position to indicate which EU Member States have participated in the work of the special Human Rights Commission's working group on the Declaration. This is a matter of national competence of individual EU Member States.

At present, the Council is not considering a common position neither with regard to the Declaration nor with regard to the issue of indigenous peoples in general.

(98/C 196/02)

WRITTEN QUESTION P-2729/97

by Marianne Thyssen (PPE) to the Commission

(30 July 1997)

Subject: Compensation scheme for Dutch filling station managers on the Belgian and German borders

It appears that on 23 July 1997 a scheme came into force for Dutch filling station managers on the Belgian and German borders which compensates them for the losses suffered from an increase in tax on petrol in the Netherlands.

Can the Commission say whether this scheme, which is not generally applicable to the Netherlands but is geographically restricted to the border areas, is in line with European rules on competition?

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

(16 February 1998)

Further to its answer of 11 September 1997 ([1]), the Commission is now able to provide the following additional information.

The Dutch authorities have notified an aid (N 558/97) in favour of Dutch petrol stations located near the German border on 18 August 1997. Natural or legal persons, partnerships or limited partnerships, for whose account one or several petrol stations are operated and their successors are eligible for the subsidy. The purpose of this aid is to compensate the owners of these service stations for the alleged decline in turnover resulting from the increase in excise duty on light oil that took effect on 1 July 1997 in the Netherlands. The duration of the aid project is three years maximum, until 1 July 2000.

On 22 September 1997, the Commission asked for further information in order to examine: (i) to what extent the notified measures are likely to distort competition in other Member States, in particular in Germany and in Belgium; and (ii) whether the aid could have an accumulative effect. Moreover, doubts exist concerning the compatibility of these contracts with Commission Regulation (EEC) No 1984/83 of 22 June 1983 on the application of Article 85(3) of the Treaty to categories of exclusive purchasing agreements ([2]). The Dutch authorities replied on 30 October 1997. On 17 December 1997, the Commission asked for further information as the Dutch government had not satisfactorily answered all the questions raised in the Commission letter of 22 September 1997. At present, the Commission cannot define its position as it is awaiting the reply of the Dutch government to its letter of 17 December 1997.

([1]) OJ C 82, 17.3.1998, p. 133.
([2]) OJ L 173, 30.6.1983.

(98/C 196/03)

WRITTEN QUESTION E-3169/97

by Raymonde Dury (PSE) to the Commission

(13 October 1997)

Subject: Programme rendered obsolete due to absence of a Council decision

The Official Journal of the European Communities of 1 August 1997 (No C 233, p. 8) states that the Commission has decided to cancel the call for proposals 'Financial support for cooperatives, mutual societies, associations and foundations' in the Community. The Commission is thereby acting in response to the Council's failure to take a decision on the 1994-1996 multiannual programme in favour of these bodies and the fact that this programme has become obsolete.

Can the Commission outline the consequences this failure to take a decision will have for the bodies concerned and specify whether a substitute programme exists — or will exist in future — and whether there are any precedents of programmes which have become obsolete owing to the Council's failure to take a decision?

Answer given by Mr Papoutsis on behalf of the Commission

(30 January 1998)

As the Honourable Member mentions, it is true that the call for proposals was linked to the Commission's proposal for a Council decision relating to a multi-annual work programme (1994-1996) in favour of co-operatives, mutual societies, associations and foundations (CMAFs). The call for proposals was published on 24 August 1996. Unfortunately, by the end of 1996 this proposal had not been endorsed by the Council.

The Commission was therefore obliged to find an appropriate solution for the financing of CMAF projects which were linked to the call for proposals. To this end, the Commission, on 29 July 1997, decided to withdraw first its proposal for a programme, to cancel the call and then to take a specific decision on the financing for 1997 of 12 projects selected from those submitted in the context of the call for proposals. It was also decided, in addition to the 12 actions linked to the call for proposals, to finance from the 1997 budget line B5-321 (social economy), some other actions.

The Commission is examining the option of introducing a new proposal for a multi-annual work programme. The main objective is to help CMAFs improve their performance as enterprises and to play a full part in meeting the challenges currently posed by the employment situation.

For further details the Honourable Member is asked to refer to the Commission's reply to Oral Question H-0717/97 by Mrs C. Jackson during question time at Parliament's October 1997 part-session ([1]).

([1]) Debates of the Parliament (October 1997).

(98/C 196/04)

WRITTEN QUESTION E-3378/97

by Anita Pollack (PSE) to the Commission

(23 October 1997)

Subject: Second Company Law Directive 77/91/EEC

Does the Commission think there is sufficient basis in Directive 77/91/EEC ([1]) to pursue action against any government for actions taken which were in breach of this directive, in a period between the coming into force of the directive and the amendment of national legislation?

([1]) OJ L 26, 31.1.1977, p. 1.

Answer given by Mr Monti on behalf of the Commission

(6 January 1998)

The Commission may initiate proceedings against a Member State which, in its opinion, has failed to fulfil an obligation under Community law. This principle is, of course, applicable to Council Directive 77/91/EEC of 13 December 1996 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent. The appropriateness and extent of such proceedings may, however, be assessed only on the basis of each specific case and in the light of the Member State and item of national legislation concerned.

(98/C 196/05)

WRITTEN QUESTION E-3516/97

by John Iversen (PSE) to the Commission

(12 November 1997)

Subject: Growth promoters

The suspicion that Tylosin in pig feed may result in human resistance to the drug erythromycin is alarming. Will the Commission therefore propose rules for the marking of meat from pigs reared using growth promoters?

Will the Commission also propose taxes on antibiotic growth promoters for use in pig feed?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1998)

The Commission must remind the Honourable Member that under the terms of the legislation on additives in animal feedingstuffs and the tests carried out for the granting of Community authorisation, such additives must not pose a risk to animal or human health or to the environment or prejudice the consumer by altering the characteristics of animal products.

As the Commission indicated in its reply to question E-3388/97 ([1]) submitted by the Honourable Member, it has no information showing a causal relationship between the use of tylosin in pig feed and resistance to erythromycin among bacteria pathogenic for man. However, if the review of the authorisation granted for tylosin requested by Finland reveals any risk to consumer health, the Commission will immediately propose a ban on the product.

Therefore, since the additives used in animal feedingstuffs are judged to be safe, the Commission does not consider it necessary to provide for specific labelling of the animal products concerned.

The Commission does not intend to propose taxing the abovementioned products.

([1]) OJ C 174, 8.6.1998, p. 51.

(98/C 196/06) **WRITTEN QUESTION E-3548/97**

by Frédéric Striby (I-EDN) to the Commission

(12 November 1997)

Subject: Harmonization of the legal and tax status of home distillers

The status of home distillers varies from one Member State to another. For instance, in Spain, Italy, Portugal and Greece total freedom of distillation prevails. In Germany, there is a preferential and degressive tax up to 5000° of pure alcohol. Reductions also apply in Austria.

In France and since 1960, very few distillers enjoy exemption, as an order of 29 November 1960 abolished this privilege 'as from the death of each beneficiary or his surviving spouse'. The remaining French home distillers do not benefit from any reduction, and are therefore penalized vis-à-vis their counterparts in other Member States.

What action does the Commission intend to take with a view to harmonizing the legal and tax status of home distillers in the EU?

(98/C 196/07) **WRITTEN QUESTION E-3549/97**

by Frédéric Striby (I-EDN) to the Commission

(12 November 1997)

Subject: Unfair application of excise duties on pure alcohol

Although there is a Community regulation on excise duties, application in France differs from elsewhere, leading to a flagrant distortion of competition as between home and industrial distillers.

In France, home distillers are obliged to make immediate payment of duties on the products of their distillation, whereas industrial distillers have to pay only on sale. In addition, if a member of the latter category has allowed his product to age, he is entitled to a discount on the basis of 6% degree loss per annum. The home distiller is thus clearly penalized by comparison with his industrial counterpart.

In the light of this information, does the Commission consider the application of the directives on products subject to excise duty to be fair and consistent in this particular case?

Joint answer
to Written Questions E-3548/97 and E-3549/97
given by Mr Monti on behalf of the Commission

(6 January 1998)

A declaration in the Council minutes concerning Council Directive 92/83/EEC of 19 October 1992 on the harmonization of the structures of excise duties on alcohol and alcoholic beverages ([1]) states that: 'The Council and the Commission declare that Member States which have traditionally exempted the production of small quantities of alcohol produced by private individuals for their own consumption may continue to apply such exemptions'. In accordance with that declaration France has continued to exempt the production of ten litres of pure alcohol per year by individuals who have traditionally been granted that right.

Apart from this special case, duty must be charged on all spirits production. There is however, an option under Article 22 of Directive 92/83/EEC permitting Member States to charge the production of small distilleries at a reduced rate. France, along with the majority of Member States, has chosen not to take up that option.

France having made that choice, the general rules set out in Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products ([2]) should apply so that, with the above exception concerning home distillation, all French distilleries are tax warehouses in which duty payment shall be suspended until the goods produced enter free circulation, and in which losses naturally occurring to the product of the distillery shall be taken into account.

Lastly, as regards the Commission's approach to future harmonization in this area, one reason why the derogations were originally permitted was because — within the parameters laid down — the tax treatment of these small producers was considered to have insufficient effect on the internal market as to demand uniformity at Community level. In the light of the Honourable Member's complaints, the Commission will keep the matter under review, but it has no present intention of seeking further to harmonize their treatment.

([1]) OJ L 316, 31.10.1992.
([2]) OJ L 76, 23. 3.1992.

(98/C 196/08)

WRITTEN QUESTION E-3563/97

by Graham Mather (PPE) to the Commission

(13 November 1997)

Subject: Commission communication on tax coordination (COM(97) 495)

At the Ecofin meeting of 13 October 1997, this Commission Communication was debated for the first time. The document proposes a package of measures to tackle what it calls 'harmful tax competition'. The Council called on the Commission to bring forward a new Communication, by 12 November at the latest, taking into account the results of this meeting and of the meeting of the Tax Policy Group of 20 October. Ministers unanimously underlined their intention to reach political agreement on this matter at the Ecofin meeting on 1 December 1997.

With regard to the taxation of capital income, Point 19 III of the Communication states that 'every Member State should either operate a minimum withholding tax or provide information on savings income to other Member States'. Point 19 IV then states that 'the Community should also promote an extension of the agreed solution beyond its borders'.

1. Through what mechanisms and international organizations does the Commission envisage the promotion of the agreed solution?

2. What means will be used within the context of these organizations and mechanisms?

(98/C 196/09)

WRITTEN QUESTION E-3564/97

by Graham Mather (PPE) to the Commission

(13 November 1997)

Subject: Commission communication on tax coordination (COM(97) 495)

At the Ecofin meeting of 13 October 1997, this Commission Communication was debated for the first time. The document proposes a package of measures to tackle what it calls 'harmful tax competition'. The Council called on the Commission to bring forward a new Communication, by 12 November at the latest, taking into account the results of this meeting and of the meeting of the Tax Policy Group of 20 October. Ministers unanimously underlined their intention to reach political agreement on this matter at the Ecofin meeting on 1 December 1997.

With regard to the taxation of capital income, Point 19 III of the Communication states that 'every Member State should either operate a minimum withholding tax or provide information on savings income to other Member States'. Point 19 V then states 'the arrangements for checking the fiscal residence of beneficiaries should not be too cumbersome'.

1. What investigations has the Commission made into possible arrangements?

2. What have these investigations shown?

3. What are the financial implications of checking the fiscal residence of beneficiaries for the Community and the Member States authorities?

(98/C 196/10)

WRITTEN QUESTION E-3565/97

by Graham Mather (PPE) to the Commission

(13 November 1997)

Subject: Commission communication on tax coordination (COM(97) 495)

At the Ecofin meeting of 13 October 1997, this Commission Communication was debated for the first time. The document proposes a package of measures to tackle what it calls 'harmful tax competition'. The Council called on the Commission to bring forward a new Communication, by 12 November at the latest, taking into account the results of this meeting and of the meeting of the Tax Policy Group of 20 October. Ministers unanimously underlined their intention to reach political agreement on this matter at the Ecofin meeting on 1 December 1997.

With regard to the taxation of capital income, Point 19 III of the Communication states that 'every Member State should either operate a minimum withholding tax or provide information on savings income to other Member States'. Point 19 VI then states that 'Where a Member State does not use the exchange of information option, it should apply the withholding tax at a minimum level. The minimum tax rate should be specified at a level which is sufficient to ensure an acceptable level of taxation of cross-border savings'.

How will the 'acceptable level' be calculated and agreed?

(98/C 196/11)

WRITTEN QUESTION E-3566/97

by Graham Mather (PPE) to the Commission

(13 November 1997)

Subject: Commission communication on tax coordination (COM(97) 495)

At the Ecofin meeting of 13 October 1997, this Commission Communication was debated for the first time. The document proposes a package of measures to tackle what it calls 'harmful tax competition'. The Council called on the Commission to bring forward a new Communication, by 12 November at the latest, taking into account the results of this meeting and of the meeting of the Tax Policy Group of 20 October. Ministers unanimously underlined their intention to reach political agreement on this matter at the Ecofin meeting on 1 December 1997.

With regard to the taxation of capital income, Point 19 III of the Communication states that 'every Member State should either operate a minimum withholding tax or provide information on savings income to other Member States'.

1. How would adjustments between the minimum withholding tax in one Member State and the standard capital income taxation rate in a citizen's country of residence for taxation purposes be organized?

2. What studies has the Commission undertaken to determine the cost of making such adjustments?

(98/C 196/12)

WRITTEN QUESTION E-3567/97

by Graham Mather (PPE) to the Commission

(13 November 1997)

Subject: Commission communication on tax coordination (COM(97) 495)

At the Ecofin meeting of 13 October 1997, this Commission Communication was debated for the first time. The document proposes a package of measures to tackle what it calls 'harmful tax competition'. The Council called on the Commission to bring forward a new Communication, by 12 November at the latest, taking into account the results of this meeting and of the meeting of the Tax Policy Group of 20 October. Ministers unanimously underlined their intention to reach political agreement on this matter at the Ecofin meeting on 1 December 1997.

With regard to the taxation of capital income, Point 19 III of the Communication states that 'every Member State should either operate a minimum withholding tax or provide information on savings income to other Member States'.

1. How would the Commission ensure the compatibility and comparability of data in such an information exchange?

2. How would the Commission guarantee the security of the information involved in the information exchange?

3. What studies has the Commission undertaken to estimate the cost of the development and implementation of such a system?

Joint answer
to Written Questions E-3563/97, E-3564/97, E-3565/97, E-3566/97 and E-3567/97
given by Mr Monti on behalf of the Commission

(3 February 1998)

The Commission would like to draw the attention of the Honourable Member both to its new communication of 5 November 1997 ([1]) and the conclusions of the Ecofin Council meeting of 1 December 1997 concerning taxation policy.

Within these conclusions, the Council approved a text on the taxation of savings containing four points that might form the basis for a new proposal for a directive.

As was anticipated by the Commission in its own above mentioned communication, it is the Commission's intention to present such a proposal very quickly, in principle by April 1998.

The Commission considers it premature to comment at the present stage on the sensitive and delicate questions raised by the Honourable Member.

The Commission is still reflecting and its position will be clearly stated in the proposal for a directive.

([1]) COM(97) 564 final.

(98/C 196/13)

WRITTEN QUESTION E-3591/97

by Yves Verwaerde (PPE) to the Commission

(13 November 1997)

Subject: Films with the biggest box office receipts in Spain

I should like to be provided with a list of the films, by nationality, which achieved the biggest box office receipts in Spain in 1991, 1992, 1993, 1994 and 1995.

Answer given by Mr Oreja on behalf of the Commission

(2 February 1998)

The Commission is sending the information requested direct to the Honourable Member and to Parliament's Secretariat.

(98/C 196/14)

WRITTEN QUESTION E-3648/97

by Armelle Guinebertière (UPE) to the Commission

(19 November 1997)

Subject: Unfair competition because of the VAT system

A French supplier of material for rabbit breeders is disadvantaged by the VAT system which is applied differently depending on whether the supplier is French or a national of another state of the Union.

In the latter case the material is sold tax-free for delivery at the beginning of 1998; the breeder will not declare his VAT until the beginning of 1999 and will not pay the 20.6% VAT for 12 to 18 months, the French state acting as intermediary.

If, however, the material is bought from a French supplier the breeder must pay the VAT on acquisition.

There then arises a situation of unfair competition caused by the French tax authorities to the disadvantage of French contractors.

How will the Commission ensure more favourable conditions of competition, specifically as regards the application of VAT?

Answer given by Mr Monti on behalf of the Commission

(6 January 1998)

The situation described by the Honourable Member is the result of differences between the rules that apply to intra-Community trade and those that apply to sales effected within the territory of a Member State.

Although, in accordance with the basic principles underlying the operation of the VAT system, only the taxable person selling goods or services assumes the charges and obligations necessary to ensure proper application of the system, the transitional VAT arrangements provide for a derogation from those principles in the case of intra-Community sales of goods and render the buyer liable for the VAT payable in the Member State of arrival of the goods. In certain extreme situations, the resulting difference in tax treatment is prejudicial to domestic sales within a Member State.

In its report on the transitional VAT arrangements for intra-Community trade ([1]), the Commission drew attention to the damage done by those arrangements to the essential features of VAT. In its communication A common system of VAT: A programme for the single market ([2]), the Commission, after describing the limitations

of the current system, proposed among other things the abolition of any distinction between domestic and intra-Community transactions and a stage-by-stage programme for moving to the new common system of VAT. The proposals to be made by the Commission within the framework of its work programme should, therefore, resolve the problems raised.

(1) COM(94) 515 final.
(2) COM(96) 328 final.

(98/C 196/15)

WRITTEN QUESTION E-3658/97

by María Izquierdo Rojo (PSE) to the Commission

(19 November 1997)

Subject: European projects for the city of Granada and the Albayzín

Can the Commission provide detailed information on the projects concerning the Albayzín and Granada approved for European co-funding, some of which are alluded to in a notice in 'Carta Local', October 1997?

Answer given by Mr Oreja on behalf of the Commission

(3 February 1998)

In 1986 the Commission financed a conservation project in Granada for the Patio de los Leones, the Baños de Comares and the 'cubiertas planas' in the Alhambra with a total budget of ECU 200 000.

Under the Leonardo da Vinci training programme, three projects have been granted to the Granada region: a project in 1995 for a total amount of ECU 58 000 (Iliberis) and two projects in 1997 for a total amount of ECU 234 000 (European rural network for career guidance and information, and training in agriculture and the environment in rural areas).

In July 1997, on the basis of Article 10 of the European Regional Development Fund (ERDF) Regulation (1), the Commission funded an urban pilot project for the Albayzín including the Alhambra palace. The total eligible cost of this project is ECU 6 051 150, and the ERDF funds available for the project are ECU 2 953 897.

(1) OJ L 193, 31.7.1993.

(98/C 196/16)

WRITTEN QUESTION E-3667/97

by John Iversen (PSE) to the Commission

(19 November 1997)

Subject: BSE

Commission Decision 97/534/EU (1) instructs all Member States to remove specified risk material (SRM) from the food chain. This decision is based on a recommendation from the Scientific Veterinary Committee that SRM should be removed in countries or regions where a potential risk is identified of the presence of TSE agents. The decision concludes, without more detailed documentation, that none of the Member States may be regarded as free from a potential risk of TSE.

There is a clear distinction between slaughter in Danish export slaughterhouses and the situation in other Member States on the following points:

— slaughter of Danish animals only as a result of US authorization,

— no cases of scrapie have ever been recorded and only one case of BSE has been reported in an animal imported from the UK,

— bans — which are observed — on imports of meat-and-bone meal since 1933 and the use of ruminants since 1990,

— BSE has been a notifiable disease since 1992.

Denmark is therefore officially free of BSE pursuant to Article 3.2.13.3 of the International Office of Epizootics' Animal Health Code.

1. What documentation does the Commission have to justify its claim that a potential risk of BSE has been identified in Denmark?

2. Why does the decision not allow for a Member State to be recognized as BSE-free, in line with Article 6(4), without setting aside the EU's veterinary regionalization principle?

(1) OJ L 216, 8.8.1997, p. 95.

Answer given by Mr Fischler on behalf of the Commission

(10 February 1998)

Article 6(4) of Decision 97/534/EC of 30 July 1997 on the prohibition of the use of material presenting risks as regards transmissible spongiform encephalopathies (1) requires the Community to apply its provisions in accordance with 'international obligations'.

The text does not provide for derogations, either for third countries or Member States. Applications for recognition as transmissible spongiform encephalopathy free, or bovine spongiform encephalopathy free, have been made by several third countries and Member States, including Denmark. The Commission is entitled to propose this type of derogation for one or more Member States on the same legal basis as the above decision.

Following a request from the Commission, the scientific steering committee is presently preparing a harmonised list of criteria against which all applications for recognition as transmissible spongiform encephalopathy free, or bovine spongiform encephalopathy free, will be evaluated and on the basis of which countries may possibly be requested to provide additional information. The scientific steering committee finalized this list on 26 January 1998. The various applications received so far (including Denmark) will then rapidly be evaluated.

The Commission cannot take a position with respect to the situation in any individual Member State until it has received the necessary scientific advice. The Commission will evaluate the situation on this issue as soon as this advice is available.

(1) OJ L 216, 8.8.1997.

(98/C 196/17) **WRITTEN QUESTION E-3705/97**

by Françoise Grossetête (PPE) to the Commission

(19 November 1997)

Subject: Internal market — sales of ready-to-wear spectacles in the EU

Given the disparities between the Member States as regards the current conditions for the sale of ready-to-wear spectacles and in view of the fact that this type of product has an impact on consumer health, would the Commission state its intentions concerning the introduction of a Community regulation designed to harmonize sales conditions, with reference, in particular, to the qualifications of the retailers (opticians, pharmacies and others) of ready-to-wear spectacles in the EU?

Answer given by Mr Monti on behalf of the Commission

(2 February 1998)

The Commission does not at present intend to propose any Community legislation on the conditions of sale of ready-to-wear spectacles.

As far as the qualifications of retailers of ready-to-wear spectacles are concerned, there are no Community rules coordinating their training or the taking-up or pursuit of this occupation. Specific rules of this type exist for only seven professions (doctors, dentists, nurses responsible for general care, veterinary surgeons, midwives, pharmacists and architects).

In accordance with the principle of subsidiarity and since recognition of the qualifications of the practitioners involved in the retail sale of ready-to-wear spectacles (opticians, optometrists, etc.) is ensured by means of Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration [1] and Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC [2], the Commission does not intend to put forward proposals aimed at coordinating training and the conditions in which these professions may be taken up and pursued.

In the absence of specific Community rules, the Member States have sole authority to decide on the conditions of sale, the level and length of training offered in their territory and the conditions in which these professional activities can be taken up, provided that their national legislation complies with Community law, and in particular the principles of the free movement of goods and non-discrimination.

[1] OJ L 19, 24.1.1989.
[2] OJ L 209, 24.7.1992.

(98/C 196/18) **WRITTEN QUESTION E-3728/97**

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

(21 November 1997)

Subject: GSP and the countries of the Andean Pact and Central American Common Market — fraud affecting certificates of origin

Cases of fraud have been detected with regard to certificates of origin for tuna imports by Community firms from third countries such as Colombia and Costa Rica.

Given that the governments of the exporter countries act as delegates for the Commission and issue the certificates concerned, which come on official paper, why are the importing firms held responsible for this offence when they are acting in good faith in assuming that certificates issued by an official body in an authorized country are valid?

Does the Commission not consider that this is unfair?

Furthermore, why is it that all Community governments are not dealing with this issue in the same way, given that their companies are involved? Some countries do not require a guarantee for these imports, since the investigations have not been completed, while others do, placing their firms at a clear disadvantage vis-à-vis their competitors.

Answer given by Mr Monti on behalf of the Commission

(18 February 1998)

The problem raised by the Honourable Member touches on the extensive problem area of how preferential tariff arrangements operate. The Commission adopted a communication [1] to the Council and Parliament on this subject at the end of July last year.

The specific problems of good faith and the standardisation of action taken by Member States in relation to recovery are given precise answers in that communication. With regard to 'good faith', the Commission is naturally obliged to comply with the findings of the Court of Justice namely, that confidence in the validity of the certificate of origin is not normally protected. This means that its validity may be contested if, for example, the goods to which it relates were not obtained in compliance with the criteria of origin. Likewise, however reliable the authorities issuing certificates of origin in a non-member country, the ability to contest their validity is still necessary, should fraud occur after a certificate is issued (e.g. attempted importation into the Community of a good other than that exported). To the Court of Justice ([2]), all these points constitute, among others, a normal commercial risk.

Action by the Member States lacks the desired uniformity because the Community does not have a single customs administration. The Commission will attempt to improve the situation either by means of a horizontal instrument, or under Decision No 210/97/EC of the European Parliament and the Council of 19 December 1996 adopting an action programme for customs in the Community (Customs 2000) ([3]).

([1]) COM(97) 402 final.
([2]) Case of Van Gend & Loos NV; Joined cases 98/83 and 230/83; Judgment of the Court of Justice of the European Communities of 13 November 1994.
See also, however, Faroe Seafood — Joined cases C 153/94 and C 204/94 — Judgment of 14 May 1997.
([3]) OJ L 33, 4.2.1997.

(98/C 196/19) **WRITTEN QUESTION E-3729/97**

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

(21 November 1997)

Subject: Opening of a reduced tariff quota of 1000 tonnes for 'loin' fillets of tuna

Regulation (EC) No 702/97 ([1]) of 14 April 1997 provided for the opening of an autonomous Community tariff quota for certain fishery products.

The regulation provided for the entry of 1000 tonnes of 'loin' fillets of tuna from third countries at half the normal customs duty.

Will the Commission say why this possibility was opened to countries which enjoy generalized preferences and agreements such as the Convention of Lomé?

Was this an exceptional measure or is it likely to be repeated in the near future?

([1]) OJ L 104, 22.4.1997, p. 8.

(98/C 196/20) **WRITTEN QUESTION E-3730/97**

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

(21 November 1997)

Subject: Tuna supplies as raw material for the Community processing industry

Bearing in mind that the production of tuna and 'loin' fillets of tuna in the ACP and OCT countries which benefit from the provisions of the Lomé Convention, as well as the countries of the Andean Pact and Central American Common Market included under the GSP, can be used to supply the Community processing industry with fresh fish, given the shortages experienced in recent times, does the Commission consider that the tariff quota levels for this product are adequate to enable these countries to supply the Community 's fish processing industry, or should they be increased?

Joint answer
to Written Questions E-3729/97 and E-3730/97
given by Mrs Bonino on behalf of the Commission

(23 January 1998)

An autonomous Community quota for the import of 1 000 tonnes of tuna loin fillets at a rate of customs duty of 12% was opened for 1997 on account of the difficulties the European tuna canning industry was experiencing in obtaining supplies. These difficulties sprang from the general situation on the world market in tuna (buoyant demand faced with inadequacy of supplies) as well as from changes in the methods of treating the raw material (development of ways of cutting the tuna into loin fillets in the countries close to the fishing grounds so that the 'useful' product only is transported for canning).

The tariff quota for loin fillets, intended for the Community processing industry, is directed at third countries other than the African, Caribbean and Pacific countries, as the latter already benefit from totally duty free access.

Each year the Commission reviews the situation on each of the markets for which Member States submit requests for quotas or for suspensions of tariff duty. The review for 1998 is now under way and the Commission proposals are planned for late January 1998, which is the usual date for this exercise. In the case of tuna, a request was made to open a quota for loin fillets and this is being examined at the present time.

(98/C 196/21)

WRITTEN QUESTION E-3746/97

by Roberta Angelilli (NI) to the Commission

(21 November 1997)

Subject: Noise pollution and assessment of the environmental impact of the section of the Milan-Naples motorway near Gallicano nel Lazio (Rome)

In 1989 a motorway link-road serving the Milan-Naples motorway was built near the town of Gallicano nel Lazio. The motorway passes close to the town, at some points no more than 20 metres from housing. In view of the sustained level of motor traffic on the motorway, this situation causes considerable nuisance to the inhabitants, who are disturbed every day by a high level of noise pollution.

In view of this and considering the provisions of the Commission's Green Paper 'Future Noise Policy', in particular future measures to reduce traffic noise, can the Commission say:

1. which of the measures referred to in the Green Paper have already been launched by the Commission and with what results;
2. whether, in accordance with the conclusions of the Green Paper, a project aimed at reducing noise pollution on the above-mentioned stretch of motorway might benefit from Community funding;
3. through what channels this funding may be requested;
4. finally, whether, when the road work in question was carried out, the recommendations set out in Directive 85/337/EEC on environmental impact assessment ([1]) were taken into account?

([1]) OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 February 1998)

Following the publication in November 1996 by the Commission of the Green Paper on Future Noise Policy ([1]), all parties concerned by the issue of noise were consulted.

This consultation was closed in June 1997; the opinions received were analysed and a summary is currently in the process of being finalised.

It is still too early at this stage to talk about implementation of the measures set out in the Green Paper. However, a proposal for a Directive to limit the noise emission of machines is under way, and the Commission is also looking into the best approach to developing a procedure for evaluating and managing ambient noise levels. A proposal for a Directive on limiting noise from tyres is also in preparation. The implementation of the other measures listed has still to be examined in detail.

There is no mention in the Green Paper of a decision to grant Community funding to projects aimed at reducing noise pollution but it does contain a proposal to include noise in the list of criteria to be taken into consideration when granting aid. This is one of the reasons why the Commission is investigating the possibilities of establishing quality objectives for ambient noise levels on a Community level.

Finally, the Commission will contact the Italian authorities to find out if the road work in question was subject to an environmental impact assessment in accordance with Council Directive 85/337/EEC.

(1) COM(96) 540 final.

(98/C 196/22)

WRITTEN QUESTION E-3749/97

by Roberta Angelilli (NI) to the Commission

(21 November 1997)

Subject: Advertising contract awarded by the municipality of Rome

A few months ago Rome City Council issued a private call to tender for a major advertising project. After an initial sifting process carried out by the technical committee in the department of economic and production policies of Rome City Council, three firms remained under consideration — the French firm Decaux, the Greek firm Panel 2+4 and the Italian firm NDP. It would seem, however, from evidence emerging from the work carried out by the technical committee, that the French firm Decaux committed a number of irregularities in submitting its tender, which the municipal legal advisory office confirmed and considered as potential reasons for excluding Decaux from the tendering procedure.

In view of the above, can the Commission say:

1. whether the call to tender in question, worth around LIT 60 billion, was conducted in accordance with the European directives on the award of public supply and service contracts (92/50/EEC (1) and 93/36/EEC (2);
2. whether the irregularities committed by Decaux are, according European law, sufficient reason for excluding it from the bidding;
3. what its opinion of these events is?

(1) OJ L 209, 24.7.1992, p. 1.
(2) OJ L 199, 9.8.1993, p. 1.

Answer given by Mr Monti on behalf of the Commission

(6 January 1998)

The Commission is not in possession of the information it needs in order to take a position on the conformity of an award procedure carried out by the municipality of Rome in connection with an advertising contract. The Honourable Member is asked to provide it with the essential details, including the subject matter of the contract and the date on which the call for tender was published.

The Honourable Member is also asked to supply any information on the alleged irregularities, which could be assessed in the light of the relevant Community directives.

For the above reasons, the Commission is unable to give an opinion on the facts referred to.

(98/C 196/23)

WRITTEN QUESTION E-3759/97

by Graham Mather (PPE) to the Commission

(21 November 1997)

Subject: EU/US cooperation in lifelong learning

1996 was the European Year of Lifelong Learning last year. Although the Commission's official report has yet to be published, a number of key issues were identified, and one of the report's main conclusions will undoubtedly be that the Commission's strategy of seeking to mainstream the concept and practice of lifelong learning is correct and should therefore be pursued urgently. It is equally clear, however, that the US is particularly advanced in this sphere and we can therefore learn important lessons from the American approach to, and experience of, lifelong learning. In view of this:

1. Does the Commission intend to launch an initiative to encourage EU/US cooperation on lifelong learning, along the lines of the current EU/US Cooperation Agreement in Higher Education and Vocational Training, or indeed extend this agreement to specifically cover lifelong learning?

2. Will high priority be attached to lifelong learning in the Commission's current Benchmarking initiative (COM(97) 153)?

Answer given by Mrs Cresson on behalf of the Commission

(8 January 1998)

Lifelong learning is about helping individuals to realise their personal potential, helping companies and organisations to benefit from new and improved skills throughout their workforce, managing change and competing successfully in a global arena. The Commission has incorporated this message into its thinking on the full range of education and training activities.

In fact, the idea of lifelong learning is already integrated into the concept of the Community-United States cooperation agreement in higher education and vocational training. In order to implement this notion more thoroughly, specific project proposals are sought by the Commission in the area of vocational training, to the extent that private firms can participate in projects as associate partners. Moreover, links with the United States community college system, especially regarding retraining and reskilling of middle-aged workers or work returnees, are encouraged.

The Honourable Member may find of interest the variety of projects supported so far under the Community-United States cooperation agreement which the Commission is forwarding direct to him and to the Secretariat general of the Parliament.

With regard to the second question, the annex of the Commission communication 'Benchmarking — implementation of an instrument available to economic actors and public authorities' ([1]) introduced four eligible themes for pilot projects on benchmarking. Three of them are related to skills and intangible investments ('Information and communications technology (ICT) and the new technological and organisational paradigm'; 'Financing of innovation, in particular of intellectual property', 'Development of human resources'). The dimension of life-long learning is important for intangible investments.

However, it should be pointed out that benchmarking projects are developed on the basis of proposals from Member States and the Commission has no way of ensuring that one or other theme will be adequately covered in future.

([1]) COM(97) 153.

(98/C 196/24)

WRITTEN QUESTION E-3772/97

by Nikitas Kaklamanis (UPE) to the Commission

(21 November 1997)

Subject: Free access to Schengen manuals

The Schengen Agreement has been incorporated into the new EU Treaty which gives particular prominence to the right of access of European citizens to public documents. Despite all this, reports from Sweden state that the Swedish Government has classified manuals on how controls are to be carried out at the external borders of the Union and exchanges of information between Member States as 'top secret'.

This is quite a serious matter, and there is understandable concern about the reasons that led the Swedish Government to take this decision.

Will the Commission state its views on the above matter and say whether anything comparable has occurred in any other Member of the Union and whether it considers it useful to recommend to the Member States of the Union that they ensure unhindered access to all manuals regarding the Schengen Agreement?

Answer given by Mr Monti on behalf of the Commission

(2 February 1998)

The Schengen arrangements will be integrated into EU law only when the Amsterdam Treaty and its annexed protocols come into force.

However, as most of the documents relating to Schengen are drawn up by the national authorities, access to them is and will remain subject to national law, with due regard for the rules on confidentiality unanimously decided by the Member States that signed the Schengen agreements. This is in accordance with the Commission and Council code of conduct concerning public access to their own documents, which stipulates that the institutions will provide access only to their own documents and will refer applicants to the author of any document from emanating from another institution.

Applications for access to Council and Commission documents relating to Schengen are already covered by the code of conduct. Access to them may therefore be granted, provided that they are not covered by any of the exceptions expressly laid down to protect certain private or public interests or to ensure the confidentiality of the institutions' deliberations.

In the case of Schengen regulatory instruments, once the Amsterdam Treaty comes into force and the Schengen arrangements become part of EU law, the rules governing publication of acts in the Official Journal will apply.

(98/C 196/25)

WRITTEN QUESTION E-3777/97

by Jean-Antoine Giansily (UPE) and Jacques Donnay (UPE) to the Commission

(21 November 1997)

Subject: The French textile plan

The French textile plan introduced in 1995 by the previous French government, more commonly known as the 'Borotra plan', which contained a reduction in social security charges for textile firms, has been the subject of severe criticism from the Commission.

This plan, which would have benefitted over 2 000 firms, would have made it possible to stabilize or even slightly increase the labour force in a sector which has lost half of its jobs in the last ten years.

It appears, however, that Brussels not only regards this plan as illegal, but that the Commission is demanding that certain textile firms should refund the aid they have received.

Can the Commission explain on the basis of what criteria and arguments it has been concluded that the French textile plan is illegal?

Does it not agree that such a conclusion is disturbingly inappropriate at a time when all of Europe's leaders are stressing that absolute priority must be given to safeguarding and encouraging job creation in the European Union?

Does it not think that, in the difficult situation experienced by the textiles industry, an alternative solution would be to reduce the taxes and social security charges which unduly increase the cost of labour and to introduce a social and fiscal import duty at the European Union's frontiers?

Answer given by Mr Van Miert on behalf of the Commission

(13 January 1998)

By Decision adopted on 9 April 1997, the Commission ruled that the aid provided under experimental measures to reduce social security contributions for the textile, clothing and leather/footwear industries, commonly known as the 'Textile plan', was not only illegal, but also incompatible with the EC Treaty.

The aid was illegal because France started to grant it to the recipient firms before the Commission had taken a decision on it, disregarding Article 93(3) of the EC Treaty and a number of warnings from the Commission.

The Commission considers that the costs to firms of guarantees concluded between the two sides of industry in a given sector, whether for the purpose of reorganising working time or for other purposes and involving wage increases or paid holidays not required by the common rules and regulations are costs which should normally have been borne from their budgets. The Commission therefore takes the view that it is the very assistance provided by the State in this context which by its nature and in its totality constitutes state aid.

The sectoral character of the aid and the fact that it was granted to sensitive sectors or sectors which are in crisis not only in France but throughout the Community meant that the Commission could not grant the derogations provided for by the guidelines on aid to employment ([1]). Only if the measures had applied generally throughout the French economy could they have been exempted from the scope of application of Article 92(1) of the EC Treaty.

The Commission also ordered that that part of the aid illegally granted which exceeded the de minimis threshold of ECU 100 000 over three years be recovered. Such recovery thus applies only to firms employing more than 50 people since, in other cases, the amount of aid granted does not exceed the de minimis threshold, below which the Commission considers that aid is of minor importance.

In the Decision, the Commission stated that it regards measures to promote employment as a fundamental Community priority and believes that success in this area is conditional upon closer integration of the macroeconomic and industrial policies of the Member States, which, together with the Commission, need to show greater imagination and boldness in seeking new solutions to overcome the scourge of unemployment.

The Commission has always made it clear that its comments on the relevant measures do not relate to the objectives pursued by France in trying to create jobs (for young people in particular), but to the means by which it is trying to achieve those objectives and the effects of the measures chosen. Accepting such sectoral aid measures could transfer problems facing firms in one Member State to competitors in other Member States.

The Commission believes that a strict attitude must be adopted on sectoral aid in order to forestall any escalation of aid in the various Member States and ensure that the very concept of the internal market is not called into question.

Lastly, as regards alternative solutions designed to reduce labour costs, the Commission published a notice on monitoring of state aid and reduction of labour costs ([2]) in which it identifies the types of measure in this area that are in accordance with the Treaty. In addition, following the European Council on employment, held on 20 and 21 November 1997, the Commission hopes that alternative solutions other than sectoral aid can be proposed for implementation by the Member States.

([1]) OJ C 334, 12.12.1995.
([2]) OJ C 1, 3.1.1997.

(98/C 196/26)

WRITTEN QUESTION E-3812/97

by Hilde Hawlicek (PSE) to the Commission

(28 November 1997)

Subject: Cultural activities as a percentage of the EU budget

As in various publications concerning cultural policy there are often differing percentages given for cultural activities in the EU budget and as these figures are often passed on from one publication to another, can the Commission indicate:

1. What is the actual percentage for cultural activities in the EU budget for 1997?
2. How has this proportion changed over the years since there have been cultural initiatives in the Commission?
3. What areas or budget headings does the Commission include when calculating the percentage for cultural activities?

Answer given by Mr Oreja on behalf of the Commission

(5 February 1998)

In 1997 a total of ECU 27 925 000 was earmarked for cultural measures, accounting for 0.03% of the total Community budget of ECU 89 137 million.

In recent years the proportion of the Community budget allocated to culture has been as follows:

Year	Total budget allocation for culture B3-2000	Total Community budget	Expenditure on culture as % of Community budget
1990	8 800 000	48 480 000 000	0.018
1991	10 000 000	59 370 000 000	0.016
1992	11 962 000	63 907 000 000	0.018
1993	12 355 000	70 408 000 000	0.017
1994	14 800 000	71 789 000 000	0.020
1995	19 654 000	79 846 000 000	0.024
1996	23 316 000	86 580 000 000	0.026
1997	27 925 000	89 137 000 000	0.031
1998	30 900 000	91 013 000 000	0.033

It is hoped that the Framework Programme on Culture 2000-2006, to be laid before Parliament and the Council in May 1998, might bring about an increase in the amounts earmarked for culture.

In calculating the proportion of the budget reserved for culture, the Commission includes Chapter B3-20, which consists of the following items:

B3-2000: Raphael programme
B3-2001: Kaleidoscope programme
B3-2002: Ariane programme
B3-2003: Other cultural measures.

(98/C 196/27)

WRITTEN QUESTION E-3813/97

by Ilona Graenitz (PSE) to the Commission

(28 November 1997)

Subject: Toys inside food

The EU Product Safety Emergencies Committee has now on two occasions addressed the issue of the danger to consumer safety caused by toys inside food, but has so far not recommended specific action (most recent meeting 22 October 1997).

Is the Commission aware that this type of product is banned in the USA and that a large food manufacturer has very recently had to withdraw such a product from the US market in the wake of 12 reported accidents?

Why is the Commission not taking urgent action to protect our consumers, and especially our vulnerable children?

Answer given by Mrs Bonino on behalf of the Commission

(19 December 1997)

As already mentioned in the answers to question E-2479/97 by Mr Whitehead [1] and E-3085/97 by Mr Apolinario [2], the emergency committee under the general product safety Directive 92/59/EEC [3], has already taken specific measures in relation to combinations of toys with foodstuffs.

The Commission is aware of the differences between American and European legislation with regard to inedible items inside foodstuffs. It is also aware of the decision of Nestlé, responding to growing criticism, voluntarily to stop marketing the sweets 'Nestlé Magic' although the American Food and drug administration did not decide on any mandatory measures.

At European level there is no specific legislation that prohibits non-nutrition items being embedded in food. However, Directive 92/59/EEC provides that Member States must take the necessary measures to guarantee that all consumer products put on the market are safe. The Commission can under this Directive only intervene against products presenting a serious and immediate risk if Member States have requested it and several other conditions are met [4].

At the latest meeting of the emergencies committee on 22nd October 1997, Member States representatives reported on the results of the specific market surveys concerning unwrapped non-food articles mixed with foodstuffs, launched at the request of the Commission. Member States declared that they have the necessary instruments to cope with the risks arising from these kinds of products in the future and that no Commission action was necessary.

Concerning wrapped non-food items embedded in food products, Member States did not report any need for action at national level and did not request any Commission measures. The Commission however has invited those Member States that have further information on this issue to supply it.

The Commission will on the basis of this information continue to follow the issue. If the existing instruments do not prove to be sufficient, it will consider further steps in order to ensure a high level of consumer protection.

(1) OJ C 82, 17.3.1998, p. 89.
(2) OJ C 102, 3.4.1998, p. 164.
(3) OJ L 228, 11.8.1992.
(4) Articles 9 to 11 of Directive 92/59/EEC.

(98/C 196/28)

WRITTEN QUESTION E-3818/97

by Raymonde Dury (PSE) to the Commission

(28 November 1997)

Subject: Loss of jobs at Kodak

The multinational company Kodak has just announced that 10 000 jobs will be lost within the company.

Can the Commission indicate what steps it is taking to ensure that the Directive on worker information is being and will be respected by Kodak? Does the Commission know the reasons behind Kodak's decision?

Articles in the press suggest that Japan would not be very open to trade in this sector and would protect its own market. Can the Commission clarify the exact situation in this respect and state whether it agrees with Kodak's approach?

Answer given by Mr Flynn on behalf of the Commission

(18 February 1998)

The Commission would inform the Honourable Member that it has yet to receive any complaints concerning checks to ensure that the restructuring announced by the Kodak Group complies with the applicable Community law.

The Community directives which may be applicable in this matter are Directive 75/129/EEC, as revised by Council Directive 92/56/EC of 24 June 1992 on the approximation of the laws of the Member States relating to collective redundancies ([1]), and Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees ([2]). These Directives have been transposed in the Member States. It is primarily the responsibility of the national authorities to ensure compliance with the national provisions transposing the two Directives concerned.

As far as the question of access to the Japanese market for film and photographic paper products is concerned, the Commission would refer to the answer that it gave to the oral question from Mr Killilea (H-991/97) during Question Time at the January 1998 part-session of Parliament, which explains the position adopted with regard to the action taken by the United States of America in the World Trade Organisation (WTO). The findings of the General Agreement on Tariffs and Trade (GATT) panel have yet to be published, but the panel appears to have concluded that the difficulties encountered by non-Japanese firms in gaining access to the Japanese market in photographic products do not stem from actions that can be directly ascribed to the Japanese Government.

([1]) OJ L 245, 26.8.1992.
([2]) OJ L 254, 30.9.1994.

(98/C 196/29)

WRITTEN QUESTION E-3823/97

by Roberto Mezzaroma (UPE) to the Commission

(28 November 1997)

Subject: Tax havens

Would the Commission list those areas or zones inside Europe referred to as tax havens?

Has the Commission created — or arranged for the establishment of -any tax havens, does it intend to do so in the near future, or will it be involved in the development of any such tax havens?

What is the role of the existing tax havens, and what should it be in future?

Answer given by Mr Monti on behalf of the Commission

(2 February 1998)

'Tax haven' is not a concept defined in European law. In the absence of any definition it is difficult to identify existing tax havens, and consequently it is not possible to respond to questions regarding any role which the Commission may have played in their creation. Recently, however, the Commission launched an important initiative to promote coordination on tax matters within the Community. The Commission proposed a new and comprehensive approach towards taxation, both direct and indirect, within the Community. In its communication to the Council of 5 November 1997 ([1]), the Commission set out a package to tackle harmful tax competition. Included in this package was a draft code of conduct aimed at defining and combating tax measures which are harmful. The Council and the representatives of the governments of the Member States, meeting within the Council, subsequently on the 1 December 1997 adopted a Resolution on a code of conduct for business taxation.

This code provides for a definition of tax measures which are potentially harmful and a review process to determine which of such measures are actually harmful. Such measures are to be rolled back, or, in the case of new measures, not to be introduced. The Resolution also states that the Council may decide to publish the reports produced by this review process.

(1) COM(97) 564.

(98/C 196/30)

WRITTEN QUESTION E-3824/97

by Roberto Mezzaroma (UPE) to the Commission

(28 November 1997)

Subject: Situation of podiatry in Europe

What is the situation in the EU with regard to the recognition of qualifications and the freedom of movement of non-medical health professionals, with particular reference to:

1. the situation of podiatry in Europe,
2. existing Community directives in the field of podiatry or non-medical health professions,
3. the possibility of EU funding for the free exchange of university and college students,
4. the possibility of EU funding for refresher courses for non-medical health professionals.

Answer given by Mr Monti on behalf of the Commission

(2 February 1998)

1. According to the information available to the Commission, chiropody (pediatry) is a regulated profession in all the Member States, except Belgium and Greece.

2. Chiropody and the non-medical health professions are governed, in the case of regulated professions, by Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (1) or by Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (2).

3. The Community provides financial assistance for exchanges of university students under the Socrates programme (Chapter I: Higher education (Erasmus)) in all higher-education disciplines.

The national authorities decide which higher-education establishments are eligible to participate in the programme.

Students of chiropody at eligible establishments that have concluded an 'institutional contract' with the Commission may obtain a mobility grant to cover part of their travel expenses and differences in living costs.

4. Specific training measures for members of the non-medical health professions can be funded under the multi-purpose Leonardo da Vinci programme, subject, however, to two main conditions: such measures must be innovative and must be transnational in character (involving at least three Member States in most cases).

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

(98/C 196/31)

WRITTEN QUESTION E-3845/97

by Kirsi Piha (PPE) to the Commission

(5 December 1997)

Subject: Information concerning EU enlargement

The enlargement of the EU is the greatest challenge facing Europe in the near future. The negotiations with the first applicant states are ready to start and after the Luxembourg summit the negotiations with the first candidates will probably be launched at the beginning of 1998. At the same time the interest in enlargement among the EU Member States' citizens is minuscule and getting smaller. Indeed, it is to be feared that the negative views expressed by politicians on the growing cost of membership and the loss of subsidies are spreading to the general public. Conversely, EMU is a good example of how no thought is given to forming public opinion until a late stage, and we now see the results of this, with the majority of EU Member States' citizens opposed to a single currency. What plans does the Commission have for the funding of an information campaign on enlargement, and what would be the substance of such a campaign?

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

(6 February 1998)

The Commission is well aware of the importance of the issue raised by the Honourable Member. There is a need for the governments in the candidate countries to raise awareness of the subject among their own populations and for the Community also to contribute to this process in the candidate countries and in the Member States.

The first is covered by allocations, usually under the heading 'European integration' which are granted to candidate countries under the normal Phare procedures following a request.

The Community's activities in the candidate countries in this field are primarily channelled through the Commission's delegations. They were only able to begin in 1997 after a measure of stability and predictability could be assured by the Parliament concerning funding under the Phare multi-country information programme. Under the 1997 allocation 5 MECU have been set aside to fund delegations' information activities, while central funding is being used to provide expertise.

With the support from the Phare multi-country information and communication programme, the Commission provides the services of its visitors' programme, Eurobarometer surveys and the flagship periodical 'European Dialogue' which appears every 2 months in all 10 central European languages.

The Commission's Website 'Europaplus' has proved very successful as an information tool for the general public, both in and outside the Community. As an example, the DG 1A website, which covers Central and Eastern Europe, receives over 500 000 visits per month. Information about enlargement and related issues is also available from the Commission's offices in the Member States.

(98/C 196/32)

WRITTEN QUESTION E-3846/97

by Mihail Papayannakis (GUE/NGL) to the Commission

(5 December 1997)

Subject: Directives concerning television activities

In view of the fact that many Member States are infringing the Directives concerning television activities (for example 89/552/EEC ([1]) concerning 'television without frontiers', 93/83/EEC ([2]) on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission, 94/46/EEC ([3]) concerning satellite communications and 95/47/EEC ([4]) on the use of standards for the retransmission of television signals) and in the light of observations by the Commissioner responsible Mr Oreja to the effect that the audiovisual sector is one of the most important for the Commission:

1. What steps will the Commission take, over and above MEDIA II, to develop a common strategy to strengthen the European audiovisual sector at a time when almost all television broadcasting directives are being infringed by the Member States and

2. Does it intend to initiate proceedings before the European Court of Justice for infringement of the above directives and, if so, when and against which Member States?

(1) OJ L 298, 17.10.1989, p. 23.
(2) OJ L 248, 6.10.1993, p. 15.
(3) OJ L 268, 19.10.1994, p. 15.
(4) OJ L 281, 23.11.1995, p. 51.

Answer given by Mr Oreja on behalf of the Commission

(3 February 1998)

Besides launching the Media II programme, the Commission has put forward a proposal for a European Guarantee Fund to promote cinema and television production (proposal for a Council Decision of 14 February 1995) ([1]), which has been endorsed by Parliament. However the unanimity needed for its adoption by the Council has not yet been attained.

As far as new initiatives are concerned, the Commission has launched a phase of consultation and analysis, notably through a congress on the audiovisual industry to be held in the United Kingdom in spring 1998 and the high-level think tank recently set up by the Member of the Commission responsible for cultural affairs. In 1998 it will also be issuing a Green Paper on the cultural aspects of the new audiovisual and information services, in line with undertakings to that effect.

In addition, through the procedure for failure to act and under Article 169 of the EC Treaty, the Commission enjoys wide powers of discretion, in particular as regards whether or not to initiate proceedings before the Court of Justice. The Commission's second report to Parliament, the Council and the Economic and Social Committee concerning the application of Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities ([2]), known as the Television without frontiers Directive, was adopted on 24 October 1997 ([3]). The report presents and discusses, among other things, seven judgments of the Court of Justice concerning interpretation and application of the Directive. The Commission has also decided to commence an action in the Court of Justice for a declaration that Italy has failed to comply with its obligations under the EC Treaty and the Television without frontiers Directive.

(1) OJ C 41, 13.2.1996.
(2) OJ L 298, 17.10.1989.
(3) COM(97) 523 final.

(98/C 196/33) **WRITTEN QUESTION E-3847/97**

by Mihail Papayannakis (GUE/NGL) to the Commission

(5 December 1997)

Subject: Designation of 'the cultural capital of Europe'

In replying on behalf of the Commission to Written Question E-3127/96 ([1]) Mr Oreja made it clear that no application for funding had yet been made by the Greek authorities for the 'Thessaloniki — 1997 cultural capital of Europe' event. Given that one year has since elapsed and the event is now drawing to a close, can the Commission say whether it did finally provide funding for 'Thessaloniki — 1997 cultural capital of Europe' and if so, how much?

(1) OJ C 105, 3.4.1997, p. 54.

Answer given by Mr Oreja on behalf of the Commission

(6 February 1998)

The Commission made the following financial contributions to the European City of Culture event in 1997.

1. A contribution of ECU 403 012 under Action IV of the Kaleidoscope Programme (Item B2-2001) to support the five activities below:
   - Soprano Vasso Papantaniou (and the Hungarian State Orchestra 11/11/1997) ECU 24 089
   - The Hungarian State Orchestra 11-12/11/1997 ECU 47 289
   - Ionio University Choir 22/11/1997 ECU 18 991
   - The Opera 'Konstantinos Palaiologos' 26-28/11/1997 ECU 296 390
   - Paul Mercier's 'Kitchensink' 1-2/12/1997 ECU 16 253
2. A contribution of ECU 208 556 under Item B3-2003 (Other cultural measures in the Community and in cooperation with third countries) for the organisation of the exhibition 'Treasures from the Monasteries of Mont Athos.'

The Community contribution for 1997 therefore totals ECU 611 568.

As is the case every year, the Commission made a contribution of ECU 344 890 to the organisation of the Aristeion Prizes (The European Literary Prize and The European Translation Prize). This is part of the European City of Culture event.

(98/C 196/34)

WRITTEN QUESTION E-3869/97

by Roberta Angelilli (NI) to the Commission

(5 December 1997)

Subject: Irregularities in the tender procedure for the Italian Ministry for Education

In two previous written questions, P-1972/97 ([1]) and P-2841/97 ([2]), the Commission's attention has been drawn to alleged irregularities in the tender procedure for computerization of the Italian Ministry for Education. Given the importance of this tender both as regards its size and the number of Ministry services to be computerized and bearing in mind also that a complaint has been lodged with the Community on this matter:

1. Has the Commission received information from the Italian authorities on possible breaches of Community law with regard to the tender procedure?
2. Does the complaint referred to by the Commission in its reply to the previous question contain new and significant elements that would help to clarify this case and, if so,
3. By whom, and in what capacity, was the complaint in question lodged?
4. Will the Commission provide updated information on the outcome of the inquiry it has launched?

([1]) OJ C 45, 10.2.1998, p. 132.
([2]) OJ C 117, 16.4.1998, p. 76.

Answer given by Mr Monti on behalf of the Commission

(9 February 1998)

1. The Italian authorities replied to the Commission's request for information on 12 November 1997. They would seem to suggest that the change of ownership of the shares of TSF, which took place at the same time as the tender procedure for computerisation of the Italian Ministry of Education, did not have any effect on the technical capacity of the group of firms to which the contract was awarded. However, further details will be sought from the Italian authorities with a view to shedding full light on the matter.

2. The complaint lodged with the Commission did not contain any particularly significant elements that would help clarify the case.

3. The Commission guarantees confidentiality to any complainant.

4. The Honourable Member will be informed as soon as possible of the results of any further contacts that the Commission has with the Italian authorities with a view to clarifying matters.

(98/C 196/35)

WRITTEN QUESTION E-3870/97

by Amedeo Amadeo (NI) to the Commission

(5 December 1997)

Subject: Competitiveness of European industry

The Commission has submitted a communication on benchmarking — implementation of an instrument available to economic actors and public authorities (COM(97) 153 final), which can serve as an appropriate basis for using an instrument of comparative analysis of competitiveness.

This initiative needs to be fully consistent with other Community policies, particularly in the fields of research and development, innovation, economic and social cohesion and undertakings.

Will the Commission use benchmarking to measure the efficiency of the policies it has adopted (internal market, regional policy, research and development)?

Answer given by Mr Bangemann on behalf of the Commission

(30 January 1998)

The Commission welcomes the endorsement of its view that benchmarking can equip the Community with a powerful tool to compare performance in the different key areas and factors that determine economic success. In this regard, the Commission believes that benchmarking can play an important role in the evaluation of Community policies.

With a view to fostering widespread adoption of benchmarking as an instrument for influencing policy directions, the Commission is currently implementing a number of pilot projects in key policy areas affecting framework conditions. The pilot project process will allow an effective working methodology for benchmarking to evolve through a consensus approach, involving all relevant parties and based on transparency, dialogue and expertise. It is envisaged that the methodology being developed through this process will subsequently be applied systematically in a wide range of areas, including other Community policies.

The Commission would also point out that initial steps towards benchmarking of the other Community policies identified in the question are already underway. The internal market action plan represents a form of benchmarking under which progress against targets will be monitored on an ongoing basis. Under the integrated programme for small and medium entreprises (SMEs) and the craft sector ([1]), the Commission and the Member States will develop concerted actions under which benchmarking will play an important role in promoting best practice in the area of administrative simplification and support measures for enterprises.

In the case of economic and social cohesion, it is already the case that regional development programmes co-financed by the Community in principle contain quantified targets based on analysis of inter-regional differences in economic performance and competitiveness. The effectiveness of the programmes ex post is then assessed against the quantified targets established initially.

([1]) COM(96) 329 final.

(98/C 196/36)

WRITTEN QUESTION E-3879/97

by Amedeo Amadeo (NI) to the Commission

(5 December 1997)

Subject: Green Paper on ACP-EU relations

With reference to the Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century — challenges and options for a new partnership (COM(96) 570 final), a closer political relationship between the EU and the ACP countries is needed in order to restore a sense of partnership and at the same time to adjust the cooperation framework so as to make it easier for these countries to open up to international trade. New forms of cooperation are needed and provision should be made for active participation by non-governmental players. In addition, the geographical scope of the future partnership agreement could be adjusted to take account of the need for a more coherent and coordinated approach towards the ACP countries.

Will the Commission take greater account of geographical diversity and differences in terms of development when renewing the Convention?

(98/C 196/37)

WRITTEN QUESTION E-3880/97

by Amedeo Amadeo (NI) to the Commission

(5 December 1997)

Subject: Green Paper on ACP-EU relations

With reference to the Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century — challenges and options for a new partnership (COM(96) 570 final), the trade relations between the European Union and the 70 ACP States are entering a new phase. A wide-ranging review is needed of the future guidelines for these relations (the current Convention expires in February 2000), which must take account above all both of the new global environment and the European Union's increased political and economic responsibilities on the international stage.

With this in view, will the Commission choose the option of 'differentiated reciprocity' in order to ensure the gradual integration of ACP countries into international trade and to revitalize trade between the European Union and the ACP countries?

(98/C 196/38)

WRITTEN QUESTION E-3881/97

by Amedeo Amadeo (NI) and Cristiana Muscardini (NI) to the Commission

(5 December 1997)

Subject: Green Paper on ACP-EU relations

The Commission has published a Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century — challenges and options for a new partnership (COM(96) 570 final).

The Lomé Convention has provided the framework for trade and aid between the EU and the ACP countries, now numbering 71, since 1975. It has been overhauled every five years to adjust it to economic and political developments, introduce cooperation instruments and set fresh priorities. The last revision took place in 1995. The Fourth Lomé Convention, currently in force, expires on 29 February 2000 and the negotiations between the contracting parties are due to start 18 months beforehand, in other words in September 1998. By then the EU must be in a position to set out its views clearly.

Community cooperation has made a considerable contribution to many ACP countries and has undoubtedly helped improve the living conditions of their populations. On the eve of the 21st century, relations between the European Union and the ACP countries need to be placed on a new footing, taking account not only of changed political and economic conditions for development but also of changed attitudes in Europe.

Will the Commission ensure greater efficiency and transparency in the procedures for managing this policy, both in the European Union and vis-à-vis the ACP authorities?

(98/C 196/39) **WRITTEN QUESTION E-3882/97**

by Amedeo Amadeo (NI) and Cristiana Muscardini (NI) to the Commission

(5 December 1997)

Subject: Green Paper on ACP-EU relations

With reference to the Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century — challenges and options for a new partnership (COM(96) 570 final), the new global environment, past experience and the socio-economic changes in the ACP States mean that new priorities need to be set for cooperation policy, which could be restructured on the basis of three principles: the economic, social and environmental dimension, the institutional dimension and trade and investment.

With this in view, will the Commission give priority to the following sectors of cooperation:

— education and training, particularly for women and girls;

— support for the private sector and entrepreneurship;

— protection of the environment, development of agriculture in line with the needs of the population, urban planning, applied research, dissemination of new technologies and culture?

Joint answer
to Written Questions E-3879/97, E-3880/97, E-3881/97 and E-3882/97
given by Mr Pinheiro on behalf of the Commission

(28 January 1998)

The concrete answer to the Honourable Member's question is yes. The Commission will vary its approach: procedures and priorities for cooperation will be matched to the partner country's level of development, its needs and its long-term development strategies. Special attention will be paid in this context to the least advanced, landlocked and island countries.

On the basis that deep thinking was needed about the future relations of the Community with the African, Caribbean and Pacific (ACP) countries, and that the forthcoming expiry of the Lomé Convention was the occasion for it, the Commission published last year a Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century — Challenges and options for renewed partnership ([1]). The Commission used the Green Paper, in which the main issues and options for the future were identified, as the basis for an extensive public debate which gave rise to a large number of contributions and events — seminars and consultative meetings organised at the Commission's initiative, spontaneous initiatives by non-governmental organisations, associations, private-sector representatives and trade unions, and debates in Parliament and the Economic and Social Committee.

On the conclusion of this consultation process, and having regard to the suggestions made and opinions stated throughout the debate, the Commission put up a policy paper ([2]) intended as a basis for negotiating directives.

Regarding the geographical scope of the future agreement, the Commission proposes maintaining the comprehensive coverage of the Convention while introducing the principle of differentiation to the Commission, the resolve to maintain solidarity displayed by the ACP group partners in the course of the debate — confirmed at the Libreville summit of ACP Heads of State — must be respected. On the other hand, it appears desirable to introduce the principle of differentiation based on the partners' regional specificities and their prospects for regional integration, and on each partner's level of development.

With regard to economic and trade relations the approach proposed by the Commission has three objectives: to help the ACP countries to integrate gradually into the world economy in terms of trade and private investment flows; to strengthen Europe's presence in the ACP economies; and to invite the ACP countries to cooperate with the Community in international economic and trade negotiations.

Against that background, consideration of two kinds appear to be paramount: firstly, to take account of the political will for regional integration on the part of the ACP States; secondly, to adapt the approach to the situation of the least advanced countries, for which the unilateral preference scheme must be retained — even improved — under the action plan adopted by the World Trade Organization at Singapore.

In order to attain these objectives, regionalised agreements could be a solution, either in the form of economic partnership agreements aimed at gradually introducing free-trade areas, in compliance with the World Trade Organization and the common agricultural policy; or, temporarily, of economic cooperation agreements consolidating the ACP countries' access to the European market and introducing an element of reciprocity for European exports to ACP markets. These agreements would include provisions for developing cooperation in trade-linked fields.

With regard to the practice of financial and technical cooperation the keywords in the Green Paper where the effort to achieve effectiveness, simplification and differentiation. The same principles were taken up by the Commission in its policy paper, which proposed a thorough-going review of practical procedures for implementing financial and technical cooperation in order to give the system more effectiveness and greater flexibility in the face of rapidly changing needs. The future convention must also allow more scope for decentralised operators. The Commission is proposing, in particular, that the number of instruments is reduced and the central role of programming, and hence of dialogue on policies, is restored.

The debate on the objectives and priorities of Community cooperation policy has led the Commission to propose that cooperation should be refocused on the objective of the fight against poverty as part of an integrated approach combining as factors: economic growth, the social and environmental dimensions, and the institutional aspects of development. A close link will also have to be forged between a strengthened political dimension and cooperation; in this context the prevention of violent conflicts and the need to address their underlying causes may also affect priorities for actions. These actions, which cannot be exhaustively listed a priori, will accord with three priorities: support for growth, competitiveness and employment factors; the social and cultural dimension; and regional integration. Three horizontal or general principles are also being laid down: capacity building, particularly of institutions; integration of gender issues and the reduction of sex inequalities and the principles of conservation of natural resources and the environment.

(1) COM(96) 570.
(2) COM(97) 537.

(98/C 196/40)

WRITTEN QUESTION E-3883/97

by Amedeo Amadeo (NI) and Spalato Belleré (NI) to the Commission

(5 December 1997)

Subject: Transportable pressure equipment

The Commission has submitted a proposal for a Council directive on transportable pressure equipment (COM(96) 674 final — 97/0011 SYN) (1).

The implementation of this directive will lead to a reduction in costs and thus provide economic advantages for manufacturers of pressure equipment, since in future approvals and the affixing of marks will be done in a single Member State, providing for free movement of approved equipment throughout the territory of the EU. This will lead to a sharp fall in the price of this equipment as a result of competition.

Will the Commission ensure that industry in this sector (manufacturers of equipment such as gas bottles, tanks and other components, and producers and distributors of liquid gas) pass on the economic advantages they secure to consumers, in terms of the final price for these products?

(1) OJ C 95, 24.3.1997, p. 2.

Answer given by Mr Kinnock on behalf of the Commission

(9 February 1998)

The Commission considers that when the proposed directive enters into force manufacturers should benefit from economies in the costs connected with obtaining the approval of transportable pressure equipment. Indeed, the manufacturers of this equipment will no longer have to obtain approval in all the Member States, since approval and marking in only one Member State will be sufficient to allow the marketing of equipment and use in all the Member States.

With regard to the effects of these savings on the price of this equipment, while no formal guarantee can be given that the savings will be passed on, the Commission is convinced that market forces will have this effect.

(98/C 196/41) **WRITTEN QUESTION E-3886/97**

by Leonie van Bladel (UPE) to the Council

(5 December 1997)

Subject: Misuse of EU funds in Russia

1. The Russian newspaper Rossiyskie Vesti published three articles on 11 April 1995, 29 June 1995 and 18 October 1997 under the headlines: 'Legacy from a Dutch grandmother', 'Mousetrap baited with Dutch cheese' and 'Dutch response to Rossiyskie Vesti investigation', all relating to the misuse of EU subsidies. Has the Council instructed the Commission to investigate the misuse of EU funds referred to in these newspaper articles? If so, what are the Council's conclusions? If not, why has such an inquiry not yet been carried out and is the Council still prepared to instruct the Commission as a matter of urgency to make inquiries regarding the alleged misuse of EU subsidies in connection with the building of the distribution centre in Moscow?

2. Is it true, as stated in the Rossiyskie Vesti article of 29 June 1995 entitled 'Mousetrap baited with Dutch cheese', that 'the lion's share of the money intended for the Russian development project of building a distribution centre near Moscow in cooperation with the Russian semi-state-controlled company TONAR has been paid to the Dutch multinational Koninklijke Ahold N.V. for consultancy work and under the guise of assistance to Russia, experts and officials have enriched themselves with EU funds'?

3. In the articles Rossiyskie Vesti claims that money made available to Russia by the EU for Technical Assistance has not been efficiently used. Can the Council say how the EU funds have been used in building the projected distribution centre and why the building of the distribution centre has not been completed?

4. Does the Council not take the view that the Dutch courts have now established de facto that the multinational Koninklijke Ahold N.V., the Dutch partner in the project, acted unlawfully vis-à-vis its Russian partner TONAR and that the funds made available for this project by the European Union should be reclaimed?

5. The Russian newspaper Rossiyskie Vesti concluded on 18 October 1997 that 'the Government of the Netherlands is actually only helping its own nationals'. Does the Council realize that behaviour such as this by the Government of the Netherlands runs counter to the intentions of the European Union in granting subsidies to Russia, namely the promotion of economic activity in Russia and thus of stability and security in Europe as a whole?

(98/C 196/42) **WRITTEN QUESTION E-4158/97**

by Leonie van Bladel (UPE) to the Council

(22 January 1998)

Subject: Failure of a TACIS project in Russia

1. The Netherlands and its consultants Koninklijke Ahold NV were taken to court on 4 December 1997 by the Russian partner Tonar for payment of Fl. 9 million damages for the unlawful termination of a TACIS aid programme (TAGOS) initiated by the EU. According to the ruling of the Amsterdam Court the termination of the

aid programme was unlawful. Both the Netherlands state and Koninklijke Ahold N.V. refuse to settle the damages in a correct manner and are forcing the Russian partner into a costly, unnecessary and lengthy procedure. Is the Council aware that the case, which is expected to last several years — whether or not there is a positive or negative result for the plaintiffs, — will have an adverse effect on future aid programmes and the mutual trust and stability in relations with Eastern Europe. Does the Council not consider that there is gross negligence on the part of Koninklijke Ahold N.V., when, despite the clear indication by the Amsterdam court that Koninklijke Ahold N.V. is liable for damages, that company and the Netherlands state refuse to hold any proper discussions with the injured party, in this case the Russian partner Tonar?

2. The study commissioned by the EU and carried out by Koninklijke Ahold N.V., shows that the establishment of a food wholesaler business, in this case a distribution centre, is the key priority. Koninklijke Ahold made this conclusion a priority in its August 1992 report. Does the Council not find it strange that the country providing assistance. In the framework of the TACIS aid programme, in this case the Netherlands, refuses to meet the key wishes of the country receiving assistance, in this case Russia, and also that the agreements made between the Netherlands and Russia have consistently not been fulfilled, even after it was shown that the Russians had fully satisfied all conditions set by the European Union and the Netherlands Ministry for Economic Affairs?

(98/C 196/43)

WRITTEN QUESTION E-0298/98

by Leonie van Bladel (UPE) to the Council

(17 February 1998)

Subject: Obstinate attitude of a Netherlands Junior Minister with regard to the solution to a conflict with Russian partners

1. Is the Council aware that a summons has been taken out by the Russian Tonar Corporation, a semi-public enterprise, before The Hague Crown Court against the State of the Netherlands and the Dutch multinational, Koninklijke Ahold NV?

2. Does not the Council feel that the totally unsuccessful TACIS project, undertaken by the Ministry for Economic Affairs and Koninklijke Ahold NV and subsidized by EU funds, should have been solved in a manner more elegant than one involving the courts, as the Netherlands Junior Minister for Economic Affairs is proposing?

3. Can the Council accept the notion that Russian confidence in the operation of the free market and, indirectly, the security and stability which Europe is endeavouring to secure, are being undermined in particular by the obstinate manner in which the Netherlands Junior Minister for Economic Affairs is refusing to bring the parties together round a table, as proposed by the Dutch MPs Van Walsem, Leers and De Koning, in order to seek a solution, all the more so since Ahold's conduct, like the conduct of the Netherlands Ministry for Economic Affairs, is destroying the average Russian's confidence in initiatives from Western Europe, also in the light of the previous ruling of the Amsterdam Court which, in an earlier judgment, ruled Koninklijke Ahold NV's conduct unlawful?

4. On the basis of the foregoing, is the Council prepared to support the proposal that talks between the parties be organized with a view to restoring the average Russian's confidence in initiatives from Western Europe by making an urgent appeal to the Netherlands Junior Minister for Economic Affairs to abandon her obstinate attitude?

Joint answer
to Written Questions E-3886/97, E-4158/97 and E-0298/98

(7 April 1998)

The TACIS programme provides technical assistance for economic reforms in Russia and, through the transfer of 'know-how', measures which will, inter alia, ensure the transition to a market economy.

With the collapse of the USSR, the provision of food supplies to Russia's cities posed major problems, warranting a large-scale Community food aid operation. Structural requirements linked to transition to a market economy in this area led the Community to make the production, processing and distribution of foodstuffs one of the priorities for TACIS Programme intervention.

In this context, the TACIS Programme funded a preliminary study for a centre for the wholesale distribution of foodstuffs in Moscow. That study was followed up by intervention funded through bilateral technical assistance from the Netherlands Government.

In this connection, the Council would make the general point that the Commission is responsible, under successive Regulations Nos 2157/91, 2053/93 and 1279/96, for managing the TACIS Programme and it is therefore for the Commission to provide information on the implementation of the operations it finances. With more specific reference to the project financed by the Netherlands State from its own funds, the Council does not feel it should comment when a Russian company has brought the case before the courts of the Member State concerned.

(98/C 196/44)

WRITTEN QUESTION E-3890/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(11 December 1997)

Subject: Exclusion of farmers from compensation

In its decisions interpreting Regulation (EC) 950/97 [1] which replaced Regulation (EEC) 2328/91 [2] the Greek Government has used the 'family income' and not the income of the 'farmer' as the criterion for the implementation of Article 5; this means that farmers with family members (spouses, children) working outside the agricultural holding and having their own income are excluded from compensation in respect of natural disasters.

Given that the development of the countryside as promoted by EU policies depends in part on the existence of incomes from outside agriculture, will the Commission say:

1. Is it legitimate to take into account the non-agricultural incomes of other members of the family in calculating the income of a farmer practising farming as his main occupation?
2. What does it intend to do to ensure that farmers who meet the criteria set out in Article 5 of Regulation 950/97 are not excluded from compensation for this reason?

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[1] OJ L 142, 2.6.1997, p.1.
[2] OJ L 218, 6.8.1991, p.1.

Answer given by Mr Fischler on behalf of the Commission

(13 February 1998)

Under Regulation (EC) No 950/97 on improving the efficiency of agricultural structures, in order to concentrate aid for investment on those holdings which need it most, Greece has defined farmers practising farming as their main occupation in a way which takes account of family income in the calculation of their overall income.

Member States are allowed to lay down additional criteria for the definition of farmers practising farming as their main occupation, since the above Regulation specifies only the minimum criteria that farmers practising farming as their main occupation have to fulfil to be eligible for the aid in question [1].

Application by Greece of the family income criterion in order to establish eligibility for state aid granted in the event of disasters is justified for the same reason as for aid under Regulation (EC) No 950/97. This additional criterion laid down for granting state aid does not pose a problem of compatibility with Articles 92, 93 and 94 of the EC Treaty governing aid granted by Member States.

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[1] See Article 5(5) of the Regulation.

(98/C 196/45)

WRITTEN QUESTION E-3896/97

by Joaquín Sisó Cruellas (PPE) to the Commission

(11 December 1997)

Subject: Reducing VAT in labour-intensive sectors

Commissioner Monti's proposal to introduce a reduced VAT rate on an experimental basis for certain labour-intensive sectors has been more overwhelmingly endorsed by the sectors potentially concerned, who claim that this could have a positive impact on employment. The European Union of Craft Workers and Small and Medium-Sized Undertakings (Eucsmu), the Federation of National Associations of Hotels, Restaurants, Cafes and similar establishments in the European Union and the European Economic Area (Hotrec) and the European Industry and Building Federation (EIBF) have expressed the hope that a reduced VAT rate will be applied to their services, in the belief that this would enhance their ability to create jobs and counteract competition from third countries, and at the same time restrict fiscal competition between the Member States of the Union.

I understand that the Commission is currently studying the issue of reducing VAT for certain services and that a proposal for a directive may be adopted.

Can the Commission tell me which sectors will, in principle, benefit from its proposal, and whether it wishes to introduce the general application of a reduced VAT rate for all services within those sectors?

Answer given by Mr Monti on behalf of the Commission

(13 February 1998)

The Commission's ideas on the Honourable's written question are set out in detail in its communication to the Council 'Job creation. Possibility of a reduced VAT rate on labour-intensive services for an experimental period and on an optional basis' ([1]).

In this communication, the Commission states that the services identified for the possible application of a reduced VAT rate for labour-intensive sectors should be genuinely labour intensive, supplied directly to consumers, principally those using low skilled labour, predominantly local (in order to avoid the problem of cross border trade distortion), and those where there is the strongest link between reduction in prices and additional demand and employment.

The Commission suggests that the following categories are likely to offer the best opportunity for job creation and that Member States could, if the Commission approach is welcome by the Council, choose from within them:

— repair services on movable tangible property (including bicycles but excluding other means of transport);

— renovation and repair services on residential housing (except new construction);

— leisure parks, cleaning services, laundries and domestic caring services such as home help, care of the young, disabled, elderly or infirm.

For the time being, the Commission is not considering the general application of a reduced VAT rate for all services within labour-intensive sectors.

([1]) SEC(97) 2089 final.

(98/C 196/46)

WRITTEN QUESTION E-3900/97

by Nel van Dijk (V) to the Commission

(11 December 1997)

Subject: International legal assistance when asylum-seekers are transferred from one country to another

The Netherlands bar association and the Standing Committee of experts in international aliens, refugee and criminal law in the Netherlands are calling for rules to ensure that if an asylum-seeker is transferred, pursuant to

the Dublin agreement, from one Member State to another, his/her file will include information on persons perviously providing him/her with professional help, so that a person providing legal assistance in the country to which he/she is transferred can contact persons providing such assistance in the first country.

Does the Commission agree that such rules are needed?

Is the Commission prepared to exercise its right of initiative in order to introduce such rules, either on the basis of Article K.3 of the Treaty of Maastricht, or on the basis of Article 73k of the Treaty of Amsterdam, should the latter enter into force?

Will the Commission make efforts to ensure the introduction of rules for international legal assistance for asylum-seekers if, and when, the Dublin acquis is adopted by the Community?

Answer given by Mrs Gradin on behalf of the Commission

(23 February 1998)

The Commission notes that it is open to any asylum applicant who has been transferred from one Member State to another under the Dublin Convention to pass details of any person who previously provided him or her with professional assistance in the first Member State (where he or she originally claimed asylum) to his or her legal adviser in the second Member State (to which he or she has been transferred).

The Commission has not been presented with any evidence that a centralised arrangement for the exchange of this information is required. In most cases where an applicant is transferred from one Member State to another under the Dublin Convention, the first Member State will not have started to examine the substance of the applicant's claim for asylum, and it is not clear that a legal adviser in that first Member State will often hold information relevant to the outcome of the asylum claim in the second Member State. If the Commission were to be presented with evidence that formal arrangements of the sort proposed by the standing committee of experts in international aliens, refugee and criminal law in the Netherlands would meet a real need, it would consider this carefully.

Arrangements for the exchange of information between Member States in individual cases must be consistent with the terms of Article 15 of the Dublin Convention. Article 15 places limits on the purpose for which information may be exchanged, the type of information which may be exchanged, the parties which may effect an exchange, and the parties to whom information which has been exchanged can be communicated.

The committee set up by Article 18 of the Dublin Convention is the only body which has competence to adopt implementing measures and proposals for amendments or revisions to the Convention. As the Dublin Convention was concluded in 1990 prior to the entry into force of the Treaty on European Union, the Commission has no right of initiative within the framework of the Article 18 committee.

The Commission is currently considering a number of questions relating to asylum in the context of Article 73k of the Treaty of Amsterdam, and would welcome more detailed submissions on the point raised by the Honourable Member.

(98/C 196/47)

WRITTEN QUESTION E-3907/97

by Cristiana Muscardini (NI) to the Commission

(11 December 1997)

Subject: Infringement by the Commune of Mantua of Directives 92/50/EEC and 93/38/EEC on the award of public service contracts

1. Has the Commission assessed the substance of the accusation by the minority groups on the Mantua City Council that the City Council breached Community legislation by awarding contracts for health inspection and occupational health and safety services without calling for tenders?

2. Is the Commission aware of the Mantua City Council's failure to apply Directives 92/50/EEC [1] and 93/38/EEC [2] when it set up a joint-stock company, with majority public funding, as a partner, to which it awarded the contract for operating the City Council's data-processing services?

3. Does the Commission agree with the Council groups' interpretation that the decisions of Mantua City Council constitute 'infringements'?

4. What action does the Commission intend to take against these infringements, if they are confirmed?

(1) OJ L 209, 24.7.1992, p. 1.
(2) OJ L 199, 9.8.1993, p. 84.

Answer given by Mr Monti on behalf of the Commission

(3 February 1998)

1. and 2. The Commission is currently examining in detail the cases referred to by the Honourable Member.

3. The Commission's appraisal of these matters will enable it to establish whether or not the Community rules governing public service contracts have been infringed.

4. The Commission will be certain to apply the procedure provided for in Article 169 of the EC Treaty if that should prove necessary.

(98/C 196/48)

WRITTEN QUESTION E-3908/97

by Hiltrud Breyer (V) to the Commission

(11 December 1997)

Subject: HEU supplies for FRM II

1. Can the Commission confirm that the Euratom Supply Agency is negotiating with Russian organizations for the supply of highly enriched uranium for European research reactors? Do those negotiations involve supplies for the controversial FRM II reactor in Munich?

2. What stage have the negotiations reached? What has been agreed, and what issues are still outstanding? By what date are the negotiations likely to be completed?

3. Can the Commission confirm that the Euratom Supply Agency has drawn up the draft of an agreement for supplies for the FRM II reactor of highly-enriched uranium from Russia?

4. Does the Commission not have any misgivings that the involvement of the FRM II reactor will constitute a severe blow to the campaign to prevent the non-proliferation of highly-enriched uranium? If not, why not?

Answer given by Mr Papoutsis on behalf of the Commission

(2 February 1998)

The Commission would refer the Honourable Member to the answer given to her written question E-2903/97 (1).

Since then those in charge of certain research reactors in the Community have entered into negotiations with the Russian authorities. Any supplies of highly enriched uranium resulting from this would be made in compliance with the strict safeguard rules and the policy of non-proliferation.

(1) OJ C 134, 30.4.1998, p. 33.

(98/C 196/49)

WRITTEN QUESTION E-3920/97

by Nikitas Kaklamanis (UPE) to the Commission

(11 December 1997)

Subject: Depiction of the Greek islands on euro coins and banknotes

In his reply to my previous Written Question E-0885/97 ([1]) Commissioner de Silguy had notified me that the depiction of the map of Europe on euro coins and banknotes was provisional and that the final version would include the Greek islands which had been omitted in the models of the new single European currency unveiled some time ago.

Will the Commission say whether the commitment undertaken by the Commissioner responsible was honoured when the map of Europe was finalized for the new euro coins and banknotes, given that this is a matter of justifiable public concern in Greece and will determine whether the first common currency in the history of our Continent receives the psychological acceptance it obviously needs from the peoples of Europe?

([1]) OJ C 319, 18.10.1997, p. 186.

Answer given by Mr de Silguy on behalf of the Commission

(29 January 1998)

The Council of the European Monetary Institute approved the definitive designs for euro notes in May 1997. The changes made concerned among other things the map of Europe, which was rectified to ensure proper geographical representation of the continent. In particular, all islands, archipelagos and territories larger than 400 km^2 are shown.

As for euro coins, the Commission announced following the Amsterdam European Council that the designs selected for the common face of the coins had been altered slightly, again to ensure correct representation of the map of Europe.

These changes were carried out, due account being taken of the observations made by the authorities of the fifteen Member States, and the definitive designs were approved by the Ecofin Council on 17 November.

In view of the technical constraints resulting from the size of the coins, islands with a surface area of at least 2 500 km^2 are shown. Application of this criterion has resulted in Crete now being included in the design for the coins worth from 10 cents to 2 euros.

The geographical representation of Greece has also been rectified following observations by the Greek authorities, who, among other things, adjusted the representation of Peloponnese and the Khalkidiki peninsula.

(98/C 196/50)

WRITTEN QUESTION E-3924/97

by Johannes Swoboda (PSE) to the Commission

(11 December 1997)

Subject: Institutes which may receive support for their information work on EU enlargement to the East

Several Austrian institutes are interested in holding information events on the effects of enlargement towards the East for communities in Austrian border areas as well as in communities in Hungary, the Czech Republic and Slowenia.

Can financial support be provided for events providing information and advice on the expected and probable implications of enlargement towards the East for communities on both sides of the EU's present external borders?

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

(29 January 1998)

The operations proposed might be eligible for funding under the Interreg II C 'Cadses' (Central Adriatic Danubian and south eastern European Space) programme. It would be necessary to formulate a project dealing with this theme and present it to the Austrian Cadses secretariat for consideration by those responsible. At present, there is already one project submission dealing with the effects of the enlargement of the Community.

The address of the Cadses secretariat is forwarded direct to the Honourable Member and to the Secretariat General of the Parliament.

(98/C 196/51)

WRITTEN QUESTION E-3930/97

by W.G. van Velzen (PPE) to the Commission

(12 December 1997)

Subject: Proposed merger of Worldcom and MCI on the Internet market

There have been reports in the papers recently about the proposed merger of Worldcom and MCI. If this merger actually goes ahead, the new company will occupy a dominant position on the Internet market.

1. Does the Commission intend to examine whether the effects of this proposed merger on access to the Internet are in line with European rules on competition, and in particular Articles 90, 85 and 86 of the Treaty?

2. Does the Commission feel there are grounds for laying down conditions for this proposed merger in the light of development of the market in the European Union?

Answer given by Mr Van Miert on behalf of the Commission

(3 February 1998)

On 20 November 1997 the Commission received from WorldCom, Inc and MCI Communications Corporation a joint notification of an operation by which the two companies would merge within the meaning of Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings [1] ('the merger regulation'). The notification is under investigation in accordance with the terms of the Regulation. No proceedings in relation to the notified operation are in progress under Articles 90, 85 or 86 of the EC Treaty.

On 18 December 1997 the notification was declared incomplete. The Commission is awaiting the complete information. From the point at which complete information is submitted, the Commission will have under Article 10 of the merger regulation a period of one month from the day following receipt in which to take a decision under Article 6 of the same Regulation.

If proceedings are initiated under Article 6(1)(c) of the merger regulation, Article 8 enables the parties, during those proceedings, to offer modifications to their original concentration plan aimed at ensuring that the concentration does not create or strengthen a dominant position as a result of which effective competition would be significantly impeded in the common market or in a substantial part of it. In the event that such proceedings were opened, it would be for the parties themselves to decide whether to propose such modifications.

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[1] OJ L 257, 21.9.1990.

(98/C 196/52)

WRITTEN QUESTION E-3935/97

by Graham Mather (PPE) to the Commission

(12 December 1997)

Subject: Right of professional tour guides to exercise their profession throughout the EU

Under Directive 75/368/EEC ([1]), the freedom of EU citizens to provide services in respect of various activities is established. In the Annex to the Directive, activities falling under 'recreation services' are included in the provisions of the Directive. 'Interpreter-guides' are also specifically referred to in the Annex. Pursuant to this Directive, Member States' competent authorities issue European Community Certificates of Experience (or equivalent), upon presentation of which professional archeological tour guides are entitled to exercise their profession at sites of interest within the Union.

Under Greek national law 273/93, however, the guiding of parties around historical sites is expressly prohibited.

1. What procedures does the Commission have in place to ensure the freedom of professional tour guides to provide their services throughout the Union?

2. Is the Commission aware of this particular apparent breach of Community law, and if so what steps have been taken to redress it?

([1]) OJ L 167, 30.6.1975, p. 22.

Answer given by Mr Monti on behalf of the Commission

(2 February 1998)

Council Directive 75/368/EEC of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of various activities (ex ISIC Division 01 to 85) and, in particular, transitional measures in respect of those activities, to which the Honourable Member refers, is applicable to couriers and interpreter-guides. This Directive expressly states that it does not apply to the activities of tourist guides. In this respect, the Commission would refer the Honourable Member to the answer given to Written Question 2615/95 by Mr Kellet-Bowman ([1]) and would also draw his attention to an earlier communication on the comparability of vocational training qualifications between Member States ([2]), which makes it clear that the professional profile of a courier should not be confused with that of a tourist guide.

The Greek legislation referred to by the Honourable Member concerns the activity of tourist guides and does not, therefore, constitute a transposal of Directive 75/368/EEC since tourist guides are expressly excluded from the scope of that Directive. There is thus no reason to examine whether the Greek legislation in question complies with the Directive since they do not deal with the same subject.

The Commission has already looked into the issue of obstacles to the freedom to provide tourist guide services. It availed itself of the measures provided for in the EC Treaty (infringement proceedings under Article 169 of the EC Treaty), which led to the judgment of 26 February 1991 by the Court of Justice ([3]). In this judgment, the Court ruled that the Greek legislation on tourist guides in force at the time was incompatible with Article 59 of the EC Treaty (freedom to provide services).

Subsequently, the Commission initiated proceedings under Article 171 of the EC Treaty for non-enforcement of the Court judgment. In this connection, Greece notified draft decree 273/93, which it was drawing up in order to comply with the judgment. Deeming this draft to contain provisions that did not constitute a satisfactory enforcement of the Court judgment, the Commission called upon Greece to make certain amendments. The draft decree was amended to take into account the requests made by the Commission. Accordingly, the Commission, at its meeting on 26 June 1997, decided to terminate the infringement proceedings against Greece.

By way of further information, the Honourable Member's attention is drawn to the working paper adopted by the Commission on the question of tourist guides ([4]).

([1]) OJ C 72, 7.3.1997.
([2]) OJ C 320, 7.12.1992.
([3]) Case C-189/89 Commission v Greece -1991- ECR J-735.
([4]) SEC(97) 837 final.

(98/C 196/53)

WRITTEN QUESTION E-3938/97

by Heidi Hautala (V) to the Commission

(12 December 1997)

Subject: Protection of wild salmon in the Baltic Sea

According to a statement by the Finnish game and fish industry's research institute, the breeding rate of native Baltic salmon in the River Tornio was greater in 1996 than for 30 years. The researchers consider that these favourable figures are the result of restrictions on drift-net fishing in the Baltic Sea. This trend may, however, be reversed unexpectedly for many reasons, and a high breeding rate therefore needs to be sustained for five to eight consecutive years.

A working party of the Finnish Ministry of Agriculture and Forestry has proposed a relaxation of the restrictions, inter alia by bringing forward by two weeks the opening of the sea-fishing season, and a move to catch quotas for individual vessels, removing the time-limits altogether. Fish migration experts consider that this would be disastrous for wild salmon. What view will the Commission be putting forward in the Baltic Fisheries Commission? The Council of Fisheries Ministers has decided to put a stop to drift-net fishing elsewhere than in the Baltic. What measures does the Commission propose to take to halt drift-net fishing in the Baltic Sea?

Answer given by Mrs Bonino on behalf of the Commission

(28 January 1998)

The Commission would point out that the information from the Finnish research institute for game and fisheries on the sharp increase of offspring of wild salmon has not yet been endorsed by the International council for the exploration of the sea (ICES), but similar information has been received from reliable scientific sources in Sweden, where wild salmon rivers are more abundant than in Finland.

This positive trend indicates that the gradual reductions of the total allowable catches (TAC) for salmon, recommended by the International Baltic sea fishery commission (IBSFC), seem to give the desired results. The reductions of the TAC during four consecutive years to almost half of the level of 1993 have a direct effect on the level of catches of wild salmon in a mixed wild-reared fishery. More wild salmon can escape and return to their home rivers to spawn.

The IBSFC salmon action plan (SAP) which was adopted in early 1997 aims to reinforce the effect of reduced TACs, by inviting coastal states to take additional national measures such as time or area closures outside the IBSFC convention area and in inland waters. The SAP also sets clear objectives and strategies to rebuild wild salmon stocks, on a river by river basis, to at least 50% of the production capacity of each river or river system. As the Honourable Member points out, this objective can only be reached over a 10 year time period, given the life cycle of salmon.

The IBSFC has recommended for 1998 a total salmon ban in the convention area from 15 June 1998 to 30 September 1998. This is a minimum requirement for the contracting parties. The Commission has also received preliminary information from Finland on intentions to adopt national measures for 1998 -in addition to the IBSFC summer ban- to protect wild salmon during its spawning migration. The Commission believes that the combined effect of reduced fishing pressure in the Central Baltic, the general summer ban and additional local measures will contribute to achieve the overall goal of the SAP by 2010.

As regards the precise question put forward by the Honourable Member, the Commission would point out that individual wild salmon will also be caught with other gear than driftnets, such as long lines, trap nets or ordinary nets. The ban on driftnets will therefore not eliminate the unavoidable catches of wild specimens which are intermixed with salmon of reared origin during their feeding migration.

The discussion on the appropriateness of driftnet fishing is exclusively linked to possible bycatches of birds and mammals. According to recurring statements by ICES, such bycatches are minimal in the Baltic Sea.

(98/C 196/54)

WRITTEN QUESTION P-3939/97

by Mihail Papayannakis (GUE/NGL) to the Commission

(4 December 1997)

Subject: Money laundering

According to reports — which have now reached the Greek Parliament — a number of banks are engaging in the conversion of funds derived from criminal activities (money laundering), thereby infringing Directive 91/308/EEC [1] which has already been transposed into Greek legislation under Law 2331, (Official Gazette 173, 24.8.1995).

27 allegations of this nature must now be considered by the parliamentary committee for the monitoring of commercial practices and transactions. The banks themselves admit that they are unable to monitor transactions, proof of the difficulties in implementing Directive 91/308/EEC.

In answer to my previous question [2] Mr Monti indicated on 13 May 1996 that 'were it (the Commission) to have any doubts as to its conformity (that of Greek legislation) with the directive it would follow the standard procedures'.

In view of the above:

1. Is the Commission aware of this situation and what view does it take of it?
2. What measures will the Commission take to ensure more effective enforcement of the directive?

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[1] OJ L 166, 28.6.1991, p. 77.
[2] Written question E-0823/96, OJ C 280, 25.9.1996, p. 87.

Answer given by Mr Monti on behalf of the Commission

(3 February 1998)

The Commission has no knowledge of the reports mentioned by the Honourable Member nor of the difficulties apparently being encountered by the banking sector. The Commission therefore intends to write to the Greek authorities to ask for full information on this matter.

At the same time the Commission would request the Honourable Member himself to supply to the Commission any detailed information that is in his possession.

(98/C 196/55)

WRITTEN QUESTION E-3941/97

by Nikitas Kaklamanis (UPE) to the Commission

(12 December 1997)

Subject: Creation of a Greek section in the third European school

Parents' representatives from the Greek section of the European school (No 1) in Brussels (UCCLE) have been collecting signatures in support of their efforts to obtain an additional Greek section in the third European school being built in Brussels. The opening of a Greek section is considered to be particularly necessary since the existing Greek section of the European school in Brussels (No 1) is suffering from overcrowding and the splitting of classes with the result that many Greek children are now attending Belgian schools, which deprives them of the possibility of learning their own language properly.

This is a particularly important issue and indicative of the sensitive approach required by a multicultural Europe towards the languages, cultures, and traditions of its various Member States.

What is the official position of the Commission on this matter? Is it intended to open an additional Greek section in the European school currently under construction as is the case concerning pupils of other nationalities?

Answer given by Mr Liikanen on behalf of the Commission

(2 February 1998)

Educational policy and organisation are exclusively matters for the Board of Governors, which is the intergovernmental body responsible for the European schools. It will therefore be for the Board to decide, when the time comes, what language sections there are to be in the third European school, which is currently being built in Brussels. This decision will have to be taken in line with the principles on which the teaching system at the European schools is based.

As a member of the Board committed to the proper running of the European schools, the Commission will endeavour to ensure that these principles are respected.

(98/C 196/56)

WRITTEN QUESTION E-3947/97

by Johannes Swoboda (PSE) to the Council

(15 December 1997)

Subject: OECD agreement to combat bribery and corruption

An agreement to combat bribery and corruption has been reached in the OECD. However, it concerns only the bribing of public officials.

To what extent does the European Union advocate wider-ranging proscription of and legal action against bribery and corruption?

Answer

(30 March 1998)

The Council has adopted already a number of measures to combat bribery. The following instruments may be mentioned:

1. Convention of 26 May 1997 on the fight against corruption involving officials of the European Communities or officials of the Member States of the European Union ([1]).
2. Convention of 26 July 1995 on the protection of the European Communities' financial interests and its protocol of 27 September 1996 which deals specifically with corruption ([2]).
3. Common Positions of 6 October and of 13 November 1997, both on the negotiations in the Council of Europe and the OECD on the fight against corruption ([3]).

Moreover, the Luxembourg Presidency of the Council proposed a Joint Action to combat corruption within the private sector. This proposal, on which the European Parliament has given an opinion, is currently being examined by the competent working group of the Council with a view to making good progress during the coming months. The UK Presidency hopes to reach an agreement before the end of the current semester.

In this context it should be mentioned that the Action Plan against organized crime, approved by the European Council at Amsterdam in June 1997, contains a specific recommendation (nr 6) aiming at the development of a comprehensive EU policy to fight corruption in order to enhance transparency in public administration and in business and to prevent the use by organised crime of corrupt practices. This is also the objective of the Commission's communication of 21 May 1997 to the European Parliament and the Council on a Union policy against corruption.

The Council will pursue action against fraud and corruption vigorously.

([1]) OJ C 195/01, 25.06.1997.
([2]) OJ C 316/48, 27.11.1995 and C 313/01, 23.10.1996.
([3]) OJ L 279/01, 13.10.1997 and L 320/01, 21.11.1997.

(98/C 196/57)

WRITTEN QUESTION E-3948/97

by Johannes Swoboda (PSE) to the Council

(15 December 1997)

Subject: Initiative to resolve the Kosovo question

France and Germany have launched an initiative to resolve the Kosovo question.

To what extent has this initiative been coordinated with the Council, and what are the initial reactions of the various parties involved to this initiative?

Answer

(7 April 1998)

1. France and Germany informed the Council of their initiative, including the letter they sent to President Milosevic, following consultation with the other members of the European Union and the Contact Group. In their letter, they made it clear that their initiative should be seen in the context of finding a solution to the problems in Kosovo and ending the international isolation of the Federal Republic of Yugoslavia, both in the interest of stability for the region and for Europe. Unfortunately, as with so many other initiatives by the international community, theirs seems to have fallen on deaf ears for the time being.

2. The Council, for its part, is keeping close track of the situation in Kosovo. Its President made a statement on the subject to the European Parliament at its plenary session on 11 March 1998 and will keep the appropriate fora of the Parliament informed of developments.

3. The Council recently adopted a series of measures designed to put pressure on Belgrade to find a peaceful settlement to the Kosovo problem. These comprise an arms embargo, a refusal to supply equipment that might be used for internal repression or terrorism, a moratorium on export credit and a ban on visas for a list of Serbian officials identified as having clear security responsibilities in Kosovo.

This decision, taken following discussion among Foreign Ministers on 13 March 1998, underlines the seriousness with which the European Union takes recent developments in Kosovo. The European Union intends to maintain the pressure on the Belgrade authorities to launch a meaningful dialogue without preconditions. We expect both them and the Kosovar Albanian leadership to shoulder their responsibilities — the interests of the Federal Republic of Yugoslavia, including Kosovo, and the stability of the region depend upon it.

(98/C 196/58)

WRITTEN QUESTION E-3959/97

by Johanna Maij-Weggen (PPE) to the Commission

(12 December 1997)

Subject: Chinese population policy

Is the Commission aware of the reports of large-scale enforced sterilizations in Tibet which apparently took place between September and October 1996 (according to TSG Nieuwsbrief NL)?

Is the Commission aware that the Chinese authorities operate a compulsory lottery system to determine whether a married couple can still have children?

Does the Commission share the view that the Chinese population policy is designed to reduce the number of Tibetans?

Is the Commission prepared to protest to the Chinese authorities about this turn of events?

Is the Commission prepared to raise this question in the UN Commission for Human Rights?

Can the Commission indicate what steps it has already taken against China with regard to the population policy?

Answer given by Sir Leon Brittan on behalf of the Commission

(2 February 1998)

Respect for human rights and fundamental freedoms in China is still a matter of constant concern to the Commission. It has never failed, where it believes there is justification, to express its concern about the human rights situation in Tibet in particular.

The Commission has no precise information on the facts reported by the Honourable Member. Should they be confirmed, the Commission — as in the past — would undoubtedly raise any infringement of human rights or assault on human dignity as part of the bilateral dialogue with China.

(98/C 196/59) **WRITTEN QUESTION E-3967/97**

by Reimer Böge (PPE) to the Commission

(12 December 1997)

Subject: Need for a general directive on animal feedstuffs

Does the Commission agree that given the large number of directives currently in existence there is a need for a general feedstuffs directive to create a clearly defined and manageable framework for EU legislation in this field?

If so, what key objectives and principles does the Commission feel should be covered as a matter of priority?

Answer given by Mr Fischler on behalf of the Commission

(3 February 1998)

The Commission agrees with the Honourable Member that, because of their large number, the directives governing feedingstuffs should be recast into a single directive as soon as convenient.

Work did start with this aim in view but it has had to be suspended, unfortunately, because of other more pressing problems.

The Commission agrees that the current legislation should be recast mainly with a view to simplification but without abandoning the objectives that saw its introduction in the first place, i.e. protection of animal and human health, environmental protection, maintaining feed quality and providing information for livestock rearers. Simplification should result in the adoption of rules that, because they are transparent, can be better applied by the various operators and by the feedingstuffs industry in particular.

(98/C 196/60) **WRITTEN QUESTION E-3968/97**

by Mihail Papayannakis (GUE/NGL) to the Commission

(12 December 1997)

Subject: The year 2000 problem

The London Times of Sunday 23 November reports that a team of specialist consultants submitted a report to President Clinton, according to which the simultaneous introduction of the euro and the reprogramming of computers required for the transition to the date 2000 ('the year 2000 problem') poses insurmountable problems for Europe, both of a technical and economic nature.

According to this report, the American experts go as far as to 'suggest' that Europe should postpone the establishment of the single currency for at least five years.

As this is a particularly important matter and as Europe cannot depend on the advice of third parties on matters pertaining strictly to itself, will the Commission say:

1. whether it considers the analyses of the American experts to be serious, or whether they might constitute deliberate or non-deliberate misinformation, and

2. what its assessment is of the magnitude of this nonetheless real problem and whether studies on this subject have been carried out and what their conclusions are?

Answer given by Mr de Silguy on behalf of the Commission

(16 February 1998)

The Commission is aware of the study submitted to President Clinton which inter alia recommends the postponement of European monetary union (EMU) for five years given the perceived shortage of trained personnel capable of managing the changeover of information technology (IT) systems. While questioning some of the conclusions of the report, the Commission acknowledges that the author is one of the most respected American experts of software cost estimation and the report itself is a welcome and useful contribution to the debate on the IT consequences of EMU.

For some time, the Commission has been examining the implications of year 2000 and the introduction of the euro on IT. In particular, it organised a round table on 2 October 1997 dedicated solely to the IT challenge represented by the introduction of the euro. This round table clearly showed that from a computer systems viewpoint, the two issues have important differences in terms of problem definition. Experts observe that the year 2000 is an IT issue with business impact, whereas the euro is primarily a business issue with IT impact. This suggests that using the same methods to estimate the costs of the two projects, as the report does, may not be the most appropriate approach. However both issues must be addressed over broadly the same timescale and each, in its own right, represents a huge resource challenge (human and financial). Taken together they present a challenge of unprecedented scale for those with responsibilities for software driven systems.

The Commission is holding extensive consultations with IT users and suppliers and co-funds a series of surveys about the state of preparedness of the European industry for EMU and for the year 2000. Consultations confirm that both challenges are serious and that it is not necessary to try and tackle them in one stroke. Moreover, the state of preparedness does not appear satisfactory for either of the issues. In spite of rapidly increasing awareness and commitment, implementation is still lagging. It is imperative that industry accelerates preparations for the euro if the necessary IT modifications are to be completed on time. However, consultations also confirm that the scheduled deadlines can be met for the euro and that it will generate a quick return on investment, whereas the year 2000 is just a source of costs.

A World-Wide Web site addressing both issues is available at http://www.ispo.cec.be/y2keuro. The Commission has issued several documents providing advice on euro IT related matters ([1]) and is in the process of preparing a communication on the year 2000 computer problem.

([1]) Practical aspects of the introduction of the euro, communication of the Commission, COM(97) 491, available at: http://europa.eu.int/euro/en/practi/practi.asp.
Recommendation for the placement of the euro sign on computer keyboards and similar information processing equipment, available at: http://www.ispo.cec.be/y2keuro/docs.eukeyb.pdf.
Preparing financial information systems for the euro, working document, XV/7038/97, available at: http://www.ispo.cec.be/y2keuro/docs/wdiseuro.pdf.

(98/C 196/61)

WRITTEN QUESTION E-3969/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 December 1997)

Subject: Unemployment among young people with further vocational training

Research findings published in Eurostat (No 6897/6-1097) show that the unemployment rate in Greece for young people with further vocational training is higher (20%) than that for those who have only received basic training, (14.3%) whereas the average rates for the European Union are 11.5% and 23.5% respectively.

As these figures show the futility of further vocational training in Greece, will the Commission assess the causes of this 'paradoxical' phenomenon?

Answer given by Mr Flynn on behalf of the Commission

(2 February 1998)

The Commission is aware of the fact that the correlation between unemployment rate and level of training is not the same throughout the Community. Greece and Portugal are two Member States where a higher level of training does not reduce the risk of unemployment as appreciably as it does in the others. In both those Member States this situation does not appear to be peculiar to young people, but also applies to young adults of working age (25-49 years), especially men. This is illustrated in, for example, the report on 'Employment in Europe — 1996', which is being sent directly to the Honourable Member and to the Secretariat of the European Parliament.

Nevertheless, the relative worsening of the employment situation of persons with higher-level qualifications is a phenomenon which is observed in many Member States and can be explained by several factors. The sharp rise in participation in education and training and the increasing length of studies in all Member States over the past decade are liable to make it more difficult to absorb new generations with a higher level of training into the labour market, if the market's demand for skills and qualifications does not develop accordingly. The job structure trends associated with the progressive transformation of the European economy into a services and highly-skilled activities economy do give reason to believe that these difficulties are temporary, particularly in the case of young persons with further vocational training qualifications, but this transformation is not taking place at the same rate throughout the Community, and it is possible that Greece and other southern European Member States still have a relatively large proportion of more traditional activities and jobs.

The relatively high employment rate for young persons with further training may also reflect the fact that their training is not really consistent with employers' expectations and job requirements. Here too, everything suggests that this problem is not confined to Greece, although it is possible that this country has a greater deficit than other Member States in higher vocational training compared with university training in the more traditional subjects.

In any event, this is an important question that must be taken into account in all of the analyses which the Commission will carry out in monitoring implementation of the employment guidelines.

(98/C 196/62)

WRITTEN QUESTION E-3972/97

by Gianni Tamino (V) to the Commission

(12 December 1997)

Subject: Contracts and environmental impact assessment of the 'Cispadana' road

It was reported in the Italian press ('La Nuova Ferrara' of 1 November 1997) that the contract office of the National Roads Authority in Rome has begun to carry out the contracting procedure for the first stage of the second section of the 'Cispadana' road. It is a short section of 3.7 km in the municipality of S. Agostino (FE) and will cost 38 billion lire. The whole project would consist of a highway without any level crossings of a total length of 24.7 km (only the section in the province of Ferrara). It was designed about 30 years ago and has neither been updated nor adapted to take into account changes that have taken place in the area, such as a viaduct going

through towns (S. Carlo — S. Agostino) which would thus be cut in two. The entire project would be subdivided into three sections, the second of which would itself be subdivided into two stages. At present only this short section, unconnected with the rest of the main road system is being built. In the area involved in the 'Cispadana' road project, roads no 16 'Adriatica' and E 45 have been under construction for years and are still unfinished.

The entire 'Cispadana' road project has never been the subject of an environmental impact assessment, as laid down in Community directives, nor has the contract been put out to tender at European level.

Does the Commission not consider it necessary to subject the entire 'Cispadana' road project to an environmental impact assessment, and, if it is acceptable for a project, which might cost a total of up to 300 billion lire, to be split up into contracts for the various stages in order to circumvent European legislation on public works contracts?

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 February 1998)

Not being aware of the project mentioned by the Honourable Member, the Commission will take the appropriate steps in order to gather detailed information about it and to ensure the observance of Community law.

Nevertheless, the Commission invites the Honourable Member to describe more precisely in future the details of the projects reported in written questions in order to give the Commission the opportunity of making a preliminary assessment.

Concerning the aspect relating to Community provisions on public contracts, sub-dividing a contract into lots does not in itself constitute a violation of Community Law on public contracts. Article 6 of Council Directive 93/37/CEE of 14 June 1993 concerning the co-ordination of procedures for the award of public works contracts ([1]) merely states that the value of each lot must be taken into account for the purpose of calculating the estimated amount in relation to the threshold value of the Directive. In any case, the value of the 3.7 kilometre section mentioned by the Honourable Member itself exceeds the above-mentioned threshold.

The Commission will ask the Italian authorities why they have not published a contract notice for the project referred to by the Honourable Member and decide whether, in this particular case, it is necessary to go ahead with infringement proceedings against Italy, within the meaning of Article 169 of the EC Treaty.

([1]) OJ L 199, 9.8.1993.

(98/C 196/63) **WRITTEN QUESTION P-3978/97**

by Jaak Vandemeulebroucke (ARE) to the Commission

(9 December 1997)

Subject: Reports of the illegal export of British beef from Belgium to Zaire, with export subsidies, in August 1996

The Flemish press has published a copy of a document showing that scarcely five months after the European Union banned the export of British beef from EU Member States to non-member countries (Decision 96/239 ([1]), subsequently amended by Decision 96/362 ([2])) in August 1996 a firm in Zele managed to export 36 tonnes of British beef to the then Zaire, with the knowledge and express approval of a member of the staff of the office of the Belgian Minster of Public Health.

The staff member concerned apparently pressurized Belgian veterinary inspectors to sign the certificates required for the export of British beef and payment of export subsidies by the BIRB (Belgian intervention and refund office).

If the report is correct, it appears that eleven months before news of the beef fraud scandal broke on 2 July 1997 and exactly a year before the discovery of British beef intended for Belarus at a firm in Zele (25 August 1997), the staff of the Public Health Minister's office and IVK veterinary inspectors knew of the presence of British beef in Belgium. This means that the fraud and dirty dealings involving British beef in Belgian have in fact been dragging on for years and on a much larger scale than hitherto assumed.

1. Was the Commission aware, before these reports appeared in the press, that British beef was being exported from Belgium in 1996? If so, what action did it take? If not, does it intend to act now?

2. How can it explain that it was not until one year after the facts outlined above that action was taken against the firm in Zele, after discovery of a further consignment of British beef intended for Belarus?

3. Does it have an overview of the licences granted to the firm concerned for exports to non-member countries on which export refunds were paid? Will it provide me with details of the quantities of meat exported, the export refunds allocated and paid and the names and location of the consignees?

4. How does it intend to tackle the beef fraud as a whole to stop the illegal export of British beef?

(1) OJ L 78, 28.3.1996, p. 47.
(2) OJ L 139, 12.6.1996, p. 17.

Answer given by Mrs Bonino on behalf of the Commission

(6 February 1998)

It must first be pointed out that the total ban on the export of beef from the United Kingdom to the other Member States and to third countries did not enter into force until Decision 96/239/EEC of 27 March 1996 on emergency measures to protect against bovine spongiform encephalopathy. All UK meat exported prior to this date was not covered by an embargo.

That being the case, the Commission can provide the following answers to the Honourable Member's questions.

1. The answer is no. However, the information currently available to the Commission does not indicate that the meat in question was imported into Belgium after the embargo had been introduced.

2. According to the information available to the Commission, the batches intended for Zaire and Byelorussia did not violate the embargo.

The Belgian authorities notified the Commission of the measures taken against the firm mentioned. These measures comprised the decision of 25 August 1997 to stop supplies of beef from this firm following irregularities under Belgian health legislation, the lifting of this sanction after an investigation had been carried out, and the granting of a new authorisation on 17 November 1997 accompanied by permanent veterinary checks.

3. European legislation does not provide for the Commission to have lists of the authorisations which, in this case, come under the jurisdiction of the national authorities.

4. The Commission would point out to the Honourable Member that the recent events have above all revealed shortcomings in the checks carried out by the Member States. However, the Commission is keeping a constant watch on developments on the ground, notably by means of the reports drawn up by its inspection services, and proposes adjustments to legislation whenever it considers them to be necessary.

(98/C 196/64)

WRITTEN QUESTION E-3979/97

by Eva Kjer Hansen (ELDR) to the Commission

(14 January 1998)

Subject: Arrangements for the removal and/or suspension of customs debts

Parliament's Temporary Committee on Inquiry into the Community Transit System recommended that the Commission should include in its reform package a proposal for writing off outstanding customs debts (see Recommendation 27, PE 220.895/fin.).

Will the Commission explain how it has followed up the recommendation to include the proposal for writing off outstanding debts and the timetable for introducing such arrangements?

Will it state whether customs administrations have been jointly invited to agree to a suspension of outstanding repayment claims until the above arrangements enter into force and produce results?

Answer given by Mr Monti on behalf of the Commission

(24 February 1998)

Recommendation No 27 of Parliament's Committee of Inquiry on transit, referred to by the Honourable Member, is that the Commission submit a proposal to write off outstanding debts where these can be shown to be the result of maladministration. It also recommends that until these arrangements have been agreed, the customs authorities should be invited to suspend outstanding claims of repayment dating from before the introduction of the 100% guarantee for sensitive goods.

In its communication to Parliament and the Council entitled Action plan for transit in Europe — a new customs policy ([1]) the Commission gives its reasons for considering that this recommendation cannot be implemented. They may be summarised in three main points. Firstly, outstanding debts concern both Community resources (customs duties) and national resources (VAT and excise duties); it is for the Member States to decide how to respond to requests that debts involving the latter be written off.

Secondly, customs legislation as it stands does not allow blanket remission of debt. Such remission would in any event be unfair, given the wide variety of individual cases and circumstances. However, it provides for the possible remission or non-recovery of customs debt in special situations. These situations are of necessity strictly individual and must be examined on a case-by-case basis at the appropriate level (national or Community), taking into account the fact that the principal's liability centres on the proper conduct of community transit operations, even if he or she is the victim of fraud perpetrated by organised criminal groups, although the extent to which the administration's conduct was a determining factor in an irregular transit operation may be taken into account.

Lastly, customs legislation does not provide for any general suspension of payments. The reasons for this are similar to those outlined above. The moratorium sought by operators does not offer a solution, as the problem would remain once the moratorium had expired. However, customs legislation allows the customs authorities to delay payment and accept settlement in instalments. It is therefore up to operators experiencing particular difficulties to make the appropriate representations to the customs authorities. The Commission also plans to propose that suspension of payment be extended to cases where there is more than one debtor so as to secure better linkage between the principle of the principal's liability and effective fraud investigation.

([1]) OJ C 176, 10.6.1997.

(98/C 196/65)

WRITTEN QUESTION E-3984/97

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

(14 January 1998)

Subject: The labour situation in the coal-mines in the municipality of Acalândia (Brazil)

The Centre for the Protection of Life and Human Rights in Acalândia is an NGO working for the recognition of citizenship and against slave labour and overexploitation in the coal-mines.

This NGO has been denouncing the exploitation and near-enslavement of workers in the Acalândia coal-mines, where there are continual accidents owing to poor working conditions and work is being done by a group of children under 15 years old. According to information supplied by the NGO some of these coal-mines belong to the Viena and Pindaré steelworks.

Can the Commission say whether it knows of these reports? Can it say whether it is monitoring the agreements between the EU and Brazil and Mercosur to ensure that the Brazilian Government enforces internationally recognized labour standards and conditions and the ban on child labour?

Answer given by Mr Marín on behalf of the Commission

(3 February 1998)

The Commission is, naturally, aware of the abusive working practices and conditions which may prevail, in particular in mines, and sometimes involve children.

A large number of associations, a variety of organisations, non-governmental organisations or private individuals draw the attention of the Commission to similar cases, which generally affect extremely deprived and defenceless communities.

Exploitation (or worse) of workers arises from unsatisfactory economic and social conditions which result in situations of this type. Changing those conditions is a long-term task.

It is reasonable to believe, however, that action taken by the Commission in its total relations with partner countries — and specifically cooperation with Brazil — is precisely designed to remedy this kind of situation upstream.

Consequently, whenever action is liable to be effective, the Commission endeavours according to the facts in its possession to lobby the authorities through whichever channels it finds most appropriate.

(98/C 196/66)

WRITTEN QUESTION E-3992/97

by Alexandros Alavanos (GUE/NGL) to the Council

(15 January 1998)

Subject: Racist violence in Germany

According to data from the Federal Anti-Crime Agency, assaults by neo-Nazis have risen by 14% since last year, bringing the total to 5 173, the victims being Portuguese, Italians, Turks, Greeks and other workers.

One victim of such violence was the Greek immigrant, Anastassios Dalakouras, who was seriously injured following an assault by right-wing extremists on 8 November 1997 in a village in Brandenburg.

Controlling such acts and manifestations of racism is the responsibility of the EU because the protection of human rights and the fundamental freedom of movement of individuals are involved. Will the Council, therefore, say how many people have been arrested in connection with the above incidents and what charges have been brought against them? What measures does the German Government intend taking to clamp down on racist violence on its territory?

Answer

(30 March 1998)

1. The Council condemns all acts motivated by racism or xenophobia. The Council has no statistics concerning the incidents mentioned by the Honourable Member of the European Parliament.

2. In this context the Council recalls the Joint Action of 15 July 1996 concerning action to combat racism and xenophobia ([1]). As provided for in this Joint Action, the Council will assess the fulfilment by Member States of their obligations under this Joint Action, taking into account the declarations annexed to it, by the end of June 1998. It is not for the Council to reply with regard to preventive measures to be taken by the governments of each Member State.

3. Finally, the Council points to the existence of the European Monitoring Centre on Racism and Xenophobia, which was set up under Council Regulation No 1035/97 of 2 June 1997. The Centre's Management Board held its first meeting in Vienna on 21 January 1998. The main purpose of the Centre's work will be to provide the European Union and its Member States with objective, reliable and comparable information on racist, xenophobic and antisemitic activities within Europe. This information will be very useful in preparing the measures to be taken by the Member States or the Union within their respective spheres of competence.

([1]) OJ L 185, 24.7.1996, p. 5.

(98/C 196/67)

WRITTEN QUESTION P-3993/97

by Olivier Dupuis (ARE) to the Council

(15 December 1997)

Subject: Tunisia and the case of Mr Khémaïs Csila

Mr Khémaïs Csila, a Tunisian citizen and vice-president of the Tunisian Human Rights League, was arrested on 29 September 1997 because of a political statement he made to explain the reasons why he was going on hunger strike: to recover his job and his passport. His crime clearly consists of having expressed an opinion. On its recent visit to Tunis, the European Parliament raised a number of instance of violations of human rights and fundamental rights, including the case of Mr Csila.

What action has the Council taken, or does it intend to take, to put an end to the arbitrary imprisonment of Mr Khémaïs Csila and to the trumped-up charges against him? More generally, what action does the Council intend to take to encourage the Tunisian authorities to put an end to the human rights violations and to resolve to follow the path of democratization and the construction of a state founded on the rule of law?

Answer

(30 March 1998)

The Council attaches great political importance to the promotion and respect of human rights in Tunisia and closely follows the evolution of the situation in this country.

As the Honourable Member will know, Tunisia was the first Mediterranean country to sign a new Euro-Med Association Agreement. This Agreement establishes a political dialogue which allows both parties to discuss openly a range of political issues, including human rights. Furthermore, it includes a 'human rights clause' which stipulates that bilateral relations, 'as well as the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles which guide their domestic and international policies and constitute an essential element of the Agreement'.

As a delegation from the European Parliament recently did, the Council has raised and will continue to raise the question of human rights and fundamental freedoms, both in general terms and with respect to specific cases, including that of Khémaïs Ksila, reminding its Tunisian interlocutors of their human rights responsibilities and undertakings in the framework of both the EC-Tunisian Agreement and the Barcelona Process.

(98/C 196/68) **WRITTEN QUESTION E-3996/97**

by Friedhelm Frischenschlager (ELDR) to the Commission

(14 January 1998)

Subject: Free movement of workers

During the past 30 years the autonomous province of Bolzano-Bozen (Italy) has adopted for its territory an extensive series of legal and administrative provisions concerning grants from public funds towards the purchase of property for use as a main residence, and other housing assistance (including the provision of subsidized building land, rent subsidies, crisis payments, etc.) for low-income families and individuals.

Apart from financial need, the main criterion on the basis of which subsidies are granted and their level fixed is the length of time that the recipient has resided within the territory of the autonomous province of Bolzano-Bozen (Article 4, regional law No 4 of 2 April 1962). Residence in other EC Member States is not taken into account.

Is the Commission aware of this arrangement?

Does the Commission take the view that this arrangement, particularly in so far as it applies to workers from other Community Member States, is consistent with the ban on discrimination in Community law and, in particular, with Article 9 of Council Regulation 1612/68/EEC ([1]) of 15 October 1968, particularly with respect to the long period of residence required? If the Commission takes the view that this arrangement violates Community law, can it say what steps it has taken, or will take, to ensure that Community law is complied with?

([1]) OJ L 257, 19.10.1968, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(24 February 1998)

The Commission will ask the Italian authorities to provide full details of the arrangement in question. These details will make it possible to establish whether the situation described by the Honourable Member constitutes indirect discrimination against a Community worker in comparison with an Italian worker.

(98/C 196/69)

WRITTEN QUESTION E-3998/97

by Eva Kjer Hansen (ELDR) to the Commission

(14 January 1998)

Subject: Delay in payments under the PACTE programme

The Commission answered my last question (H-0718/97) [1] by reassuring me that it had learned from its mistakes and that problems will be solved in the future. Unfortunately, current problems have still not been solved, and I therefore feel obliged to raise once again the issue of the serious maladministration of the PACTE-programme that has resulted in serious delays in payments being made to the contractors.

1. Is the Commission aware of the financial impact of long delays in payments to subcontractors? In the case of a specific project dating from 1995, the subcontractor has been waiting for 22 months. Does the Commission find it acceptable that unpaid accounts should lead to professional and personal bankruptcy?

2. What specific measures is the Commission prepared to take to ensure the proper administration of the PACTE Office in Strasbourg and of the Commission's internal administration of the programme — and to ensure that the subcontractors will be payed?

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[1] Debates of the European Parliament (November 1997).

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

(27 February 1998)

The Commission paid the final instalments of the Community contribution to the office administering this programme in February 1997 and in March 1997 reminded the PACTE office in Strasbourg of the urgent need to pay the balances due for these projects.

After discovering irregularities committed by certain project leaders, the office carried out an audit of expenditure in order to verify that the payment claims submitted accurately reflected expenditure incurred.

Project leaders should therefore contact the PACTE office to find out the situation as regards final payment for their project.

The Commission is aware of the problems caused by delegated financial management and does not therefore plan to use this method of financing for such operations in future.

(98/C 196/70)

WRITTEN QUESTION E-4002/97

by Elly Plooij-van Gorsel (ELDR) to the Commission

(14 January 1998)

Subject: European stock management system by pharmaceutical undertaking

Since 1 March 1996 MSD has been using a European stock management system for seven important drugs. The amount of the drug available per six months per client (i.e. pharmaceutical wholesaler) is based on the sales forecasts for each of these drugs. These forecasts are drawn up on the basis of sales over the previous six months, adjusted by an anticipated growth factor per product. MSD reserves the right not to supply all orders which go above the forecast.

1. Is the Commission aware of a European stock management system for seven important drugs which has been applied since 1 March 1996 by MSD?

2. Is such a system compatible with the competition rules which apply on the internal market? If not, what does the Commission intend to do?

3. What action is the Commission taking to ensure that the drug producers in the Member States can determine the price of their drugs under the same conditions so that such stock management systems are no longer necessary as a protection against parallel imports? What are the results of this action?

Answer given by Mr Van Miert on behalf of the Commission

(19 February 1998)

1. The Commission can confirm that MSD International Services has indeed been applying a European stock management system for its most important drugs since 1 March 1996.

2. The European stock management system was notified to the Commission under Council Regulation 17/62, the first Regulation implementing Articles 85 and 86 of the EC Treaty ([1]), on 1 March 1996 (Case IV/35.928/F3).

The Adalat case (Commission Decision 96/478/EC of 10 January 1996 relating to a proceeding under Article 85 of the EC Treaty ([2])), which raises similar problems, is currently before the Court of First Instance. The Commission considers it necessary to await the Court's decision before taking a position on the MSD case.

3. Most of the Member States have taken economic measures dealing with the sale of medicinal products in order to control public health expenditure on them. The measures often include direct or indirect control of drug prices aimed at remedying the lack or non-existence of competition on the pharmaceuticals market, as well as restrictions on the range of products covered by national health insurance systems. Such measures are compatible with Community law provided they do not discriminate against products imported from other Member States and comply with the transparency requirements in Council Directive 89/105/EEC of 21 December 1989 relating to the transparency of measures regulating the prices of medicinal products for human use and their inclusion in the scope of national health insurance systems ([3]).

The Commission has initiated a dialogue with the Member States and socio-economic partners concerned, especially the pharmaceutical industry, on the question of the completion of the internal market in this area as well. The discussions, which opened at the Frankfurt round-table meetings in December 1996 and December 1997, should be resumed shortly at the level of an Internal Market Council.

([1]) OJ 13, 21.2.1962.
([2]) OJ L 201, 9.8.1996.
([3]) OJ L 40, 11.2.1989.

(98/C 196/71) **WRITTEN QUESTION E-4003/97**

by Nikitas Kaklamanis (UPE) to the Commission

(14 January 1998)

Subject: EU budgetary revenue derived from the taxation of fishing vessels

According to information supplied by the associations of shipping vessel owners in the EU Member States, each owner wishing to acquire a fishing licence is required to pay a sum of money part of which is paid to the Community budget, while the rest goes to the Member States of the Union.

Will the Commission say where this revenue appears in the Community budget, how much it amounts to for 1997 and whether the Commission services are considering further increasing this tax on fishing vessels in the Union?

Answer given by Mrs Bonino on behalf of the Commission

(12 February 1998)

Owners of Community vessels wishing to obtain a fishing licence under a fishing agreement concluded between the Community and a third country:

— pay no licence fee where reciprocal agreements are involved. Reciprocal agreements are agreements under which, in exchange for fishing opportunities granted to Community vessels in the waters of a third country, the Community grants fishing opportunities in its waters to that third country's vessels. Such agreements concern the North Sea, the Baltic and the North Atlantic;

— pay a licence fee in the case of agreements on access to an area in exchange for financial compensation. Agreements with financial compensation are those under which a third country grants fishing opportunities to Community vessels in exchange for financial compensation paid by the Commission and for a fee charged to the owner of the vessel requesting the licence. That fee is paid in its entirety by the vessel's owner to the third country. Such agreements have been concluded with South Atlantic and Indian Ocean countries and members of the group of African, Caribbean and Pacific States (ACP).

Thus, a vessel owner requesting a fishing licence for his vessel does not pay money to the Commission and no amount of that nature therefore appears in the Community budget.

(98/C 196/72)

WRITTEN QUESTION E-4004/97

by Nikitas Kaklamanis (UPE) to the Commission

(14 January 1998)

Subject: Bomb attack against the Oecumenical Patriarchate in Istanbul

On 3 December 1997 a bomb attack took place against the Oecumenical Patriarchate in Istanbul, exploding on the roof of the Chapel of Saint George. It was thrown from the area north of the Patriarchal Gardens, and Turkish officials consider that it came from the minaret of a mosque located directly behind the Patriarchal Residence.

In this bomb attack the deacon of the Oecumenical Patriarchate, Mr Nektarios, was wounded in the shoulder-blade: he was forced to undergo a number of operations in order to remove the shrapnel. It should be noted that, despite repeated attacks against the Oecumenical Patriarchate, security is still insignificant.

Will the Commission say what measures it intends to take to persuade the Turkish authorities finally to provide effective security for the Oecumenical Patriarchate in order to prevent any such incidents occurring in future?

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

(5 February 1998)

The Turkish Ministry of Foreign Affairs (MFA) officially condemned in December 1997 the attack on the Orthodox Patriarchate in Istanbul. At that point the MFA emphasised that everything would be done for the culprits to be arrested and brought before the courts, and to avoid any recurrence. Enquiries are still in progress.

On the subject of security measures taken since the attack, information obtained by the Commission from the Oecumenical Patriarchate in Istanbul tells of armed police constantly stationed to protect the Patriarchate, and of continuous patrolling by gendarmes in the approaches to the building. The Patriarchate has said it is satisfied with the steps taken by the Turkish authorities.

(98/C 196/73)

WRITTEN QUESTION E-4006/97

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

(14 January 1998)

Subject: Community production of slate and the environment

Can the Commission provide information concerning present levels of EC aid to the production of slate in the Community, in the context of the high environmental costs which the sector has to support and which reduce its competitiveness on the market?

Does the Commission intend to adopt new support measures for Community enterprises in the sector, with a view to absorbing these costs?

Can the Commission provide information on the measures adopted or proposed for adoption for the rehabilitation of slagheaps and the improvement of waste recycling in the context of slate production in the Community?

(98/C 196/74) **WRITTEN QUESTION E-4007/97**

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

(14 January 1998)

Subject: Promotion campaign for EU slate production

The production of slate in the EU is, in general, far from adequately promoted. The reputation of the product, as sanctified by tradition, derives from its excellent qualities as a roofing material. However, it is scarcely recognized as a building material in those countries where it has not traditionally been used. As a result, many architects and builders are unaware of the technical characteristics of slate and do not know how to put it in place, how long it will last or what purposes it serves; it thus has the general image of an expensive product suitable only for historic buildings or luxury constructions. The slate produced in the EU lacks a profile to differentiate it from the products of third countries, and there is insufficient awareness in society at large of the importance of the industry.

In view of the above, does the Commission not consider that the EU must establish guidelines for the promotion of slate production in the EU?

Has the Commission adopted, or does it intend to adopt, any measures to promote and publicize the EU's slate production?

(98/C 196/75) **WRITTEN QUESTION E-4010/97**

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

(14 January 1998)

Subject: Quality standards for slate produced in the Community

At present there are no specific quality control rules at Community level for slate, whether produced in the EU or imported from third countries.

Can the Commission state what measures it has adopted or intends to adopt with a view to introducing specific and harmonized monitoring of the quality of slate produced in the EU or imported from third countries?

Joint answer
to Written Questions E-4006/97, E-4007/97 and E-4010/97
given by Mr Bangemann on behalf of the Commission

(6 February 1998)

In its report to the Council on the implementation of the Council conclusions of 18 November 1993 on the non-energy extractive industry ([1]) the Commission established that, as such, Community law only occupies a subsidiary position in the set of problems concerning environmental costs as compared with national or sub-national regulations. Although it does not rule out any regional appeal of that sector and the availability to it of structural funds, the Commission does not have any financial instruments to hand in order to compensate for those costs.

The Commission does not have any means available for directly promoting slate products and feels that this is primarily a job for the trade associations. It would, however, point out that vocational training activities shared with other parts of the building trade, or indeed research, could help to achieve that aim.

The implementation of Council Directive 89/106/EEC of 21 December 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products [2] in which this area is involved via standardisation activities, is likely to have a favourable effect on the products' image and on the international competitiveness of Community producers. Indeed, after the Standing Committee on Construction had delivered a positive opinion the Commission, on 20 November 1997, adopted a decision (97/808/EEC) on the conformity certification of such products where these were members of the 'flooring' product family [3].

(1) SEC(96) 852.
(2) OJ L 40, 11.2.1089.
(3) OJ L 331, 3.12.1997.

(98/C 196/76)

WRITTEN QUESTION E-4008/97

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

(14 January 1998)

Subject: R & TD in the production of slate in the EU

In its proposal for an European Parliament and Council decision on the fifth framework programme of the European Community for research, technological development and demonstration activities (1998-2002) (COM(97) 0142 [1]), the Commission states that SMUs, as important transmitters and agents of innovation accounting for two-thirds of jobs in the EU, should be enabled to have easy access to the advanced technologies they need and to the opportunities offered by the Union's research programmes. The Commission also refers to the need for the Union's human potential — i.e. the quality of its researchers, engineers and technicians — to be maintained, quantitatively improved and exploited as effectively as possible.

Given that 98% of all undertakings in the Union in the slate production sector are SMUs, can the Commission state what projects have been cofinanced by the EU under the fourth framework programme of the European Community for research, technological development and demonstration activities (1995-1998) involving the participation of undertakings from that sector, specifying the Member State of execution, the total sum concerned for each project and the level of Community cofinancing?

Can the Commission state whether specific provision will be made for slate production in the fifth framework programme of the European Community for research, technological development and demonstration activities (1998-2002)?

(1) OJ C 173, 7.6.1997, p. 10.

Answer given by Mrs Cresson on behalf of the Commission

(4 February 1998)

The slates sector, as well as other industrial sectors in mining, quarrying and stone processing are potential participants in the 4th Research and technological development (RTD) framework programme [1], most notably in the programme related to industrial and materials technologies (IMT), but also in other programmes such as information technology, energy, environment.

Research activities within the 4th RTD framework programme are not oriented towards specific industrial sectors, therefore it is more appropriate to provide specific examples rather than detailed sectorial data.

As examples, three projects can be cited, funded under the technology stimulation measures (CRAFT) scheme of the IMT programme. These projects involve 16 small and medium-sized enterprises (SMEs) from Spain, Ireland, Portugal, Finland and United Kingdom.

1. Innovative complete production line for the manufacture of slate flooring tiles
   Project No BES2-5168 Community funding ECU 187 000.
2. Recovery of slate waste
   Project No BES2-2134 Community funding ECU 387 500.
3. Development of expanded slate for horticultural and aggregate use
   Project No BES2-5271 Community funding ECU 309 800.

As suggested in the question, the 5th RTD framework programme proposal ([2]) is designed to enhance the support to the participation of SMEs namely through the programme 'Innovation and SMEs'. Undertakings from the slate sector will have opportunities to participate as in the past, in particular in the activities under the themes 'Creating a user friendly information and society' and 'Promoting a competitive and sustainable growth'.

([1]) OJ L 126, 18.5.1994.
([2]) COM(97) 142 final.

(98/C 196/77)

WRITTEN QUESTION E-4009/97

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

(14 January 1998)

Subject: Competitiveness of Community slate production

The production of slate in the Community constitutes an industry with a long tradition and good prospects for the future, located in a number of Member States. In Spain alone, it employs 4 800 people directly and over 19 000 indirectly, in peripheral regions which are lagging behind or in declining industrial regions. The competitiveness of the sector is now being seriously threatened by imports of finished slate from third countries which operate less rigorous standards in terms of working conditions and the environment than those applying in the EU.

Is the Commission aware of this state of affairs?

Can it state what measures it has adopted or intends to adopt to stimulate the competitiveness of slate production in the Community?

Can it state which countries are exporting slate to the EU and specify the quantities and conditions concerned?

Can it provide information on the customs tariff applying to imports of finished slate?

Can it provide information on the economic and trade agreements between the EU and third countries which have a direct or indirect impact on slate production in the third countries concerned?

(98/C 196/78)

WRITTEN QUESTION E-4011/97

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

(14 January 1998)

Subject: Exports of slate from the Community

The EU imports far more slate from third countries — such as China or Brazil — than it exports to the same countries.

Can the Commission state what measures it has adopted or intends to adopt to stimulate exports of slate from the Community to third countries?

Joint answer
to Written Questions E-4009/97 and E-4011/97
given by Sir Leon Brittan on behalf of the Commission

(6 February 1998)

The Community is a net exporter of finished slate. In 1996 it exported 43 610 tonnes (7 997 of which came from Spain), while its imports totalled 26 639 tonnes. The trend for 1997, estimated on the basis of the figures for the first six months, seems to give the same result in the same proportions as for 1996.

European slate imports come mainly from a small group of countries. In 1996 the five biggest exporting countries accounted for over 85% of Community imports, these countries being: Brazil (5 501 tonnes), China (5 158 tonnes), India (4 864 tonnes), Norway (4 538 tonnes) and Canada (3 091 tonnes). However, Community exports of slate are mainly to the United States, Japan, Australia and Switzerland.

Community imports are subject to a Most Favoured Nation (MFN) customs duty of 2.1% ad valorem. However, imports from the European Economic Area (EEA) (e.g. Norway) and the African, Caribbean and Pacific countries are exempted from this duty. Under the GSP scheme for developing countries, the products in question are classified as non-sensitive. This means that imports are exempted from the customs duty. There are no plans to review the classification of these products as non-sensitive before the current scheme expires on 31 December 1998.

Brazil, China and India benefit from this scheme; however, given China's level of industrial capacity in this sector, the GSP in force has provided for the gradual elimination of the tariff concession. Accordingly, the preferential margin on imports of finished slate from China was reduced by 50% from 1 January 1997 and abolished on 1 January 1998. The full rate of 2.1% therefore again applies.

With regard to promoting Community exports, the Commission is strongly committed to improving the access of Community industry to third country markets. As the Honourable Member is aware, the Commission launched a new 'Market Access Strategies' initiative in November 1996 to identify and eliminate obstacles to Community exports. The slate sector, like all economic sectors, is invited and encouraged to participate actively in identifying barriers to international trade. The Commission, in conjunction with the Member States, will adopt any measures that could provide solutions to these problems.

It should also be stressed that the Commission pursues a policy of competitiveness for extractive industries in line with the approach set out in the communication on the competitiveness of the non-energy extractive industry ([1]) and the Council's conclusions of 18 November 1993 in this regard. These documents, together with a report to the Council ([2]) on measures undertaken in this context, are being transmitted directly for information to the Honourable Member and to the Parliament's General Secretariat. The measures, which target the slate sector in addition to other extractive activities that produce building products, include greater market transparency and special monitoring of environmental regulations on extractive activities. Against this background, and with the help of those involved in the industry, the Commission regularly publishes a directory on European minerals which is designed to increase market transparency for consumers as well as for producers, many of which are small and medium-sized enterprises (SMEs). The European slate sector association is invited to collaborate on this task. With regard to environmental burdens, the Commission considers that the Community's environmental legislation takes account of the extractive sector's distinctive features and to this end provides the flexibility justified by, for example, size or production process. This is the case for quarries, as covered by Directive 97/11/EC amending Directive 85/337/EEC on the assessment of the effects of private and public projects on the environment ([3]), and the draft directive on the landfill of waste ([4]).

More recently, the Commission has adopted a communication on the competitiveness of the construction industry, in which construction products are included ([5]). This communication sets out four major strategic objectives and over 60 specific measures to improve the industry's competitiveness.

([1]) SEC(92) 1884 final.
([2]) SEC(96) 852.
([3]) OJ L 73, 14.3.1997.
([4]) OJ C 156, 24.5.1997.
([5]) COM(97) 539 final.

(98/C 196/79)

WRITTEN QUESTION E-4015/97

by Thomas Megahy (PSE) to the Commission

(14 January 1998)

Subject: Misleading advertising by airlines

The United Kingdom Advertising Standards Authority has recently ruled that airlines and travel agents must advertise the true cost to the traveller of all flights, including airport and other taxes, seasonal premiums and all extraneous costs. Is the Commission aware of the situation in other Member States, and would it consider proposing a directive generalizing what will, from 1 January 1998, be the practice in Britain?

Answer given by Mr Kinnock on behalf of the Commission

(26 February 1998)

The Commission was pleased to learn of the United Kingdom initiative on improved information to airline passengers relating to the true costs of all flights. The Commission has not been informed of any similar initiatives in other Member States.

However, the Commission has launched a comprehensive study to assess the conditions included in air transport contracts from the perspective of consumers. The issue of the best means of giving passengers adequate notice of required information (including prices) relevant to the decision about whether to enter into the contract is amongst the matters being addressed and is now the subject of industry-wide consultation. The Commission will consider whether new initiatives are necessary in the light of the study and the consultation process.

(98/C 196/80)

WRITTEN QUESTION E-4018/97

by Panayotis Lambrias (PPE) to the Commission

(14 January 1998)

Subject: Establishment of a Greek section in the third European School currently under construction

In spite of the fact that there is a large Greek community in Brussels, there is only one Greek section in Brussels' two existing European schools. A significant increase in the number of Greek speakers in Brussels is expected in the immediate future, owing to the transfer of the Court of Auditors from Luxembourg, Cyprus' accession to the European Union, while at the same time the number of Greeks coming to live in Brussels is constantly rising.

Will the Commission say whether it proposes to take steps to establish a second Greek section in the third European School currently under construction in Brussels since this request already has the support of a large number of parents (320 signatories) and meets with no objection from the Permanent Representation of Greece?

Answer given by Mr Liikanen on behalf of the Commission

(4 February 1998)

Only the Board of Governors, the intergovernmental body responsible for the European Schools, has the power to determine the orientation and organisation of studies. Therefore, when the time comes, only the Board can decide which language sections will be in the third European School now under construction in Brussels. The decision will have to be taken in accordance with the principles underlying the educational system of the school.

The Commission is a member of the Board of Governors and is very interested in ensuring the smooth operation of the European Schools; it will make sure that the principles are observed.

(98/C 196/81)

WRITTEN QUESTION E-4019/97

by Panayotis Lambrias (PPE) to the Commission

(14 January 1998)

Subject: Funding of research into allergies

According to recent estimates, one third of Europe's population suffers from some kind of allergy. Will the Commission say how it intends to adapt the planned fifth research and development framework programme to secure financial support for research into allergies in Europe, in view of the fact that the cost of these allergies has been estimated at ECU 30 billion per year.

Answer given by Mrs Cresson on behalf of the Commission

(25 February 1998)

Within the 5th framework programme for research, technological development and demonstration activities (1998-2002) proposal, as modified by the Commission on 14 January 1998 after the first reading by the Parliament [1], the scientific and technical objectives of the first activity 'Improving the quality of life and the management of living resources' include, in the key action 'Health, food and environmental factors', the development of tests to detect and process to eliminate toxic agents, which includes also allergic agents, as well as research into allergies related or influenced by the environment, and into their treatment and prevention.

Community research activities are intended to be complemented by a future public health action programme on pollution-related diseases that will place emphasis on respiratory diseases and allergies. The Commission proposal is at present negotiated in the Parliament and Council [2].

(1) COM(98) 8.
(2) OJ C 214, 16.7.1997.

(98/C 196/82)

WRITTEN QUESTION E-4020/97

by Panayotis Lambrias (PPE) to the Commission

(14 January 1998)

Subject: Lead in drinking water

The World Health Organization has dramatically reduced the permissible level of lead in drinking water. Will the Commission say what measures it proposes to take to help Member States reduce the quantities of lead in drinking water as rapidly as possible and to provide widespread information for local government bodies and, more generally, for the people of Europe in view of the hazard lead poses for human health, especially that of infants and children.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 February 1998)

In its proposal [1] for revision of Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption [2] (the drinking water directive) the Commission adopted the value recommended by the World health organisation (WHO) of 10 microgrammes per litre (10 μg/l) for lead. This standard was accepted by the Parliament (first reading on 12 December 1996) and in the common position of the Council (No 12767/97) on the proposed directive, which was adopted on 19 December 1997.

Once the directive is adopted, in principle during 1998, its implementation is the responsibility of the Member States. Given the important financial and practical consequences, exceptionally for lead, Member States will have fifteen years, instead of the five years general timetable, to comply with the parametric value of 10 μg/l. Between five and fifteen years the interim standard will be 25 μg/l instead of 50 μg/l which is the present standard for lead.

(1) OJ C 131, 30.5.1995.
(2) OJ L 229, 30.8.1980.

(98/C 196/83)

WRITTEN QUESTION E-4021/97

by Panayotis Lambrias (PPE) to the Commission

(14 January 1998)

Subject: Sale of unsafe foodstuffs in supermarkets

According to recent studies by consumer protection organizations and statements made by the government agency for quality control of food in Greece, an urgent problem has arisen in the public health sector owing to the sale of adulterated, spoiled and contaminated foodstuffs covering the entire range of foodstuffs from drinking water and olive oil to meat, cooked pork meats and packaged products. The problem is aggravated by responsibility for foodstuffs being divided between 8 ministries and around 50 directorates, as a single food monitoring body has yet to be set up.

Will the Commission say what it intends to do to ensure compliance with Community legislation on foodstuffs in Greece, and uphold the right to health of Greek citizens?

Answer given by Mr Bangemann on behalf of the Commission

(19 February 1998)

Directive 89/397/EEC on the official control of foodstuffs [1] requires Member States to inspect and control foodstuffs effectively at the most appropriate stage from production to distribution and trade. Included in the concept of control within this Directive is a requirement for the inspection of food businesses and the sampling, examination and analysis of foodstuffs, to ensure that the supply of foodstuffs to the European consumer complies with national and European foodstuffs legislation.

Article 5 of Directive 93/99/EEC on the subject of additional measures concerning the official control of foodstuffs [2] requests the Commission to monitor and evaluate the equivalence and effectiveness of the official food control systems operated by the authorities of Member States. To this end an initial mission was made to Greece as well as to other Member States by the Commission during 1996 and 1997. The mission to Greece indicated that improvements in communication and co-ordination between the authorities in Greece would enhance the overall effectiveness of the system for the official control of foodstuffs. This and other points were brought to the attention of the Greek authorities in the assessment report from the Commission. Further visits are planned in 1998 to Greece and the other Member States to assess progress.

[1] OJ L 186, 30.6.1989.
[2] OJ L 290, 24.11.1993.

(98/C 196/84)

WRITTEN QUESTION E-4022/97

by Panayotis Lambrias (PPE) to the Commission

(14 January 1998)

Subject: Combating the narcotic substance Ecstasy

At the recent European Parliament conference of 27 and 28 November 1997 on synthetic narcotic substances, papers were given and research presented highlighting the grave danger to our young people from the use of the substance 'Ecstasy'. This substance, as well as other synthetic narcotic substances, is being produced in large quantities in factories within the European Union, is sold very cheaply and is accessible to very young people, while its use has a devastating effect on the physical and mental health and development of young people.

Will the Commission say what measures it intends to take to stop the operation of illegal Ecstasy factories in the European Union and to promote widespread information campaigns warning young people against the dangers of using this substance?

Answer given by Mrs Gradin on behalf of the Commission

(10 February 1998)

The Commission is grateful to the Honourable Member for drawing attention to the findings of the conference on synthetic drugs which was jointly organized by the Parliament, the Luxembourg Presidency and the Commission on 27-28 November 1997. The importance of synthetic drugs is described in the 1997 report of the European monitoring centre for drugs and drug addiction (EMCDDA) and in the Europol drugs unit (EDU) general situation report.

Cooperation at Community level in this area is a matter of priority. Member States' law enforcement agencies are responsible for the detection and the seizing of illicit laboratories. The Commission monitors intra-Community and external trade of chemicals which may be used in the illicit manufacture of narcotic drugs and psychotropic substances, and of ecstasy in particular, on the basis of Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances ([1]) and of Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain psychotropic substances ([2]).

The implementation of the joint action of the Council of 16 June 1997 concerning the information exchange, risk assessment and the control of new synthetic drugs will necessitate the full cooperation of EMCDDA, EDU, Member States and the Commission.

As for non-scheduled chemical precursors which can be diverted into the illicit manufacture of new synthetic drugs, the Commission has proposed to the Council and to the Parliament an amendment to existing Community legislation to establish a surveillance mechanism based on a voluntary system of reporting from the industry to the authorities of suspected consignments of non-scheduled chemical substances.

The Commission agrees young people should be informed about the dangers of using ecstasy. The Community action programme on the prevention of drug dependence is based on the specific requirements of the EC Treaty concerning health protection and disease prevention. It aims to encourage cooperation between Member States, to support their action and to promote coordination between their policies and programmes with a view to preventing the use of all types of narcotics and psychotropic substances, including the new synthetic drugs, and the associated risks.

The programme supports transnational partnerships focusing on health information, education and training projects and better understanding of the factors associated with the consumption of synthetic drugs (such as social representation of these new drugs). The objective is to promote merging of competencies on research, prevention, and treatment of ecstasy users, to provide opportunities to compare the drugs scenes and reactions in the different Member States, to analyse the different perspectives in young people's lives and to see how the social conditions reflect in preventive efforts.

Projects identify common principles as ground work for the definition of research methodology, the production and dissemination of appropriate information for users and non users of designer drugs; peer to peer methods, gender specific approaches and harm reduction. Beside transnational projects addressed to key people in the youth scene or to users, the prevention of designer drugs in the framework of the drug dependence programme is also connected with wider preventive approach such as the forthcoming European drug prevention week (16-22 November 1998). Dedicated to the theme 'Multidisciplinary approach and drug prevention: awareness raising in society and partnerships', the week will highlight health promotion and prevention efforts, quality of intervention, involvement of local actors and the added value of pluridisciplinary and transnational partnerships.

([1]) OJ L 370, 19.12.1992.
([2]) OJ L 357, 20.12.1990.

(98/C 196/85)

WRITTEN QUESTION E-4024/97

by Alexandros Alavanos (GUE/NGL) to the Commission

(14 January 1998)

Subject: Measures for people with special needs

Research from the Architecture Department of the National Metsovio Polytechnic shows that at least half of Greece's public buildings, 91% of higher education institutes, 67% of museums and 63% of theatres are inaccessible to people with restricted mobility. According to the same research, these people are also excluded from using public transport, such as buses, trams and trains owing to the conditions under which they have to be used. Telecommunications are also inaccessible to the deaf and there is no provision for terminals for people with sight impairments.

Will the Commission say:

1. What measures it will take to ensure that access for people with special needs is taken into account from the planning stage of buildings or products (i.e. buses, lifts)?

2. What measures can be funded to facilitate freedom of movement for people with restricted mobility within both their man-made and natural environments and to secure them equal access to information and communications?

Answer given by Mr Flynn on behalf of the Commission

(9 March 1998)

The Commission is aware that many transport systems and public buildings continue to be inaccessible. Transport plays a crucial role in the daily lives of people. It provides a vital lifeline which enables people to integrate into all aspects of economic and social life. More particularly, to be denied effective access to transport is to be denied an equal opportunity to work. Inaccessible transport therefore impacts directly on — and arbitrarily reduces — both employability and equal opportunities for workers with disabilities, as understood in the guidelines adopted at the Luxembourg Council.

It should be noted that the primary responsibility for policy and action in this area rests with the Member States.

As far as access to transport is concerned, in 1993 the Commission adopted an action programme setting out measures which are necessary to achieve improved accessibility to all means of transport ([1]). Moreover the Commission is promoting the concept of design for all and is applying it to the design of its own premises.

A proposal for a directive on minimum requirements to improve the mobility and safe transport to work of workers with reduced mobility ([2]) presented by the Commission in 1991 is still under consideration by the Council.

COST action 322 on low floor buses was completed in 1995 providing information and guidance on low floor bus systems, and is operating successfully in all participating countries of that project (Germany, Spain, France, Netherlands, Finland, Sweden, United Kingdom, Hungary and Switzerland). COST action 335 entitled 'Passengers accessibility to heavy rail systems' is in progress. It will lead to Community standards for accessible trains and stations, and guidelines for providing information to disabled and elderly passengers.

The Commission has finalised a proposal for a directive on bus and construction standards ([3]). It contains provisions providing for better accessibility for people with reduced mobility. This proposal is under consideration in the Parliament and the Council.

Concerning information technologies and telecommunications, the needs of disabled people are taken into account in various directives such as the proposal for a Parliament and Council directive on connected telecommunications equipment and the mutual recognition of the conformity of equipment ([4]) currently under discussion.

In order to support this activity and as a preparation for the fifth framework programme several activities are taking place in the transition period. Firstly, a call for tenders for study on 'Assessing the design for all approach for the integration of disabled and older persons in the information society' has been launched. Furthermore, many research projects and studies have been carried under the Tide, Telematics and COST programmes, disseminating the results and creating awareness.

The Commission has proposed the inclusion of design for all in the draft standardisation mandate addressed to the standardisation organisations, in the field of information and telecommunication technologies dealing with consumer requirements in the information society. Applications and services for the international standard (IS) must therefore be designed for all and offer equal access to all consumers with or without special needs.

(1) COM(93) 433 final.
(2) COM(91) 539 final.
(3) OJ C 17, 20.1.1998.
(4) COM(97) 257 final.

(98/C 196/86)

WRITTEN QUESTION E-4026/97

by Mair Morgan (PSE) to the Commission

(14 January 1998)

Subject: Agenda 2000

The Commission proposes three new Community Initiatives in Agenda 2000. Will these three initiatives be referred to in the framework regulation? Furthermore, while the Commission has referred to mainstreaming the experiences of the Community Initiatives into the regional Objectives there are clearly inconsistencies in the Commission's approach. Whilst rural areas will benefit from Objective 2 and Leader, there are no grass roots Community initiatives to complement the other strands of Objective 2. Will the Commission give further consideration to extending the best practice of Leader into a fourth Initiative for urban and industrial areas?

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

(4 March 1998)

With a view to strengthening the effectiveness, public profile and innovative character of the future Community Initiatives, the Commission has indeed stated in Agenda 2000 (1) that they will concentrate on three topics only: cross-border, trans-national and inter-regional cooperation; rural development; and human resources in the context of equal opportunities. The Commission is also looking at the advisability of explicitly including these Initiatives in the new Regulations on the Structural Funds that are currently in preparation.

The concentration on a few topics should make it possible to reflect more closely the Community interest in cooperation and innovation to promote the harmonious development of the Community territory, to encourage new approaches within rural society in order to meet the proposed profound reform of the common agricultural policy, and to better mobilise human resources, the latter aim in the context of employment in the Community and access to the labour market.

The fact that the Commission is not proposing an initiative specifically for the areas affected by the decline of industry does not mean that such areas have less priority. Both Objective 1 (regions lagging behind in their development which are also affected by difficulties in the production system and in employment) and Objective 2 (economic and social conversion of areas undergoing economic transformation, including industry and services and depressed rural and urban areas) as well as Objective 3 (development of human resources in other areas) and the new Community Initiatives as proposed will be instruments for implementing projects in industrial and urban areas.

(1) COM(97) 2000 final.

(98/C 196/87)

WRITTEN QUESTION E-4027/97

by Glenys Kinnock (PSE) to the Council

(15 January 1998)

Subject: Landmines and EU aid

Does the Council welcome the UK decision to review the levels of its development funding to recipient countries which do not 'sign up' to the Ottawa agreement on landmines?

Would it, therefore, not be appropriate for the Council to recommend that the EU should adopt similar discrimination against recipients of EU development assistance which continue to produce and export landmines?

Answer

(30 March 1997)

The Council has not to date been apprised of the content of the decision mentioned by the Honourable Member in her question, and has not therefore discussed the issue.

Nevertheless, the Honourable Member will be aware that, in the Joint Action on anti-personnel landmines, adopted on 28 November 1997, the Council recalled its resolution on the fight against anti-personnel landmines of 22 November 1996, which identified certain measures which could be adopted and the criteria which should govern the allocation of funds in support of mine clearance interventions.

At the same time, the European Union welcomed efforts to promote universal accession to the Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction and indicated that it would focus attention on those third countries which continue the irresponsible supply and indiscriminate use of anti-personnel landmines.

(98/C 196/88)

WRITTEN QUESTION E-4037/97

by Joaquín Sisó Cruellas (PPE) to the Commission

(14 January 1998)

Subject: Scrapie in sheep

The possible connection between bovine encephalopathy, or mad cow disease, and the sheep infection known as scrapie or the staggers makes it necessary to take certain precautionary measures. The English name refers to the animals' compulsive rubbing that is symptomatic of this disease. Scrapie causes acute itching, progressive loss of motor coordination, paralysis and death. The disease has become topical because of the appearance of bovine encephalopathy and its spread to humans, since both diseases are caused by an unconventional infectious substance, the prion, which affects humans and animals. The main source of infection in sheep derives from adding to the flock animals reared on infected farms, either by direct contagion or by transmission from the parent sheep. Scrapie develops very slowly over a period of two to ten months, is progressive and fatal, and infected animals are usually more than a year old, tending to be between two and four, with a clear loss of wool. Tissue damage is limited to the normal pattern of encephalopathy, with the same appearance as in mad cow disease, and there is still no treatment or special vaccine, making it necessary to destroy all the infected animals and their progeny.

In view of the major impact throughout European society of the issue of mad cow disease, has the Commission carried out any research to ascertain the actual extent of the impact of scrapie on the European flock?

— If so, what results have been obtained? If not, does it intend to do so?

— What precautionary measures are being taken to prevent this disease becoming 'mad sheep disease'?

Answer given by Mr Fischler on behalf of the Commission

(17 February 1998)

The Honourable Member is correct in making a link between bovine spongiform encephalopathy (BSE) and scrapie, which is a spongiform encephalopathy of sheep and goats. Both are members of the group of diseases known as transmissible spongiform encephalopathies (TSEs) and one hypothesis for the appearance of BSE in cattle is that it was the result of feeding them on meat-and-bone meal containing the scrapie agent.

It must be emphasised that scrapie has been recognised in sheep for more than two hundred years and exists almost everywhere in the world that sheep are kept. Despite this, there is no known link between scrapie and any disease of humans. However, BSE has been transmitted experimentally to sheep by feeding them with brain material from BSE-infected cattle, producing a disease clinically similar to scrapie. Although the feeding of sheep and goats on protein derived from ruminants has been banned in the Community since 1994, there is a remote possibility that BSE could affect sheep and be mistaken for scrapie.

For this reason, the Commission has included the high risk tissues of sheep and goats in its Decision 97/534/EC of 30 July 1997 on the prohibition of the use of material presenting risks as regards transmissible spongiform encephalopathies ([1]).

A requirement to notify the suspicion or appearance of scrapie to the authorities of the Member State concerned was laid down in Council Directive 91/68/EC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals ([2]). Member States have different national requirements for the surveillance of scrapie, and the Commission is currently developing a proposal for Community rules on the surveillance of TSEs. This is expected to be ready for presentation to the Council in the second half of 1998 and will, when adopted, provide the information suggested by the Honourable Member.

([1]) OJ L 216, 8.8.1997.
([2]) OJ L 46, 19.2.1991.

(98/C 196/89) **WRITTEN QUESTION E-4038/97**

by Joaquín Sisó Cruellas (PPE) to the Commission

(14 January 1998)

Subject: Anti-subsidy investigation into cochineal

The Commission has launched an anti-subsidy investigation into imports of cochineal from Peru following a complaint by Xantaflor SA (Spain), which produces most of the Community's output of this colouring substance. In the complainant's view the Peruvian manufacturers have received various public subsidies that have helped the rise in Peruvian imports and price levels have damaged Community production.

Could the Commission say what are the initial findings of this investigation?

Answer given by Sir Leon Brittan on behalf of the Commission

(4 February 1998)

On 22 September 1997, Xantoflor SA lodged an anti-subsidy complaint alleging that imports of cochineal carmine originating in Peru were being subsidised and causing material injury to the Community producers. Pursuant to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community ([1]), the Commission found that the complaint contained sufficient prima facie evidence of subsidisation and material injury and published a notice of initiation of an anti-subsidy investigation in the Official journal ([2]).

After the publication of the notice of initiation, the Commission sent out questionnaires to all parties concerned. The replies to these questionnaires are due by the end of January 1998 and these replies will be verified in the course of February 1998. Therefore, it will only be possible to give a first assessment of this case after the verification and the analysis of the questionnaire replies, in accordance with the normal decision-making procedure. It should be stressed that this investigation is conducted according to the provisions of Council Regulation (EC) No 2026/97, which is the implementation into Community legislation of the World trade organisation (WTO) agreement on subsidies and countervailing measures.

(1) OJ L 288, 21.10.1997.
(2) OJ C 335, 6.11.1997.

(98/C 196/90)

WRITTEN QUESTION E-4039/97

by María Sornosa Martínez (GUE/NGL) to the Commission

(14 January 1998)

Subject: Decline of the Agua Amarga saltmarshes in Alicante

The Agua Amarga saltmarshes form a unique eco-system that meets all the requirements of the Ramsar Convention, of which Spain is a signatory. This unspoilt area has considerable cultural, scientific and recreational value and its loss would be irreparable. The saltmarshes are a landscape consisting of plains of fossil and living dunes and a coastal morphology of shoals and reefs, creating an irreplaceable habitat for a variety of wildlife.

Over the years the area has been subject to increasing pressure from urban development, threatening its preservation and rehabilitation as a wetland.

In 1994 the Alicante municipal authority unanimously agreed to carry out a feasibility study for declaring the wetland a protected area. As a precondition for its consideration as a wetland conservancy under Article 15(2) of Law 11/94 of 27 December 1994 concerning Nature Conservancy Areas of the Community of Valencia, the Alicante municipal authority is required to amend its general urban planning programme (PGOU), now somewhat overdue.

1. Can the Commission write to the Alicante municipal authority, recommending it to apply Council Directive 92/43/EEC (1) of 21 May 1992 and advising it of the need to respect the Ramsar Convention, Article 1 of which classifies salt marshes and salt meadows as wetlands?

2. If its recommendation is not followed, can the Commission appoint an expert, in accordance with Directive 92/43/EEC, to visit the area and assess its suitability as a nature conservancy area, meeting the requirements of the Directive?

3. What steps is the Commission planning to take, in accordance with the relevant administrations, to promote the overdue classification of areas deserving special protection that are still not being treated as such?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 February 1998)

1. The Commission is unable to contact the Alicante municipal authority in order to recommend that it should implement Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats, wild fauna and flora (1) since its intermediary for this type of question is always the Member-State administration and not the local authorities.

The Commission has no powers to implement the Ramsar Convention in the Member States, since it has not signed that Convention.

2. Spain has still not sent in the list of areas proposed for the Mediterranean region. It is therefore not possible to know whether that particular area will be included in the proposal.

During specific meetings the Commission, together with the Member States and independent experts, is assessing the sites put forward by the Member States for inclusion in the Natura 2000 network.

Owing to the large number of sites proposed (several thousand) it is not possible to assess the value of each of these in situ.

3. In view of the delay in sending the Spanish lists the Commission has introduced an infringement procedure against Spain for failure to comply with Directive 92/43/EC.

(1) OJ L 206, 22.7.1992.

(98/C 196/91)

WRITTEN QUESTION E-4045/97

by Raimo Ilaskivi (PPE), Marjo Matikainen-Kallström (PPE) and Jyrki Otila (PPE) to the Commission

(14 January 1998)

Subject: EHEC bacterium and cattle slaughter

The EHEC (Enterohaemorrhagic escherichia coli) bacterium which has been observed in cattle in Finland has made it necessary to slaughter cattle to prevent the spread of the disease. There is good reason for this slaughter, since people have died and there have been cases of 'bleeding belly disease'.

How does the Commission propose to make sure that infected meat is not being used for human and animal consumption? The slaughter of cattle causes enormous financial losses to farmers; how does the Commission intend to compensate the farmers for their losses?

Answer given by Mr Fischler on behalf of the Commission

(9 February 1998)

The production and marketing of fresh meat is governed by the rules of Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat ('Fresh Meat Directive') as consolidated by Directive 91/496/EEC laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (1) and amended by Directive 95/23/EC on conditions for the production and marketing of fresh meat (2). According to these rules Member States must ensure that the official veterinarian declares unfit for human consumption meat which is contaminated or affected by any disease. Therefore this meat cannot come into the human food chain. If this meat is rendered and used as feed it has to be treated in such a way that any infection or spread of disease is impossible.

Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field (3), commonly known as the 'veterinary fund', lays down detailed rules on Community contributions.

Firstly, under Title III, Chapter 2 (Articles 29, 32 and 33) of Decision 90/424/EEC the Community can contribute to a national plan to control animal diseases. No plan covering EHEC has so far been approved.

Secondly, Article 4(3) of the Decision provides for emergency assistance should there be an outbreak of one of the diseases referred to in Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications (4), provided that the outbreak is an immediate risk to human health. No funding has so far been granted on this basis.

(1) OJ L 268, 24.9.1991.
(2) OJ L 243, 11.10.1995.
(3) OJ L 224, 18.8.1990.
(4) OJ L 62, 15.3.1993.

(98/C 196/92)

WRITTEN QUESTION E-4047/97

by Antonio Tajani (UPE) and Claudio Azzolini (UPE) to the Council

(15 January 1998)

Subject: Independence of the Banca d'Italia

The future European Central Bank will be founded on the notion of the independence and autonomy of the existing central banks, in the context of the growing need for guaranteed freedom from political interference.

Is the Council aware of the unacceptable pressure being exerted by the Italian government and the parties of the ruling coalition, as widely reported in the press, on Mr Antonio Fazio, the Governor of the Banca d'Italia, to reduce the official interest rates?

Has the Italian government at any point consulted the Council on the possibility of replacing Mr Fazio in the near future by persons from the Banca Centrale who would be closer to the ruling coalition?

Does the Council not view any such initiatives as prejudicial to the independence of the Banca d'Italia and as liable to jeopardize Italy's entry into, and capacity to remain within, the single European currency?

What is the Council's position on the opinion expressed by Mr Fazio to the effect that structural reforms and a reduction in fiscal pressure are essential for participation in the single currency?

Answer

(30 March 1998)

The Council does not intend to adopt a position on the allegations to which the Honourable Members refer in their question.

The Council acknowledges that participation in the single currency requires the Member States to undertake major structural reforms. A number of reforms have already been carried out, and others are under way.

With more specific reference to the Italian situation, the Council would remind the Honourable Members that it examined Italy's convergence programme for the period 1998-2000 at its meeting on 7 July 1997, and the 1998 Italian budget at its meeting on 19 January 1998. The results of its discussions were made public.

(98/C 196/93)

WRITTEN QUESTION E-4048/97

by Antonio Tajani (UPE) and Claudio Azzolini (UPE) to the Commission

(14 January 1998)

Subject: Independence of the Banca d'Italia

The future European Central Bank will be founded on the notion of the independence and autonomy of the existing central banks, in the context of the growing need for guaranteed freedom from political interference.

Is the Commission aware of the unacceptable pressure being exerted by the Italian government and the parties of the ruling coalition, as widely reported in the press, on Mr Antonio Fazio, the Governor of the Banca d'Italia, to reduce the official interest rates?

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Does the Commission not view any such initiatives as prejudicial to the independence of the Banca d'Italia and as liable to jeopardize Italy's entry into, and capacity to remain within, the single European currency?

What is the Commission's position on the opinion expressed by Mr Fazio to the effect that structural reforms and a reduction in fiscal pressure are essential for participation in the single currency?

Answer given by Mr de Silguy on behalf of the Commission

(23 February 1998)

With regard to the independence of the central bank:

In accordance with Article 109j of the EC Treaty, the Commission will assess in its convergence report whether the statutes of the Banca d'Italia are compatible with Articles 107 and 108 of the Treaty and with the Statute of the European System of Central Banks (ESCB). Under Article 108, 'Each Member State shall ensure, at the latest at the date of establishment of the ESCB, that its national legislation including the statutes of its national central bank is compatible with this Treaty and the Statute of the ESCB.'

Leaving aside the work under way within the Commission on assessing the statutes of the Banca d'Italia, the Commission is not aware of any initiatives prejudicial to the independence of the Banca d'Italia or of any plan by the Italian Government to replace its Governor.

With regard to the need for structural reforms:

In its latest annual economic report and in its broad economic policy guidelines, the Commission supported the idea of reducing the tax burden and speeding up structural reforms. Such a policy helps promote economic growth and hence job creation. These reforms are necessary in most Member States, irrespective of the introduction of the euro.

Furthermore, in its conclusions regarding Italy's convergence programme, the Ecofin Council on 19 January 1998 welcomed first the major reforms launched or carried out by Italy since the July 1997 examination of the convergence programme, which looked at tax and budgetary procedures, and second the additional measures taken to reform the social security system in 1995.

(98/C 196/94) **WRITTEN QUESTION P-4054/97**

by Bartho Pronk (PPE) to the Commission

(15 December 1997)

Subject: Net contribution by Netherlands in 1997

What is the expected amount of the Netherlands' net contribution to the European Union budget in 1997?

Answer given by Mr Liikanen on behalf of the Commission

(19 January 1998)

The Commission does not produce estimates of budgetary balances, i.e. the difference between budget contributions to and budget expenditure received by the Member States. Consequently, no data for the budgetary position of the Netherlands in 1997, which the Honourable Member is seeking, is available. The reasons for the Commission's position on this matter are discussed in detail in a document presented by the Commission to the EcoFin Council of 13 October 1997 entitled Budget contributions, EU expenditure, budgetary balances and relative prosperity of the Member States. This document is now available on the Europa site of the World Wide Web in the 11 official languages.

(98/C 196/95) **WRITTEN QUESTION E-4062/97**

by Fernand Herman (PPE) to the Commission

(14 January 1998)

Subject: Medical treatment

Regulation 1408/71 ([1]) on social security stipulates that the authorization to receive more effective treatment in another Member State cannot be denied to Union citizens if that treatment is not offered within a period which takes account of their age and state of health. In 1978 the Court of Justice confirmed that obligation (Case 117/177).

What steps is the Commission taking to compel the competent French authorities to meet their Community obligations by authorizing their nationals to receive, in Belgium, rehabilitative geriatric treatment which enables them to return home within three months, rather than undergoing the simple, but more costly, palliative treatment offered in France?

(1) OJ L 149, 5.7.1971, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(17 February 1998)

The Commission would draw the Honourable Member's attention to the fact that, following the Court of Justice Judgment referred to, delivered in Case 117/77 (Pierik), the second paragraph of Article 22(2) of Regulation (EEC) No 1408/71 (1) was amended by Council Regulation No 2793/81 of 17 September 1981 (2) amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71.

In accordance with the present text of this Regulation, a person requires a prior authorisation in order to be entitled to reimbursement of medical costs (other than for treatment required immediately) incurred in a Member State other than that in which the person is insured (see Article 22(1) (c)). This authorisation 'may not be refused where the treatment in question is among the benefits provided for by the legislation of the Member States on whose territory the person concerned resides and where he cannot be given such treatment within the time normally necessary for obtaining the treatment in question in the Member State of residence, taking account of his current state of health and the probable cause of the disease' (Article 22(2), final paragraph).

Regarding the problem of authorisations by the French authorities for persons to receive rehabilitative geriatric treatment in Belgium, the Commission will examine any complaint on this matter in the context of the provisions currently in force, that is to say it will verify whether the treatment is included among the benefits provided for by the French legislation and whether it can be given within the time normally necessary for obtaining this treatment in France.

However, regarding the compatibility of this prior authorisation system with Articles 30 and 59 of the EC Treaty, this question is currently before the Court of Justice in Cases Decker (C-120/95) and Kohll (C-160/96).

The Commission will await the Court's judgments in these two Cases before, if necessary, taking appropriate measures.

(1) An updated version of this Regulation was adopted by Council Regulation (EC) No 118/97 of 2 December 1996, OJ L 28, 30.1.1997.
(2) OJ L 275, 29.9.1981.

(98/C 196/96)

WRITTEN QUESTION E-4073/97

by Riccardo Nencini (PSE) to the Commission

(14 January 1998)

Subject: Insurance

The Fondiaria insurance company is in the process of reorganizing its own networks as well as those of the Milano Assicurazioni, Polaris and Previdente companies. In the process, an unknown — but, undoubtedly, extremely large — number of direct and indirect jobs will be lost.

In addition to terminating agreements with agents, Fondiaria is sending clients policy termination notices, thus causing upset to the clients themselves and producing extensive disruption.

Does the Commission intend to ascertain whether the above action by Fondiaria violates antitrust legislation and consumer rights?

Answer given by Mr Van Miert on behalf of the Commission

(9 March 1998)

On the basis of the information currently in its possession, the Commission believes that the restructuring of the Fondiaria group does not create a distortion of competition according to Articles 85 to 94 of the EC Treaty.

It is not possible to give an abstract answer to the question about consumer rights. While the general principle of pacta sunt servanda obviously applies, specific circumstances may allow for cancellation. Contractual clauses allowing for this might be considered unfair in the sense of Council Directive 93/13/EEC of 5 april 1993 on unfair terms in consumer contracts [1] but this cannot be established without close scrutiny. In any event it is not up to the Commission to examine whether companies comply with national measures implementing this Directive.

[1] OJ L 95, 21.4.1993.

(98/C 196/97)

WRITTEN QUESTION E-4077/97

by Guido Podestà (UPE) to the Commission

(14 January 1998)

Subject: Promotion of a 'performance bond' guarantee system in the European Union

On 21 October 1997, in response to a statement which I made in plenary regarding the Tappin report on public procurement, Commissioner Monti said that he was not opposed to the introduction of new instruments designed to guarantee punctual performance of public contracts, such as 'performance bonds', but that it was necessary to avoid discriminating against and penalizing SMEs.

Can the Commission state whether it intends to conduct studies into the feasibility and arrangements for the introduction of such guarantee instruments and, if so, when?

If it does not intend to carry out such studies, would it state its reasons for not doing so?

If it does, will it be able to draw up a proposal for the introduction into Community law of such public contract performance guarantees, and how long does it think this will take?

Answer given by Mr Monti on behalf of the Commission

(10 March 1998)

As indicated by the Commission in response to a question asked by the Honourable Member during the debate about the Tappin report on the public procurement green paper [1], performance bonds can play an important role in facilitating the opening-up of public procurement in the construction sector. The study into the impact and effectiveness of the single market [2] programme which was undertaken for the Commission in 1996 demonstrated that public procurement in this area has not yet been opened up to a significant degree. The Commission is convinced that this is due mainly to a lack of actual competition and welcomes therefore any measures which can favour an increase in competition.

In addition to initiatives taken by the Commission such as the mandate which has been given to the European Committee for standardisation (CEN) and the European Committee for electrotechnical standardization (Cenelec) to develop a qualification standard, initiatives from the private sector are certainly needed. The development of performance bonds would seem to be a very promising example of such initiatives. The Commission follows such initiatives very closely but does not think that its intervention is needed at this stage. It will, however, closely monitor this and similar developments. If this reveals that an important contribution to the success of the initiatives can be made by the Commission, it will take appropriate decisions based on the information available to it at the time.

[1] COM(96) 583 final.
[2] COM(96) 520 final.

(98/C 196/98)

WRITTEN QUESTION E-4078/97

by Monica Baldi (UPE) to the Commission

(14 January 1998)

Subject: Anti-Italian previews on Channel Four

The anti-Italian previews of the Italy-Russia football match recently broadcast on the British television channel, Channel Four were a serious affront to our country and an incitement to intolerance and violence.

What action does the Commission intend to take to prevent the media from violating the principles of peace and tolerance on which the EU is based and that of respect for the national identities of its Member States enshrined in Article F of the Common Provisions of the TEU?

Answer given by Mr Oreja on behalf of the Commission

(24 February 1998)

The Commission was not aware of the transmission by Channel 4 in the United Kingdom of the trailers mentioned by the Honourable Member. It immediately took the matter up with the British authorities. They have informed the Commission that such matters are regulated in the United Kingdom by the Independent television commission (ITC) which is responsible for applying those national rules that implement Directive 97/36/EC of the Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (the television without frontiers directive) which provides the legal framework at Community level for broadcasting activities ([1]). Also, the Broadcasting standards commission (BSC) investigates complaints under its code of practice, to which all British broadcasters adhere. Both these bodies have investigated the matter and have come to the conclusion that, although the trailers were a poor attempt at humour, they did not constitute a breach of the taste and decency regulations according to United Kingdom standards. It should be noted that the trailers were only broadcast for the first match and were not repeated for the second match. Furthermore, there has been correspondence between the British minister with responsibility for sports and the president of the Italian national olympic committee which is in charge of sports in Italy, in which the British minister states that he wholeheartedly agrees that material should not be broadcast which can be seen as advocating inappropriate attitudes among spectators of international games. In the circumstances, the Commission believes that although this incident was unfortunate, it does not appear to constitute a breach of Community law and it is confident that it will not be repeated.

([1]) OJ L 202, 30.7.1997.

(98/C 196/99)

WRITTEN QUESTION P-4079/97

by Georg Jarzembowski (PPE) to the Commission

(18 December 1997)

Subject: Ground-handling services

The Council decided on 15 October 1996 to adopt Directive 96/67/EC ([1]) on access to the ground-handling market at Community airports. Pursuant to Article 23 of the directive, the deadline for transposing it into national law is no later than one year from the date of its publication in the Official Journal of the European Communities. This deadline expired on 26 October 1997. The directive aims to open up ground-handling services to competition after decades of near-monopoly conditions at airports and to allow market access to new suppliers.

Against this background, can the Commission say:

1. Which Member States have transposed the directive into national law, by the deadline or to date?
2. Has it already verified whether the legislation of the Member States which have transposed it is actually in line with the directive's provisions? If so, what was the result? If not, when will it do so?

3. Have the Member States which did not transpose the directive by the deadline informed it when they intend to do so? (Please give dates for each Member State.)

4. What steps is it taking to insist that countries which have not yet done so transpose the directive?

5. After expiry of the deadline, how can the undertakings concerned directly assert their rights under the directive against the countries which have not transposed it?

(1) OJ L 272, 25.10.1996, p. 36.

Answer given by Mr Kinnock on behalf of the Commission

(16 February 1998)

The implementation in national law of Directive 96/67/EC on the access to the groundhandling market at Community airports should have been concluded by 25 October 1997. No national legislation was communicated to the Commission in time and, in the absence of communication, letters of formal notice were sent to all Member States on 29 December 1997.

Four Member States (Germany, France, Finland, UK) have now implemented the Directive, while the majority (Belgium, Netherlands, Luxembourg, Ireland, Denmark, Sweden, Greece, Austria) which have not yet implemented the Directive have informed the Commission this is to be done in the first three months of 1998. Responses are awaited from the other Member States.

During the implementation process, the Commission is kept informed on the prospective legal texts and can give its view as to their adequacy and accuracy.

According to the case-law of the Court of justice, undertakings may rely directly on the provisions of a Community directive when a Member State has not implemented the law before the deadline, on the condition that these provisions are clear and unambiguous, unconditional and not dependent on further action by the Community or the national authorities. Moreover, undertakings may — under certain conditions — claim compensation from the Member State for the damage incurred as a consequence of the State's failure to implement a Community directive before the deadline.

(98/C 196/100) **WRITTEN QUESTION E-4087/97**

by Katerina Daskalaki (UPE) to the Commission

(16 January 1998)

Subject: Hydroelectric plant on an archeological site

Authorization has recently been given for the construction of two hydroelectric plants in the vicinity of Dimitsana, close to an area designated by the Ministry of Culture as an archeological site situated around the legendary Lousios Gortynias river, where the monasteries of Ioannou Prodromou (John the Baptist), Filosofou and the Aimialon are situated, together with ancient Gortyna. Authorization will also be given to run pipes along the river embankments. In addition, an open-air museum of hydraulics was recently opened in the same locality with cofunding from the European Union.

Will the Commission take measures to protect this area of exceptional natural beauty which is also the site of many European cultural treasures?

Answer given by Mr Oreja on behalf of the Commission

(4 March 1998)

As the Honourable Member is aware, the protection of national archaelogical heritage falls exclusively within the competence and responsibility of the Member States. The Community's and the Commission's role in particular is that foreseen within the terms of subsidiarity and its intervention is clearly defined in Article 128 of the EC Treaty. Specifically, its role is to encourage cooperation among Member States in the field of cultural heritage conservation. That cooperation can be made concrete through plans co-decided by the Parliament and the Council, such as the Raphael programme.

In this context, it is evident that the Commission cannot intervene in the matter raised by the Honourable Member, namely the construction of the hydroelectric plant in the vicinity of Dimitsana.

(98/C 196/101)

WRITTEN QUESTION E-4089/97

by Peter Truscott (PSE) to the Commission

(16 January 1998)

Subject: Funding for Hertfordshire in 1994-1997 from the employment funds ADAPT, HORIZON, YOUTHSTART, NOW and INTEGRA

Would the Commission please inform me of the amount of funding Hertfordshire has received from the employment funds ADAPT, HORIZON, YOUTHSTART, NOW and INTEGRA during the years 1994, 1995, 1996 and 1997?

Answer given by Mr Flynn on behalf of the Commission

(4 February 1998)

The amounts (ECU) listed below were paid by the European social fund (ESF) to projects for which the applicant organisations or named contact had a Hertfordshire address:

	1995	1996	1997
ADAPT	14 671	538 677	847 285
Horizon	37 699	121 508	371 503
Youthstart	53 367	68 968	89 713
NOW	27 328	33 709	273 974

The figures for 1995 and 1996 represent the total ESF expenditure in that calendar year. This consists of a first advance payment of up to 50% of the ESF funding allocated, and a second advance of up to 30%, both of which are paid during that year. The balance is then paid out in the following year, after clearance of final claims. The figure for 1997 shows the amount of ESF funding requested by and approved for projects for 1997.

There were no organisations in Hertfordshire receiving funding for Integra (or the strand's predecessor — Horizon disadvantaged). Projects did not receive any funds for 1994, since the first call for projects covered operational activity in the years 1995-1997.

(98/C 196/102)

WRITTEN QUESTION E-4093/97

by Peter Truscott (PSE) to the Commission

(16 January 1998)

Subject: Funding for Hertfordshire in 1994-1997 from the ERDF and KONVER Funds

Would the Commission please inform me of the amount of funding Hertfordshire has received from the ERDF and KONVER Funds in 1994, 1995, 1996 and 1997?

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

(26 February 1998)

Mainstream European regional development fund (ERDF) funding is not available to Hertfordshire as the county has not been declared eligible under the structural funds' regional objectives. However, Hertfordshire has received funding under the Konver Community initiative programmes.

The ERDF and the European social fund (ESF) awards made to Hertfordshire under the Konver II programme (which covers the period 1994-1999) are as follows:

Project	Applicant	Grant (UKL)	MECU
ERDF			
I. Promotion of tourism	Hertfordshire County Council	107 000	0.161
II. Herts, Beds 1 Luton Measure 1	Herts training and enterprise Council (TEC)	1 151 000	1.732
III. Herts, Beds & Luton Measure 2	Herts. TEC	265 000	0.399
		1 523 000	2.292
ESF			
I. Winning out of Defence 1996	Herts. TEC	310 770	0.468
II. Winning out of Defence 1997	Herts. TEC	444 600	0.667
III. Skills shortage in the Manufacturing Sector	Herts. TEC	104 850	0.158
		860 220	1.293

It is not possible to provide a detailed breakdown of payments made to Hertfordshire on an annual basis. This information is held by the British government. Its office for the Eastern region administers the programme.

(98/C 196/103) **WRITTEN QUESTION E-4095/97**

by Peter Truscott (PSE) to the Commission

(16 January 1998)

Subject: Funding for Hertfordshire in 1994-1997 from PHARE and TACIS funds

Would the Commission please inform me of the amount of funding Hertfordshire has received from the PHARE and TACIS funds in 1994, 1995, 1996 and 1997?

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

(5 February 1998)

The purpose of Phare and Tacis funding is to assist the countries of Central and Eastern Europe, and the Newly Independent States and Mongolia respectively. No funding is available from these programmes for assistance to areas within the Community. Public and private sector organisations within the Community are involved in the execution of Phare and Tacis programmes. The Commission does not keep regional statistics by country on this involvement.

(98/C 196/104)

WRITTEN QUESTION E-4096/97

by Peter Truscott (PSE) to the Commission

(16 January 1998)

Subject: Funding for Hertfordshire in 1994-1997 from the MEDIA II and town-twinning funds

Would the Commission please inform me of the amount of funding Hertfordshire has received from the MEDIA II and town-twinning funds in 1994, 1995, 1996 and 1997?

Answer given by Mr Oreja on behalf of the Commission

(13 March 1998)

As the MEDIA II programme was not launched until 1 January 1996, no assistance was granted before that date.

In 1996 no company located in Hertfordshire received any assistance under the MEDIA II programme.

In 1997 Arrow Film Distributors Ltd, a company based in Radlett, received ECU 25 000 in assistance.

Hertfordshire was awarded grants under the Commission's town-twinning scheme (budget heading A 3021) in 1994 (ECU 5 898), in 1995 (ECU 5 427), in 1996 (ECU 14 201) and in 1997 (ECU 11 036).

(98/C 196/105)

WRITTEN QUESTION E-4097/97

by David Morris (PSE) to the Commission

(16 January 1998)

Subject: Human resource development and funding

The Commission proposes four strands of human resource development under Objective 3. Will these be duplicated under Objectives 1 and 2? Further, will the proposed ESF regulation specify the financial allocation between these strands and if so, what will that allocation be?

Answer given by Mr Flynn on behalf of the Commission

(2 February 1998)

The Commission is currently preparing its proposals for the regulations governing the structural funds for 2000-2006 and plans to adopt its proposals before Easter 1998. The basis for these proposals is given in Agenda 2000 ([1]).

It is proposed that the new objective 3, which addresses the four areas mentioned in Agenda 2000, should have two main functions:

— to provide the common framework for all European social fund (ESF) interventions (i.e. in objectives 1, 2 and 3), providing consistency of approach across European and national human resources development strategies on the one hand and regional interventions on the other;

— to operate as a self-contained objective, financing human resources development measures outside the objective 1 and 2 regions, thus ensuring a coherent Community-wide human resources development strategy.

The details regarding the implementation of objective 3, including the question of programming and financial priorities, remain under consideration and the Commission's proposals will be given in the draft regulations presented in 1998.

([1]) COM(97) 2000 final.

(98/C 196/106)

WRITTEN QUESTION E-4099/97

by Winifred Ewing (ARE) to the Commission

(16 January 1998)

Subject: Awarding contracts

The Belgian company GIM, Geographic Information Management, as well as its mother company, GIM, Luxembourg, have been regularly awarded contracts by the European Commission (amongst them GISCO/ Luxembourg and Eurostat) and by the European Environment Agency, amongst others for the CORINE programme and for the PHARE Programme.

Most of those projects were awarded without any competition.

1. Can the Commission provide a list of contacts that were awarded to GIM Belgium and GIM Luxembourg during the last 5 years? In accordance with which procedure were they awarded? For what amounts and for which periods were the contracts awarded?

2. Is the Commission aware of the fact that 99% of the shares of GIM Belgium are owned by GIM Luxembourg and that 75% of the shares of GIM Luxembourg are owned by a company named KIVAL Consultants, located in the Bahamas?

3. The Bahamas is one of the places that are known to have laws which make it impossible to verify the shareholdership of companies. The goal of this legislation is to attract companies of which the shareholders wish to remain anonymous in order to maintain secrecy. Does the Commission agree that it is not advisable to conclude contracts with companies of which the majority shareholders are located in such places?

4. Does the Commission agree that the companies to which it awards contracts should reveal the identity of their shareholders in order to prevent contracts from being awarded to companies that are linked to secret organizations?

Answer given by Mr Liikanen on behalf of the Commission

(18 March 1998)

1. It is true that the Commission has awarded several contracts to Geographic Information Management (GIM) in recent years.

Four contracts were awarded in the last five years in the field of foreign aid, notably the PHARE programme. As the amounts involved were less than the ECU 50 000 threshold laid down by Council Regulation (EEC) No 3906/89 on economic aid to the Republic of Hungary and the Polish People's Republic ([1]), three of these contracts were awarded by private treaty. They were concerned with the production of maps and ranged in length from one year to three years.

Four contracts were awarded over the past five years in areas other than foreign aid. Three of them were published in the Official Journal and the fourth, which was for an amount below the threshold for publication, was awarded on the basis of a restricted procedure in accordance with the provisions of the Financial Regulation ([2]). All these contracts were therefore awarded in accordance with the procedures for public contracts laid down in the Financial Regulation and the public procurement directives.

In the case of all these contracts the services provided by the company were satisfactory. There were no problems with the planning or performance of the tasks the firm was asked to carry out.

2. and 3. The public procurement directives, and in particular Articles 29 and 30 of Directive 92/50/EEC relating to the coordination of procedures for the award of public service contracts ([3]), allow tenderers to be excluded if they have not fulfilled their obligations as regards the payment of tax and social security contributions. They do not, however, enable a company to be excluded because its capital is held by a particular individual or another company. This criterion would be considered discriminatory under the terms of the directives.

To make tax avoidance more difficult, the Commission may require tenderers to supply the appropriate proof. In the case of PHARE, the Commission insists that consultants on the short lists must have their registered office either in a Member State or in a recipient country. Specific investigations are carried out if a tenderer or contractor is suspected of having connections with organisations considered to be illegal and the findings are passed on to the Commission.

Details of the four contracts which exceeded ECU 50 000 have been sent direct to the Honourable Member and to Parliament's Secretariat.

(1) OJ L 375, 23.12.1989.
(2) OJ L 356, 31.12.1977.
(3) OJ L 209, 24. 7.1992.

(98/C 196/107)

WRITTEN QUESTION E-4106/97

by Konstantinos Hatzidakis (PPE) to the Commission

(16 January 1998)

Subject: Progress in realizing Community initiatives and Cohesion Fund projects in Greece

Can the Commission provide comparative analytical tables showing progress to date in realizing Community initiatives and Cohesion Fund projects for each Member State?

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

(6 March 1998)

Because of the length of the answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(98/C 196/108)

WRITTEN QUESTION E-4107/97

by Joan Vallvé (ELDR) to the Commission

(16 January 1998)

Subject: Use of refrigerating services in fruit-processing cross-border areas

In fruit-producing areas there can be (according to the size of the harvest) a shortage of refrigerating capacity on one side of the border and a surplus on the other. On occasions this means that farmers on one side of the border need to hire such capacity from the neighbouring country.

Is the Commission planning any action to facilitate cross-border cooperation in the processing and marketing of agricultural produce?

Answer given by Mr Fischler on behalf of the Commission

(18 February 1998)

The reform of the fruit and vegetable market organisations introduced by Council Regulation (EC) No 2200/96 of 28 October 1996 (1) lays down measures intended to cope with the situation described by the Honourable Member.

Producer organisations may implement operational programmes with a view to improving product quality and developing commercial value. To this end, coldstores in another Member State can be rented. Under the conditions of the single market, products can be processed and marketed without territorial restriction.

The operational programmes are 50%-financed by the Community and if a programme is presented by several Community producer organisations operating in separate Member States for cross-border activities, the rate of funding is increased to 60% of actual expenditure.

(1) OJ L 297, 21.11.1996.

(98/C 196/109)

WRITTEN QUESTION E-4108/97

by Gianfranco Dell'Alba (ARE) to the Commission

(16 January 1998)

Subject: Trial for the killing of the Italian Giacomo Turra in Colombia on 3 September 1995

15 December 1997 will see the start of the court-martial at the Military Tribunal in Cartagena, Colombia, which will finally try 5 policemen charged with the manslaughter of the European citizen Giacomo Turra who died there at the age of 24.

After various attempts by the Colombian authorities to have it shelved, the trial is to take place thanks to the intervention not only of the Italian Government but also of numerous international human rights organizations.

The Commission recently granted Colombia $5 million in humanitarian aid in return for an undertaking to improve compliance with human rights, and the trial is undoubtedly important proof of the Colombian state's determination to combat the impunity with which it is characterized.

Does the Commission not think it would be an idea to take advantage of the opportunity to send observers to the trial to ascertain that the legal proceedings respect human rights?

Answer given by Mr Marín on behalf of the Commission

(4 February 1998)

The Commission is watching with some concern the human rights situation in Colombia, which remains unsatisfactory on the whole. It will be keeping a close eye on the trial of Mr Turra's alleged killers through its delegation in Bogotá, in coordination with the Member States' diplomatic representations there.

The Commission assigns top priority to initiatives aimed at strengthening the machinery for protecting human rights in Colombia and to monitoring infringements of those rights. That aim is achieved in three ways: by beefing up the presence of the international community (additional funding of the international observer team made available to the Office of the UN High Commissioner for Human Rights and responsible for monitoring the human rights situation throughout the country); by financing initiatives for local NGOs working in the field of democracy and human rights; and through structural aid for the administration of justice.

As for the humanitarian aid programme referred to by the Honourable Member, it should be stressed that under the terms of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (1), such aid, given its objective, is not guided by or subject to political considerations.

The other forms of aid Colombia receives from the Commission are largely targeted at the most disadvantaged sections of the population. The Commission enlists the help of a large number of local and international NGOs in implementing its aid.

It should be stressed that Colombia is signatory to a regional cooperation agreement with the Community which subjects Community aid to observance of human rights.

(1) OJ L 163, 2.7.1996.

(98/C 196/110)

WRITTEN QUESTION P-4109/97

by Mirja Ryynänen (ELDR) to the Commission

(18 December 1997)

Subject: Support for organizations receiving operational grants

The Commission allocates operational grants to numerous organizations. The problem for the organizations is that they only receive information about the size of their grant at a late stage, in the middle of the year or in the autumn. This situation makes it impossible for them to plan activities sensibly and makes them uncertain about initiating projects which will cost money.

It would facilitate matters if organizations which had proved to be serious cooperation partners were paid half the operational grant for the coming year with the amount for the rest of the year being varied to take account of any changes in the amount for the whole year.

What is the Commission doing to enable operational grants to function better from the point of view of their users?

Answer given by Mr Pinheiro on behalf of the Commission

(18 February 1998)

The Community budget is not implemented by prior apportionment of operational appropriations among a large number of organisations. An organisation may obtain financial support from the Commission if it puts up a project which, firstly, matches a measure included in the general budget by the budgetary authority and if, then, that measure meets the specific requirements of the Community rules governing the implementation of the specific measure.

Hence the need for a specific review of the application from the future recipient by the Commission.

Proportionate allocation of appropriations as envisaged by the Honourable Member would not allow the Commission to comply with the requirements of (Article 2) of the Financial Regulation designed to ensure that public funds are used in accordance with the principles of sound financial management, and in particular those of economy and cost-effectiveness.

As to enhancing the efficiency with which operational appropriations are put to use, the 'specific review' mentioned earlier is increasingly spread uniformly over the entire year in order to ensure that the budget is executed in a way and to reduce delays between the lodging of an application and the Commission's response.

(98/C 196/111)

WRITTEN QUESTION E-4114/97

by Yves Verwaerde (PPE) to the Commission

(16 January 1998)

Subject: Social policy in the context of EU-ACP relations

What policy and actions does the Commission intend to pursue to support social policies in the context of combatting poverty and increasing employment in the ACP countries?

Answer given by Mr Pinheiro on behalf of the Commission

(17 February 1998)

On the work that the Commission has done for the campaign against poverty in African, Caribbean and Pacific (ACP) countries, the recent report on Community-ACP cooperation in 1996 is sent direct to the Honourable Member and to the Parliament's secretariat. This sets out the various types of action at the level of the macroeconomy, sectors, and projects. It is the intention of the Commission to continue the work already started, both in policy and in operations.

The orientations for post-Lomé arrangements clearly demand a commitment to the issue of poverty eradication. Two new communications to Council are being prepared during this semester regarding microfinance and indigenous peoples. Both will provide policy directions regarding aspects of poverty reduction. Microfinance provides the possibility to increase employment and income earning opportunities for very poor people who are excluded from the formal economy. A policy regarding indigenous peoples will provide a framework for addressing the special needs of these vulnerable groups, and opening up development opportunities to them.

The national indicative programmes agreed with ACP states for the 8th European development fund (EDF) have the overall objective of reducing poverty. The priority sectors are varied including food security, social sectors and rural development. Staff will now implement these operations.

(98/C 196/112)

WRITTEN QUESTION E-4119/97

by Marjo Matikainen-Kallström (PPE) to the Commission

(16 January 1998)

Subject: Drugs problems caused by Afghanistan and Pakistan

Every year, substantial quantities of drugs enter the European and United States markets from Afghanistan and Pakistan. According to UN Development Program (UNDP) statistics, for example, Afghanistan produces 2 300 tons of opium per annum, two thirds of which is processed into heroin. Much of the processing and smuggling to Western markets is carried out in or through Pakistan. The problem affects the European Union particularly badly, as drugs can enter the internal market all too easily. Control of the Union's external borders ought to be stepped up, particularly by improving information exchanges and exploiting advanced technology.

In view of the above, what will the Commission do to help and induce Afghanistan and Pakistan to introduce more effective measures against producers, processors and suppliers of drugs? What will the Commission do to ascertain how the Union's external borders could be controlled more effectively than at present in order to stem the flow of drugs?

Answer given by Mr Marín on behalf of the Commission

(17 February 1998)

The appropriation of funds on the Community's budget line B7-6210 is at present intended to finance direct actions such as prevention and reduction of drug abuse and the control of supply through prevention of the diversion of precursors as well as measures against money laundering in countries.

In the case of Afghanistan, the current conditions in the country do not permit the Commission to do more than support limited even if comprehensive treatment and rehabilitation and prevention projects in areas most affected by opium addiction. The Commission provided technical assistance to the United Nations drug control programme (UNDCP) to establish the poppy cultivation survey which is carried out annually. As Afghanistan has, at present, no properly functioning constitutional law enforcement system, it is not possible for the Commission to intervene in the country with regard to measures against producers, processors or suppliers of drugs.

In Pakistan, which itself has a significant addict population (estimates suggest 2 million heroin addicts), the Commission has sought to channel Community assistance into the areas of drug abuse prevention, training, treatment and rehabilitation through government and non-governmental organisations (NGO) activities. Furthermore, the Commission is engaging in a precursor control project for the South Asia association for regional cooperation (SAARC) to be implemented through the UNDCP.

With regard to the control of the Community's external borders against illicit drug trafficking originating, in particular, in Afghanistan and Pakistan, the Commission is developing, through its regional and national drugs PHARE programmes, the capacity of transit countries, such as Bulgaria, Romania and Former yugoslav republic of Macedonia (FYROM) to control their external borders and main entry points (e.g. international airports and Black Sea ports).

The Commission also envisages, under the TACIS programme, to implement concrete measures to curb the illicit drug trafficking transiting through the Commonwealth of independent States (CIS) countries.

Under the OISIN programme on police and customs cooperation in the Community, which is managed by the Commission, operational projects will soon be implemented in order to improve controls at the Community's external borders against the illicit drug trafficking through the Balkan route.

(98/C 196/113)

WRITTEN QUESTION E-4121/97

by Gerhard Hager (NI) to the Commission

(16 January 1998)

Subject: Declaration on sport

In making the declaration on sport at Amsterdam, the Member States for the first time acknowledged the special significance of sport.

1. What measures is the Commission planning to put this declaration into practice?

2. In my experience, Eurathlon often poses virtually insurmountable organizational problems for small clubs and associations in particular, despite the fact that their contribution to popular sport is a significant one. Is the Commission aware of such problems?

3. Are further programmes being planned to support popular sport in such a way as to enable small clubs and associations to participate in them, too?

Answer given by Mr Oreja on behalf of the Commission

(2 March 1998)

1. The Commission is preparing a communication on sport in the Community for Parliament and the Council. It will take into account not only the declaration on sport included in the Treaty, but also Ms pack's report on sport which has been adopted by Parliament. The communication will contain a series of proposals relating to possible Community action in the area.

2. The Commission is aware of the problems set by the Eurathlon programme. An audit will therefore be carried out on the programme this year for submission to the budgetary authority. The audit will cover the financial and organisational aspects of the programme.

3. The conclusions drawn from the communication and the audit will enable the Commission to put forward new proposals relating to programmes for sport.

(98/C 196/114)

WRITTEN QUESTION E-4124/97

by Anita Pollack (PSE) to the Commission

(16 January 1998)

Subject: Environmental clean-up operations on the Kola peninsula

The Commission is aware that much radioactive waste is being stored on the Kola peninsula in medium-term facilities which are incompatible with modern safety requirements and that a tiny ECU 5 million was earmarked for disposal projects. Will the Commission please explain whether this work has been undertaken?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 February 1998)

An inventory of the spent nuclear fuel and radioactive waste presently in storage in facilities in North West Russia, together with the quantities that are expected to be produced in coming years, was prepared in 1996 under a study contract financed by the Commission. As a follow-up to this study, 5 MECU of TACIS nuclear safety funds were allocated to radioactive waste management in the region. The four projects that make up this programme were all started in 1997.

In addition to these projects, the Commission also supports a number of other activities related to radioactive waste management in the area. These include remediation of the storage vessel 'Lepse', removal of spent nuclear fuel, development of a cask for the storage and transport of the removed fuel, evaluation of the possibilities for storage of spent nuclear fuel removed from submarines and icebreakers, and an evaluation of the impact on the environment of the nuclear reactors dumped in the Kara Sea.

However, in addition to these activities, a great deal more needs to be done. A recent international expert opinion advised that the situation in the region was deteriorating further as more and more nuclear submarines were decommissioned. It urged states to encourage financing of additional activities in the region. The Commission endorses this position and hopes to step up its efforts to remedy the situation. It looks to the Parliament for continuing support.

(98/C 196/115)

WRITTEN QUESTION E-4125/97

by Claude Desama (PSE) to the Council

(22 January 1998)

Subject: The situation at Eurocontrol

Eurocontrol is in practice losing the characteristics of an organization governed by public international law. It was established as such by a Convention signed in 1963 by several European countries, but now, owing to the revision of the texts by which it was established, day-to-day management of the organization is quite plainly going adrift.

This situation goes far beyond the need to adapt to obvious current requirements and is resulting in the organization quite simply being taken over by private companies, which is blatantly contrary to, and represents a complete break with, its traditions and its role as an international organization governed by public law.

For several years, the setting of Eurocontrol's objectives and implementation of its resources has been in the hands of external consultants and various contractors (almost 400 altogether!) who are not air traffic specialists and whose sole interest lies in producing expensive reports, which are often of no use, rather than in helping to create an integrated and coherent air traffic control and management system.

This situation has already resulted in the dismissal of many of the agency's officials and also in the accumulation of an ECU 400 million debt in five years.

Is the Council planning to take steps to improve the situation and thus halt the destruction of an organization whose expertise and resources are being squandered for the benefit of private interests and, ultimately, at the expense of the Member States and to the detriment of the safety of European citizens?

Answer

(30 March 1998)

The European Organization for the Safety of Air Navigation (Eurocontrol) is an international organization which incorporates the Member States of the European Union (except for Finland) and thirteen other European States.

On 6 November 1996 the Commission submitted to the Council a recommendation that the Commission be authorized to negotiate European Community membership of that organization. That recommendation is being examined by the Council's subordinate bodies.

For years now the Council has been giving priority to problems of air traffic control, particularly in its Resolution 89/C189/02 of 18 July 1989 and the conclusions of 29 and 30 March 1990. Its action resulted in a significant number of Member States, including Denmark, Spain, Italy, Austria and Sweden, joining Eurocontrol.

On 19 July 1993 the Council adopted Directive 93/65/EEC on the definition and use of compatible technical specifications for the procurement of air-traffic-management equipment and systems.

On 17 November 1995 the Council adopted a Resolution on problems caused by congestion and crisis situations in air traffic in Europe.

The Honourable Member can rest assured that the Council confirms the need to continue and intensify the work of Eurocontrol, the Convention on which has just been revised (27 June 1997), so as to address and resolve the problems of air traffic in Europe, possibly even by considering the European Community's accession to that international organization.

As regards matters of Eurocontrol's internal organization, such as the Honourable Member alludes to in his Question, it is not for the Council to take a position in an area where only certain Member States, and not the Community, are qualified to act.

(98/C 196/116)

WRITTEN QUESTION E-4135/97

by Nikitas Kaklamanis (UPE) to the Commission

(21 January 1998)

Subject: Russian decision to exclude a number of products from the T.I.R. system

Russia has removed a large number of products from the T.I.R. transit scheme which, in any case, could not be transported to that country under T.I.R. documentation. The Russian Federation's State Customs Committee has notified the International Road Transport Union (IRU) of Decree No 513 banning the transit on its territory of a number of goods under T.I.R. documentation. These goods include, in particular, Community products such as barley beer, sugar, confectionery, butter and other milk-based fats, chocolate, pharmaceuticals, computers, videos, televisions, means of transport, etc.

The repercussions are considerable both for European products and European hauliers. The Russian decision entails a particular loss of business for hauliers in the peripheral countries of the Union such as Greece, as opportunities were open to Greek firms to transport a number of Community products from other countries to Russia which have now been completely eliminated.

How will the Commission respond to the Russian authorities' decision in order to safeguard the interests of Community hauliers and ensure that they are competing on fair terms with their counterparts in other European countries which are asking for the Union's financial and moral support?

Answer given by Mr Monti on behalf of the Commission

(26 February 1998)

The Commission shares the concern expressed by the Honourable Member in respect of the Order No 513 of the Russian State customs committee, requiring separate guarantee arrangements to be made, outside that provided within the international carriage of goods by road (TIR) Convention, 1975, for a range of 20 categories of goods. The Commission recognises the serious effect such action would have on Community exporters and transport operators, and the potential threat to the future of this regime, essential to international commerce.

The Commission reacted very quickly in all sectors concerned through direct contacts with the Russian State customs committee, and through other transport and trade connections. Furthermore the issue was pursued by the Commission in the appropriate Economic commission for Europe meetings in Geneva.

The implementation of Order No 513 has since been deferred until 1 April 1998. The Commission is continuing its dialogue with the Russian side and others involved at all appropriate levels to secure its permanent withdrawal.

(98/C 196/117)

WRITTEN QUESTION E-4137/97

by David Bowe (PSE) to the Commission

(21 January 1998)

Subject: Import of primates from Indonesia

What action does the Commission propose to take in the light of the breaches of the Convention on International Trade in Endangered Species (CITES) and the serious animal suffering recorded in the recent report received by the Commission on the trade in non-human primates from Indonesia?

(98/C 196/118)

WRITTEN QUESTION E-4138/97

by David Bowe (PSE) to the Commission

(21 January 1998)

Subject: Import of primates from Indonesia

In view of the findings of the recent report on the trade in non-human primates from Indonesia and, in particular, the serious breaches of CITES provisions and the immense animal suffering recorded, is the Commission considering carrying out its own investigation into the trade in primates?

Furthermore, will the Commission consider imposing an embargo on the use of primates originating from Indonesia in experiments in the EU, pending the results of such an investigation?

Joint answer
to Written Questions E-4137/97 and E-4138/97
given by Mrs Bjerregaard on behalf of the Commission

(18 February 1998)

The Commission is aware of the November 1997 report by the British union for the abolition of vivisection (BUAV) on a number of shipments of primates from Indonesia to the United States. As at least one shipment transited through the Community, the Commission reminded the authorities of the Member State concerned of the provisions of Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein [1] and in particular Article 9(5) thereof.

The Commission further requested the Indonesian Convention on international trade in endangered species (CITES) management authority to provide it with a reaction to the claims in the BUAV report and to indicate its policy with regard to the implementation of International air transport association (IATA) regulations and captive breeding.

The Commission will consider whether measures under Articles 4(6) (c) of Regulation (EC) No 338/97 are necessary in the light of the results of the necessary consultations.

[1] OJ L 61, 3.3.1997.

(98/C 196/119)

WRITTEN QUESTION E-4142/97

by Francisco Sanz Fernández (PSE) to the Commission

(21 January 1998)

Subject: Intercultural education/Socrates programme

Will the Commission give details of the budget for 1997 allocated to Action 2 of Chapter II (Comenius) of the Socrates programme? What proportion of this budget was earmarked for the education of gypsies?

What projects intended for the education of gypsies were subsidized during 1997?

Were any other type of projects intended for gypsies subsidized within the framework of this programme?

Answer given by Mrs Cresson on behalf of the Commission

(5 March 1998)

In 1997 the total budget allocated to Comenius (Action 2 of Chapter II of the Socrates programme) amounted to ECU 4.8 million.

Under Comenius, the Commission has financed several projects on the education of gypsy children:

— in 1997, 13 projects were financed, with total funding of ECU 1 036 000; close to 120 partners were involved in these multiannual projects;

— in 1996, 27 projects were financed, with funding amounting to ECU 1 119 625;

— in 1995, 44 projects were financed, with funding amounting to ECU 1 173 728.

Projects are submitted to the Commission by the national agencies. At the last meeting of the national agencies, the Commission drew their attention to the number of projects submitted.

Under the Youth for Europe project, the Commission has financed 11 projects concerned with young gypsies, providing funding amounting to ECU 310 000.

(98/C 196/120) **WRITTEN QUESTION E-4143/97**

by Francisco Sanz Fernández (PSE) to the Commission

(21 January 1998)

Subject: Socrates programme

Will the Commission provide a breakdown by country of the centralized measures under the Socrates programme for 1997?

Answer given by Mrs Cresson on behalf of the Commission

(25 February 1998)

The Honourable Member is referred to the study on contributions to the Community budget, transmitted to Parliament on 14 October 1997.

(98/C 196/121) **WRITTEN QUESTION E-4145/97**

by Antoinette Spaak (ELDR) to the Commission

(21 January 1998)

Subject: Transcription of Directive 94/80/EC by Member States

Would the Commission draw up a list of the Member States which have or have not transposed into their national law Council Directive 94/80/EC ([1]) of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals?

([1]) OJ L 368, 31.12.1994, p. 38.

Answer given by Mr Monti on behalf of the Commission

(16 February 1998)

France and Belgium are the only Member States not yet to have transposed into national law Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals ([1]).

([1]) OJ L 368, 21.12.1994.

(98/C 196/122)

WRITTEN QUESTION E-4146/97

by Marco Cellai (NI) to the Commission

(21 January 1998)

Subject: Restructuring and mergers in the Italian financial insurance sector

In Italy, as in most European countries, the entire insurance sector is being restructured: acquisitions and mergers to strengthen insurance companies in preparation for the introduction of the Euro and globalization of the economy which will merely be accelerated by the Euro. These measures are both legitimate and necessary.

Unfortunately, it is the case specifically in the car insurance sector that some companies seem to be adopting restructuring measures to establish a monopoly or a guaranteed earnings scheme by obliging their agents to draw up policies with the company they represent even though they are aware of better conditions on the market.

This type of operation has been encouraged by for instance the Gruppo Fondiaria through the merger of two of its insurance companies, La Previdente and La Milano Assicurazione; the Fondiaria is part of the financial galaxy linked to Mediobanca, which is the focal point of the whole Italian economic and financial system.

Do the recent mergers and accompanying measures, particularly those of the Previdente and Milano insurance companies not conflict with European directives on competition? Does the Commission not consider it necessary to examine the social implications for employees of mergers and acquisitions in the Italian banking and insurance sector — given the quasi monopoly of Mediobanca?

Answer given by Mr Van Miert on behalf of the Commission

(10 March 1998)

On the basis of the information available to it at present, the Commission takes the view that neither the social and economic consequences of the restructuring of the Gruppo Fondiaria nor the conditions under which restructuring has taken place are such as to indicate any distortions of competition between European investors which infringe Articles 85 to 94 of the EC Treaty.

As regards mergers and acquisitions, in particular, the Commission is competent only to examine concentrations with a Community dimension within the meaning of Article 1 of Regulation (EEC) No 4064/89 as amended by Regulation (EC) No 1310/97 on the control of concentrations between undertakings ([1]). Moreover, when conducting an inquiry on the basis of this Regulation, the Commission may verify whether the merger operation is likely to have consequences for the position of the employees in the undertakings in question, such as to affect the level or conditions of employment in the Community or a substantial part of it (judgments of the Court of First Instance of 27 April 1995, Case T-96/92 (paragraph 28) and Case T-12/93 (paragraph 38), ECR II-1216 and II-1250). At all events, the criterion for deciding whether a merger is incompatible with the common market is whether it creates or strengthens a dominant position as a result of which effective competition would be significantly impeded in the common market or in a substantial part of it (Article 2(2) of Regulation (EEC) No 4064/89).

As regards the role of Mediobanca, the Commission would refer the Honourable Member to the conclusions of the inquiry conducted by the Autorità garante della concorrenza e del mercato (Italian competition authority), published in its weekly bulletin No 39 of 13 October 1997.

([1]) OJ L 180, 9.7.1997.

(98/C 196/123)

WRITTEN QUESTION E-4147/97

by Gastone Parigi (NI) to the Commission

(21 January 1998)

Subject: System of direct negotiation between oil companies and petrol station managers for exclusive purchase in Italy

The oil companies have arranged almost identical unilateral economic agreements (direct negotiation) to be applied in the annual negotiations with individual petrol station managers for the exclusive purchase of fuel and non-oil products.

The competitions and market authority has already been asked for a ruling on the legitimacy of the system (at Community and national level) on the basis of Regulation 1984/83 ([1]) of 22 June 1983 and national law 287/90 of 10 October 1990.

Without going into details, can the Commission state whether:

1. It was aware of the exchanges of contracts arranged by the oil companies for the exclusive purchase of fuel?

2. If so, can the conduct of the oil companies and the terms of the direct negotiations between oil companies and managers be described as contrary to competition law?

3. Can the terms of the direct negotiations concerning non-oil products also be regarded as violations of Community law?

4. What will the Commission do to ensure proper application of Community law?

([1]) OJ L 173, 30.6.1983, p. 5.

Answer given by Mr Van Miert on behalf of the Commission

(5 March 1998)

1. The Commission is aware of the agreements concluded between oil companies and petrol station managers in Italy (the Honourable Member is referred to Written Question E-2249/97 by Mr Caligaris ([1])). These agreements are concluded under the system of 'direct negotiation', which seeks to establish objective economic factors to be taken into account by operators in negotiations between suppliers and individual managers.

2. and 3. An assessment as to whether an agreement between companies complies with EU competition law requires detailed analysis of its provisions and an evaluation of its economic context. The Commission cannot, therefore, give its opinion in the abstract on the fundamental issues raised by the Honourable Member.

Moreover, the direct negotiation system must be assessed within the broader framework of the regulations governing fuel distribution in Italy. This legislative framework is currently in the process of being revised. According to the information available to the Commission, the purpose of this revision is to deregulate the sector by abolishing the current system of concessions granted by the Italian administrative authorities and replacing it by a system of authorisation on the basis of objective criteria for the running of service stations.

4. The Commission maintains regular contact with the Autorità garante della concorrenza e del mercato (the Italian competition authority), which is also following this issue closely, in order to obtain the final texts resulting from the legislative changes currently in progress. This authority is responsible for the application of both Italian legislation and Community legal provisions on competition.

The Italian competition authority is well placed to assess the extent to which the agreements in question meet the requirements of competition law. After all, these agreements have their main impact in Italy. Moreover, the Italian competition authority has in-depth knowledge of the activities and the companies concerned.

In the present case, it may be appropriate for the Italian competition authority to interpret and apply Commission Regulation (EEC) No 1984/83 of 22 June 1983 on the application of Article 85(3) of the Treaty to categories of exclusive purchasing agreements.

Moreover, the Commission would remind the Honourable Member that the national courts are also responsible for examining agreements under Article 85(1) of the Treaty and secondary legislation. Where appropriate, the national courts can declare agreements void, as provided for by Article 85(2) of the Treaty.

(1) OJ C 102, 3.4.1998, p. 19.

(98/C 196/124)

WRITTEN QUESTION P-4148/97

by Sirkka-Liisa Anttila (ELDR) to the Commission

(5 January 1998)

Subject: Grass subsidy to compensate for the large price differential between cereal fodder and grass fodder (forage)

The EU's reform of the CAP made the use of grass fodder more expensive than cereal fodder, as a result of the reduction in the cereal price. If the Agenda 2000 proposals are implemented in the form proposed by the Commission the price differential between grass and cereals will get even worse, particularly in the European Union's mountainous and northern regions. The production of grass fodder is rendered less profitable by growing conditions, as a result of which cereal fodder yields per unit in the best areas of Central Europe are much higher than forage yields per unit in northern and mountainous areas. Silage based on grass is the typical fodder for cows. If it is not possible to improve the profitability and competitiveness of forage in relation to cereals, this will lead to a considerable competitive disadvantage for cattle farms which are already in difficulties for other reasons. The elimination this competitive disadvantage demands additional subsidies. It calls for a subsidy for forage growing at a level comparable to the CAP subsidy payable for cereal fodder.

A reduction in the level of forage growing would increase nitrogen levels in water courses and total phosphorus levels, as well as leading to more erosion. The risk of eutrophication in lakes and rivers in areas with a high forage production would increase considerably. Solutions are sought from the Commission to the problem of unprofitability for northern crop growers resulting from Agenda 2000. The EU's grass production needs additional support so that we can preserve the competitiveness on the common market of milk production in northern and mountainous areas. Grass production needs additional support comparable to the CAP subsidy.

What measures does the Commission propose to take to secure the profitability and competitiveness on the common market of forage growing in northern and mountainous regions? Is the Commission prepared to set up a working party of its own to clarify this issue?

Answer given by Mr Fischler on behalf of the Commission

(3 February 1998)

Many of the issues mentioned by the Honourable Member are related to the intensity of livestock farming and land use. These questions are addressed in the Commission's common agricultural policy (CAP) orientations contained in the Agenda 2000 document (1) of July 1997. In this document, various measures are proposed that promote more extensive farming which would include grassland. In the beef sector, respecting the minimum stocking density factor will be even more important as the level of the beef premia increases. It will even induce some producers to become more extensive. The effectiveness of the different incentives to extensify production, in particular the beef sector 'extensification scheme' will be strengthened and improved. The support scheme regarding less favoured areas (LFAs) will gradually be transformed into a basic instrument to maintain and promote low-input farming systems. Targeted agri-environmental measures (Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the contryside (2) will be reinforced through increased budgetary resources and, where necessary, higher co-financing rates. Extensification is a central aim of these measures.

Conversely, the milk yield of Finnish cows is higher than the Community average, implying a greater reliance on concentrate feed. As a consequence, Finnish farmers could be expected to benefit to a greater extent from a feed price fall.

A high reliance on grassland but on the other hand comparatively intensive production systems shows the issue is not straightforward. Since publication of the CAP 2000 policy orientations, the Commission has visited each Member State and listened to the points of view of governments, industry and other non government organisations. The Commission is also working to understand these issues better and is sure this process will continue after the formal proposals are published.

These formal proposals will shortly be proposed by the Commission and are not yet finalised. However, they will reflect the Commission's desire that livestock farming support should be more flexible, allowing Member States better to take into account the type of problems raised by the Honourable Member.

(1) COM(97) 2000 final.
(2) OJ L 215, 30.7.1992.

(98/C 196/125)

WRITTEN QUESTION E-4166/97

by Irene Soltwedel-Schäfer (V) to the Commission

(21 January 1998)

Subject: British beef

When was the EU ban on the export of British beef transposed into national (British) law in the form of implementing provisions?

Answer given by Mr Fischler on behalf of the Commission

(9 February 1998)

Commission Decision 96/239/EC of 27 March 1996 (1) as amended by Commission Decision 96/362/EC of 11 June 1996 on emergency measures to protect against bovine spongiform encephalopathy (2) imposed export prohibitions on United Kingdom bovine animals and bovine meat and products derived from bovine animals slaughtered in the United Kingdom. These Decisions were initially applied by the United Kingdom authorities by a mixture of legislation, regulation and administrative measures.

Following inspections by veterinary inspectors it appeared that in some respects the national measures applying the ban were incomplete.

The Commission consequently put pressure on the United Kingdom government resulting in the adoption by the latter during August 1997 of more comprehensive national rules followed up during the following month by detailed circulars governing in particular the implementation of the new legislation at ports.

Commission inspections have also discovered certain inadequacies in the levels of official controls at United Kingdom meat plants and cold stores which could have implications for enforcement of the export ban. An infringement procedure has been opened against the United Kingdom in respect of this aspect.

(1) OJ L 78, 28.3.1996.
(2) OJ L 139, 12.6.1996.

(98/C 196/126)

WRITTEN QUESTION E-4169/97

by Eryl McNally (PSE) to the Commission

(21 January 1998)

Subject: SKY satellite transmission in the EU

According to the satellite television company SKY, British copyright laws forbid British citizens who have paid for SKY broadcasting within the UK from receiving transmissions whilst visiting or residing in other countries in the European Union. Consequently, many British citizens who reside in or visit other countries in the European Union are forced to either forego SKY, or illegally take their SKY card abroad and give SKY a UK address. None of the other countries within the EU have any restrictions on the viewing of their channels and they are available in all other European countries.

What can the Commission do to help ensure that British subscribers to SKY satellite television will be able to enjoy the same rights and conditions as those already enjoyed by their fellow-Europeans?

Answer given by Mr Monti on behalf of the Commission

(24 February 1998)

The Commission is aware that the reception of certain satellite broadcasting services across the Community is limited for reasons mainly related to copyright. This situation does not apply only to the broadcasting service which the Honourable Member mentions, but also to a series of other satellite broadcasting services established in other Member States.

The Commission has already examined these cases where consumers are restricted in their choice of television programmes, but has concluded that it cannot intervene since there seems to be no infringement of Community law.

Limitations on the reception of certain satellite broadcasting services are not based on national regulatory restrictions on the retransmission of television services, but depend on commercial decisions taken by the broadcasting operators concerned, mainly due to the exploitation agreement with the rightholders for the broadcasting of their works. As a result there is no infringement of internal market requirements.

(98/C 196/127)

WRITTEN QUESTION E-4172/97

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

(21 January 1998)

Subject: Cohesion policy and culture

In its communication COM(96) 512 final, Cohesion Policy and Culture: A contribution to employment (more precisely on page 3 of the introduction), the Commission refers to the varied nature of 'culture' without managing to convey in what this variety consists.

Can the Commission state what activities are covered by the term 'culture' in the context of cohesion policy?

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

(17 February 1998)

The communication explains in its introduction the diversity of 'culture' as follows:

'The cultural sector is characterised by growing close and varied inter-relations between cultural life (public cultural and social institutions: theatres, museums, arts centres; historical urban/rural sites, arts and music schools etc.) and the cultural economy (music, arts, literature and books, film, television and video production, photography, design, visual and entertainment arts, architecture, crafts and trade, protection of historical monuments, tourism)'.

In the context of cohesion policy, the communication emphasises that 'culture is not merely a public occupation creating extra costs but also an increasingly important part of the private economy with considerable growth potential fostering creative, innovative and productive effects for local and regional economies'. The examples given in the communication illustrate this.

(98/C 196/128) **WRITTEN QUESTION E-4173/97**

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

(21 January 1998)

Subject: Cohesion policy and culture

In its communication COM(96) 512 final, Cohesion Policy and Culture: A contribution to employment (page 6), the Commission notes that approximately ECU 400 million under the Structural Fund programmes went directly to the cultural sector during the period 1989-1993.

Can the Commission say what cultural projects were cofinanced, specifying the countries involved, the regional objective under which each project came, the total cost of execution and the amount cofinanced by the Community?

(98/C 196/129) **WRITTEN QUESTION E-4174/97**

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

(21 January 1998)

Subject: Cohesion policy and culture

Can the Commission supply information about the cultural projects cofinanced by the Structural Funds during the current programming period (1994-1999), specifying the countries involved, the regional objective under which each project came, the total cost of execution and the amount cofinanced by the Community?

Joint answer
to Written Questions E-4173/97 and E-4174/97
given by Mrs Wulf-Mathies on behalf of the Commission

(9 March 1998)

The figure mentioned by the Honourable Member is based on an estimation carried out by external consultants for the Commission. As was pointed out in the communication, any figures relating to cultural activities are only estimates and therefore have to be interpreted with some caution. In particular, it is especially difficult to identify cultural aspects in programmes as they are often included under other priorities such as tourism, small and medium sized enterprises (SME) or training.

Given that the Member States approve and implement structural funds projects within programmes under their own responsibility, the Commission does not have any systematic information on projects in the area of culture. However several good examples were presented in the communication illustrating innovative integration of culture into regional development and job creation.

(98/C 196/130) **WRITTEN QUESTION E-4175/97**

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

(21 January 1998)

Subject: Cohesion policy and culture

Can the Commission say what cultural pilot projects were cofinanced during the programming period 1989-1993 and during the current programming period (1994-1999) under Article 10 of the ERDF Regulation, specifying the countries involved, the regional objective under which each project came, the total cost of execution and the amount cofinanced by the Community?

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

(5 March 1998)

Pilot projects on inter-regional cultural cooperation under Article 10 of the European Regional Development Fund Regulation ([1]) were first launched in the 1994-99 programming period.

The main reason for launching such pilot projects was that disadvantaged parts of the Community often have a significant cultural heritage which is sometimes poorly exploited and could be put to better effect by networking with other local and regional authorities, with a view to improving experience, exchanging know-how and promoting economic development in those areas in the cultural field.

The pilot inter-regional cooperation projects in the cultural field thus constitute an element of cohesion policy.

A call for proposals (No 95/C 253/11) was published in the Official Journal in September 1995 ([2]). The Commission subsequently selected 32 projects out of the 265 proposals received.

The cooperation networks had to include partners from the local or regional authorities in three to six different regions and at least three Member States. The number of objective areas 1, 2, 5b and 6 participating in a network could not be a minority in relation to the total number of participants. Total funding of ECU 15 million was provided for this pilot scheme with a maximum Community contribution of ECU 600 000 per project.

The projects selected mainly focussed cooperation on enhancing the value of the cultural heritage, exchanges of know-how with a view to carrying out restoration work, devising cultural itineraries and using new information technologies in the creation of a virtual museum.

In terms of the geographical origin of the network leaders, the pilot projects are distributed as follows:

Belgium	1
Italy	3
Germany	3
Netherlands	1
Greece	4
Austria	1
Spain	5
Portugal	3
France	4
Sweden	1
Ireland	3
United Kingdom	3

The 32 pilot projects were launched on 1 January 1997 for a two-year period.

An Internet site has been created at the Commission's proposal, providing a list of the 32 pilot projects, the sphere of cooperation, the network partners and the main funding figures. This site may be consulted at the following address: http:\\www.aeidl.be\art10\.

([1]) OJ L 193, 31.7.1993.
([2]) OJ C 253, 29.9.1995.

(98/C 196/131) **WRITTEN QUESTION E-4176/97**

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

(21 January 1998)

Subject: Cohesion policy and culture

Can the Commission say what cultural projects were cofinanced in the context of the Community Initiative programmes during the programming periods 1989-1993 and 1994-1999, specifying the countries involved, the regional objective under which each project came, the total cost of execution and the amount cofinanced by the Community?

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

(6 March 1998)

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(98/C 196/132) **WRITTEN QUESTION E-4177/97**

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

(21 January 1998)

Subject: Cohesion policy and culture

In its communication COM(96) 512 final, Cohesion Policy and Culture: A contribution to employment (page 4), the Commission states that cultural activities are only eligible for funding under the Structural Funds if they contribute to sustainable employment and form an integral part of local or regional development strategies.

Can the Commission supply data concerning the contribution made to employment and regional or local development by the cultural projects cofinanced by the Structural Funds in the programming period 1989-1993 and the current programming period 1994-1999?

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

(17 February 1998)

The Commission emphasised in the communication that there is still a lack of precise knowledge of the link between culture and regional or local employment creation. This is mainly due to the fact that the cultural sector is not homogeneous and is contained within different programme priorities or statistical categories. Moreover, there are significant variations of definition and statistical classification of culture between the Member States. The communication therefore instead gives examples of successful initiatives and their estimated employment effects.

(98/C 196/133) **WRITTEN QUESTION E-4185/97**

by Bárbara Dührkop Dührkop (PSE) to the Council

(22 January 1998)

Subject: Ban on use of driftnets and the UK Presidency

Further to the decisions taken by the most recent Council of Ministers for Fisheries, what measures will the UK Presidency propose to the Council to end the use of driftnets?

Answer

(7 April 1998)

The Presidency intends to make every effort, with the support of the Commission and taking account of the views of the European Parliament, to achieve the necessary conditions in the Council so that a decision on this issue may be taken at the earliest opportunity.

(98/C 196/134) **WRITTEN QUESTION E-4188/97**

by Eolo Parodi (UPE) and Guido Viceconte (UPE) to the Commission

(21 January 1998)

Subject: Allocation of slots at Community airports

At some EU airports — in particular those with the worst traffic congestion — a lack of available slots is preventing some carriers from operating in accordance with the rules designed to ensure healthy, balanced competition.

Is the Commission aware of any instances of slot trading?

How does it intend to ensure that slots are allocated on the basis of transparent criteria in accordance with Community competition law?

What means does it have at its disposal to ensure that slots are made available and allocated to the airlines applying for them?

Answer given by Mr Kinnock on behalf of the Commission

(23 February 1998)

The Commission is very concerned by the lack of available slots at very congested Community airports. Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports ([1]) establishes the rules to be followed by airport co-ordinators in order to ensure a neutral, transparent and non-discriminatory allocation of slots.

The Commission is monitoring the proper application of the existing Regulation to ensure, in particular, that new entrants benefit from access to congested airports to the extent provided in the Regulation. The Commission has recently become aware of certain practices involving transactions between airlines which raise questions as to their compatibility with the Regulation and has asked for further information from the Member States concerned. The Commission will not hesitate to take action, when justified, in order to ensure a proper enforcement of the Regulation.

The Commission also recognises, however, that the existing Regulation is not a sufficient instrument to respond effectively to the needs of all air carriers. Whilst it ensures fair distribution of the slots which become available, it does not create new possibilities for access to the airports. Moreover, in many cases, an increase in airport capacity will either not be sufficient to resolve the congestion problem, or simply will not happen.

The Commission is therefore preparing a proposal to amend the existing Regulation in order to optimise the use of slots and giving particular consideration to the advantages and disadvantages of introducing a fair mechanism in order to facilitate slot movements. Various means of reinforcing the position of new entrants and making the existing Regulation more easily enforceable are also being considered.

The Commission proposal will attempt to offer a balanced package of measures to remedy the situation described by the Honourable Members. Of course, in cases where dominant carriers at congested airports abuse their position, the competition rules of the EC Treaty can always be used as a basis for action.

([1]) OJ L 14, 22.1.1993.

(98/C 196/135) **WRITTEN QUESTION E-4189/97**

by Eolo Parodi (UPE) and Guido Viceconte (UPE) to the Commission

(21 January 1998)

Subject: Community funds for the rebuilding of the Petruzzelli opera house in Bari

The Petruzzelli opera house in Bari, which was built between 1898 and 1903 and registered as a building of historical and artistic interest in 1954 and a traditional opera house in 1967, and which is the only privately-owned opera house in Europe, was extensively damaged by fire on 27 October 1991.

Another famous Italian opera house, the Fenice in Venice, met a similar fate in 1996, when it was totally destroyed.

Substantial Community funding has rightly been provided for the partial restoration of the Fenice; for some unknown reason, however, only ECU 80 000 have been allocated to the Petruzzelli opera house, for the partial restoration of its foyer.

Given the above, would the Commission state whether:

1. the smallness of the Community grant is due to the fact that, unlike the other European opera houses, the Petruzzelli is privately owned?
2. it would not agree that there is an extremely urgent need for Community funds to be released with a view to the completion of the rebuilding work at the Petruzzelli, given that the Messeni Nemagna family, which owns the opera house, does not have the funds required to complete the restoration work?

Answer given by Mr Oreja on behalf of the Commission

(26 February 1998)

1. As part of the support granted in 1994 for pilot projects involving the conservation of Europe's architectural heritage — the theme of which was theatres and opera houses — the Petruzzelli opera house in Bari, Italy, received a grant of some ECU 80 000 from the Commission.

As part of the preparation for the Raphaêl programme, the Commission launched other initiatives in support of the conservation of architectural heritage in 1995, 1996 and 1997, in various priority areas (religious and baroque buildings, decorative facades and pre-industrial architecture).

2. In the context of regional development initiatives (Structural Funds), the rebuilding of the opera house was listed as one of the beneficiaries under measure 6.3, 'Recovery of cultural property', of the operational programme cofinanced by the Structural Funds for the Puglia region during the period 1994-1999.

According to information received by the Italian authorities, a request for finance was submitted under this initiative, but was not accepted by the Italian regional authorities at that stage as some of the conditions for eligibility had not been fulfilled.

Even though the property is of public interest, as it is in private hands and is a potential source of profit, the level of cofinancing granted must be restricted to a percentage of the eligible expenditure, in accordance with the provisions laid down by Community regulations.

(98/C 196/136) **WRITTEN QUESTION E-4190/97**

by Ernesto Caccavale (UPE) to the Commission

(21 January 1998)

Subject: Electricity transmission lines and magnetic fields: health hazards

Leading European environmental organizations such as Codacons and Legambiente have loudly protested at the statements made by Enel, which has a monopoly on electricity distribution in Italy, regarding the construction of a large electricity transforming station in Striano, in the Province of Naples.

According to leading oncologists, the electromagnetic fields generated by high-voltage installations are carcinogenic and are thus a major health hazard.

Would the Commission state whether:

— any studies conducted at European level point to the existence of a close link between exposure to electromagnetic fields and an increased risk of disorders of the lymph nodes, leukaemia and tumours in the nervous system?

— it is true that Enel has asked it for information on any Community Directives or provisions concerning the construction of high-voltage transforming stations and above-ground electricity transmission lines, which take due account of the allegedly carcinogenic effect of the electromagnetic fields generated?

— it can vouch for the fact that Enel is acting in full compliance with Community public health legislation?

— it intends to ask the Italian authorities for further information and, where appropriate, initiate the proceedings provided for in the Treaties to guard against any action which might be detrimental to public health?

Answer given by Mr Flynn on behalf of the Commission

(11 March 1998)

Static and extremely low frequency (ELF) electric and magnetic fields originate from the generation, transmission and use of electric power. Electric shocks and burns, produced by currents following interaction with energized conductors, have been of concern since the first use of electricity. Today, the public is concerned more about slow-acting ('delayed') and imperceptible effects of exposure to fields associated with the use of electricity. Some epidemiological studies have reported effects on biological systems exposed to static and ELF fields at significantly lower levels than could be explained by established mechanisms. However, the crucial scientific question is whether the reported biological effects could lead to any adverse health consequence. So far, there are no accepted mechanisms by which supposed effects might occur from exposure to fields that have strengths too low to induce currents in the body less than endogenous currents.

Biological studies have not to date been able to establish any mechanisms through which ELF fields are likely to effect carcinogenesis. On the other hand, epidemiological studies on possible health effects from residential exposure to electromagnetic fields created by high voltage transmission lines covered a wide range of outcomes, such as neurodegenerative diseases, reproductive effects, leukaemia, breast cancer or brain tumours. Research dates back to 1979 when a Swedish study was first published, and since then about a dozen epidemiological studies have concentrated on childhood cancer. Reviews of these studies concluded that the question of an association between living in a home near to a power line and risk of childhood leukaemia remains open. However, the average fields measured in homes of children have not been found to be associated with an excess of childhood leukaemia or other cancers, and no factors have been identified that could explain an association between living next to a power line and childhood leukaemia.

At present, the Community funds epidemiological research on magnetic fields and cancer under the Biomed 2 programme, and results are expected in summer 1999. European research activities on bioeffects of exposure to ELF fields is coordinated in the context of a COST action, and will be continued under the forthcoming fifth framework programme.

The Commission is not aware of the ENEL request for information to which the Honourable Member refers and is not in a position to confirm that the activity of ENEL complies with Community law. The Commission collects information transmitted by national authorities and by complainants. According to the information the Commission possesses to date, no conclusion can be drawn as to whether ENEL complies with Community environmental law.

Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment [1], the so-called environmental impact assessment (EIA) Directive, lists in its Annex II 3 b as activity 'transmission of electrical energy by overhead cables'. According to the EIA Directive such installations have to carry out an EIA if their impact on the environment is significant which has to be determined by the Member States for Annex II projects. If the Member State has determined (by setting thresholds or criteria on by a case by case examination) that such type of installation should carry out an EIA the effects on different environmental media as well as on human beings have to be identified, described and assessed. In this context, of course, health impacts might play in important factor in the impact assessment.

In Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC [2] which was adopted in 1997 and has to be implemented in the Member States by March 1999 at the latest, the construction of overhead electrical power lines with a voltage of 220 KV or more and a length of more than 15 km was moved from Annex II of the EIA Directive to Annex I. This means that for projects of this type an EIA will be obligatory as of March 1999.

Given the information currently available, for the Commission there are no legal grounds to take action since it has not been notified of non-compliance with existing Community legislation.

(1) OJ L 175, 5.7.1985.
(2) OJ L 73, 14.3.1997.

(98/C 196/137) **WRITTEN QUESTION E-4192/97**

by Maria Berger (PSE) to the Council

(22 January 1998)

Subject: Private ownership of weapons

For some time now there has been a steadily growing number of reports of incidents in the various Member States involving gunmen running amok and causing many deaths. The victims are of very diverse origin, different kinds of weapon are used (although most of them are fairly readily available) and the perpetrators are of very varying types. Such incidents can probably only be prevented if the private ownership (and in particular the trade in, and the purchase of, weapons for personal use) is subject to uniformly strict EU-wide regulations and restrictions.

In view of such incidents in the Member States, is the Commission intending to tighten up the EU directive on weapons?

Answer

(30 March 1998)

As the Honourable Member will no doubt be aware, the acquisition and possession of weapons by private individuals is currently regulated by Directive 91/477/EEC of 18 June 1991 (OJ L 256 of 13 September 1991). Under the Directive, firearms are divided up into four categories: those which are prohibited, those subject to authorization, those subject to declaration and those which may be bought and sold without any restriction. Member States are also free to retain or introduce more stringent measures as they think fit. In fact, most of the Member States have either banned the purchase of firearms by individuals or made it subject to authorization. The Council has not so far received any Commission proposals for tightening up the law.

(98/C 196/138)

WRITTEN QUESTION E-4195/97

by José García-Margallo y Marfil (PPE) to the Commission

(21 January 1998)

Subject: Agenda 2000 and Objective 1: state aid 1993-1997

At the end of November the Director-General of Regional Policy and Cohesion, Eneko Landäburu, suggested, in the presence of press representatives, that 11 European regions, including Valencia (Spain), were to lose their Objective 1 status under the terms of the Commission proposals to reduce the Structural Funds before the accession of new Member States.

Mr Landäburu's calculations were based on the provisional data currently available to the Commission. However, in the specific case of Valencia, official Eurostat statistics show that, in 1993, the Valencia Autonomous Community's GDP was 74.9% of the European average and that, in 1994, the figure was even lower (73.6%). The threshold for Objective 1 eligibility is 75%, hence there are no grounds for supposing that Valencia is going to fail the eligibility test in the near future.

Should the average income of the various regions during the 1993-1997 period be taken as the criterion for calculating GDP, it is important that the macro-economic data for each region should be known for all of the years concerned.

How much state aid was granted in 1993, 1994, 1995, 1996 and 1997 to the 15 Member States and the following regions:

— Anatolia, Macedonia, Thessaly, Crete, Pelopennese, Central Greece, Ipiros, Attica, Ionian Islands, Aegean, Sterea (Greece)

— Hainaut (Belgium)

— Thuringia, Brandenburg, East Berlin, Saxony-Anhalt, Saxony, Munster (Germany)

— Galicia, Extremadura, Castilla la Mancha, Castilla y Leon, Ceuta and Melilla, Valencia Autonomous Community, Asturias, Andalusia, Canary Islands, Murcia (Spain)

— Valenciennes, Avesnes, Douai, Overseas Departments (France)

— Ulster, Connaught, Leinster (Ireland)

— Molise, Apulia, Sicily, Basilicata, Sardinia, Calabria, Campania (Italy)

— Flevoland (Netherlands)

— Burgerland (Austria)

— Northern Region, Alentejo, Algarve, Lisbon, Tagus Valley, Central Region (Portugal)

— Western Isles, Highlands, Merseyside, Northern Ireland (United Kingdom)?

Answer given by Mr Van Miert on behalf of the Commission

(18 February 1998)

The Honourable Member will find below the available aggregate figures for state aid granted under national regional aid schemes (Article 92(3)(a) of the EC Treaty):

Annual average for the period 1992-94 (in MECU)

B	DK	D	GR	E	F	IRL	I	L	NL	P	UK	EUR 12
0	0	11 666	217	56	515	343	5 742	0	0	151	244	18 933

The figures for subsequent years are not yet available. The Commission would inform the Honourable Member that it is not provided with a regional breakdown of aid granted under horizontal schemes such as those for research and development (R&D) and for small and medium-sized enterprises (SMEs).

(98/C 196/139) **WRITTEN QUESTION E-4202/97**

by José García-Margallo y Marfil (PPE) to the Commission

(21 January 1998)

Subject: Agenda 2000 and Objective 1: funds received 1993-1997

At the end of November the Director-General of Regional Policy and Cohesion, Eneko Landäburu, suggested, in the presence of press representatives, that 11 European regions, including Valencia (Spain), were to lose their Objective 1 status under the terms of the Commission proposals to reduce the Structural Funds before the accession of new Member States.

Mr Landäburu's calculations were based on the provisional data currently available to the Commission. However, in the specific case of Valencia, official Eurostat statistics show that, in 1993, the Valencia Autonomous Community's GDP was 74.9% of the European average and that, in 1994, the figure was even lower (73.6%). The threshold for Objective 1 eligibility is 75%, hence there are no grounds for supposing that Valencia is going to fail the eligibility test in the near future.

Should the average income of the various regions during the 1993-1997 period be taken as the criterion for calculating GDP, it is important that the macro-economic data for each region should be known for all of the years concerned.

In 1993, 1994, 1995, 1996 and 1997, how much did the following regions receive by way of ERDF Objective 1 funds:

— Anatolia, Macedonia, Thessaly, Crete, Pelopennese, Central Greece, Ipiros, Attica, Ionian Islands, Aegean, Sterea (Greece)

— Hainaut (Belgium)

— Thuringia, Brandenburg, East Berlin, Saxony-Anhalt, Saxony, Munster (Germany)

— Galicia, Extremadura, Castilla la Mancha, Castilla y Leon, Ceuta and Melilla, Valencia Autonomous Community, Asturias, Andalusia, Canary Islands, Murcia (Spain)

— Valenciennes, Avesnes, Douai, Overseas Departments (France)

— Ulster, Connaught, Leinster (Ireland)

— Molise, Apulia, Sicily, Basilicata, Sardinia, Calabria, Campania (Italy)

— Flevoland (Netherlands)

— Burgerland (Austria)

— Northern Region, Alentejo, Algarve, Lisbon, Tagus Valley, Central Region (Portugal)

— Western Isles, Highlands, Merseyside, Northern Ireland (United Kingdom)?

(98/C 196/140) **WRITTEN QUESTION E-4203/97**

by José García-Margallo y Marfil (PPE) to the Commission

(21 January 1998)

Subject: Agenda 2000 and Objective 1: investment 1993-1997

At the end of November the Director-General of Regional Policy and Cohesion, Eneko Landäburu, suggested, in the presence of press representatives, that 11 European regions, including Valencia (Spain), were to lose their Objective 1 status under the terms of the Commission proposals to reduce the Structural Funds before the accession of new Member States.

Mr Landäburu's calculations were based on the provisional data currently available to the Commission. However, in the specific case of Valencia, official Eurostat statistics show that, in 1993, the Valencia Autonomous Community's GDP was 74.9% of the European average and that, in 1994, the figure was even lower (73.6%). The threshold for Objective 1 eligibility is 75%, hence there are no grounds for supposing that Valencia is going to fail the eligibility test in the near future.

Should the average income of the various regions during the 1993-1997 period be taken as the criterion for calculating GDP, it is important that the macro-economic data for each region should be known for all of the years concerned.

In 1993, 1994, 1995, 1996 and 1997, how much was invested in the following regions under ERDF Objective 1:

— Anatolia, Macedonia, Thessaly, Crete, Pelopennese, Central Greece, Ipiros, Attica, Ionian Islands, Aegean, Sterea (Greece)

— Hainaut (Belgium)

— Thuringia, Brandenburg, East Berlin, Saxony-Anhalt, Saxony, Munster (Germany)

— Galicia, Extremadura, Castilla la Mancha, Castilla y Leon, Ceuta and Melilla, Valencia Autonomous Community, Asturias, Andalusia, Canary Islands, Murcia (Spain)

— Valenciennes, Avesnes, Douai, Overseas Departments (France)

— Ulster, Connaught, Leinster (Ireland)

— Molise, Apulia, Sicily, Basilicata, Sardinia, Calabria, Campania (Italy)

— Flevoland (Netherlands)

— Burgerland (Austria)

— Northern Region, Alentejo, Algarve, Lisbon, Tagus Valley, Central Region (Portugal)

— Western Isles, Highlands, Merseyside, Northern Ireland (United Kingdom)?

Joint answer
to Written Questions E-4202/97 and E-4203/97
given by Mrs Wulf-Mathies on behalf of the Commission

(26 February 1998)

Because of the length of the answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(98/C 196/141) **WRITTEN QUESTION E-4205/97**

by Gerardo Fernández-Albor (PPE) to the Commission

(21 January 1998)

Subject: Courses on the European Union on school syllabuses

The European Union is a reality encompassing all facets of the lives of Community citizens, since they live in a de facto and de jure community with all the other citizens of the Member States.

For this reason it is essential that Community citizens should be able to identify, from their schooldays onwards, with all that the European Union represents in their personal, professional and political lives.

Can the Commission therefore say what it knows about the school syllabus in the Member States in which European Union studies are compulsory and what steps it is taking to ensure that ultimately all the fifteen Member States agree to include it as a compulsory subject on the school syllabus?

Answer given by Mrs Cresson on behalf of the Commission

(24 February 1998)

While recognising the importance of Community-oriented education for the development of European citizenship, the Commission wishes to draw the attention of the Honourable Member to Article 126 of the EC Treaty, under which the Community is required to '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 organisation of education systems and their cultural and linguistic diversity'.

Nevertheless, with due regard for the Member States' exclusive responsibility, the Commission supports and finances various activities in connection with the implementation of Comenius, Chapter II of the Socrates programme, thereby fostering the inclusion of Community-related subjects in school education. Moreover, a thematic network on European citizenship is due to be set up some time this year. The main purpose of this network, bringing together education establishments and other institutions working in the field, will be to compile relevant information in respect of European citizenship, to organise the dissemination of good practice as regards the teaching of Community-related subjects, and to pave the way for the development of projects on these subjects, giving them greater prominence in education systems.

(98/C 196/142) **WRITTEN QUESTION E-4207/97**

by Gerardo Fernández-Albor (PPE) to the Commission

(21 January 1998)

Subject: Blue paper on fishing in the European Union

Various events affecting fisheries in the European Union have led to a new situation throughout the sector which makes it necessary to rethink and redirect Community fisheries as a whole.

Various groups involved in fishing activity in the Member States consider it appropriate to reassess the past, consider the present situation and draw up the relevant forecasts for the future.

Does the Commission therefore consider that it should draw up a 'blue paper' on the fisheries situation throughout the Community, containing ideas and forecasts which will strengthen the sector without it having to fear the vicissitudes and upsets which have an adverse effect on such a fragile economic sector?

Answer given by Mrs Bonino on behalf of the Commission

(13 February 1998)

As already announced on several occasions, both to Parliament and to other bodies, the Commission intends to start a wide-ranging consultation exercise on the common fisheries policy (CFP) after 2002 with all interested parties, including the entire fisheries sector.

The Commission will do this by means of a questionnaire and meetings in Member States during 1998 and 1999.

After the exercise the Commission will draw up a report to Parliament and to the Council on the fisheries situation in the Community in accordance with Article 14(2) of Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture [1].

[1] OJ L 389, 31.12.1992.

(98/C 196/143) **WRITTEN QUESTION E-4215/97**

by Francesco Baldarelli (PSE) to the Commission

(21 January 1998)

Subject: Respect for consumer law and the rules of free competition in Italy

For more than seventeen years an Italian citizen, Gaetano Di Bari, has been bringing legal proceedings against an Italian branch of a large-scale international firm which produces office machinery. Mr Di Bari was a sales agent in an area of Central Italy for the machinery produced by this firm.

This lengthy dispute was initially caused by failure to distribute large quantities of spare parts which should have been supplied to purchasers free of charge to replace defective parts. Above all, this distorted the conditions of free competition on the market and caused undoubted damage to retailers and consumers, who for several years had to pay for hundreds of thousands of repairs to remedy problems which in actual fact had already been solved by head office. Mr Di Bari thought it appropriate to report this fact. The resulting judicial saga, which has not yet come to an end, has clearly caused Mr Di Bari material, economic and moral damage, and led to personal and professional problems. Among other things, when the firm cancelled his retailing contract he was forced to give up his business activity and sustained heavy financial losses.

Does the European Commission not consider that the international firm in question, by failing to inform retailers and consumers about the defects in parts of office machinery and to replace them free of charge, caused objective damage to those consumers and retailers?

Does the Commission not consider that the behaviour of the firm was contrary to the rules concerning accurate and timely consumer information, thereby clearly infringing the rights of consumers?

How does the Commission intend to ensure, in this case and in other present or future cases, definite respect for Community directives on free competition?

Does the Commission not consider that Mr Di Bari has been penalized, suffering economic and moral damage?

Answer given by Mr Van Miert on behalf of the Commission

(18 February 1998)

The Commission would first point out that, before any decision can be taken as to whether the Community competition rules apply, the legal and economic context of the case in question has to be looked at closely.

In the light of the particulars given by the Honourable Member, there is good reason to ask whether the case referred to does not concern a dispute which should, in the first instance, be dealt with under Italian private law. The administrative procedure that the Commission could, in principle, initiate could not result in a finding against the party in question, with damages being awarded. The Commission would note that the matter has already been referred to the Italian courts and that several sets of legal proceedings are still under way.

Intervention by the Commission is thus neither expedient nor appropriate when it comes to satisfying the objectives being pursued by the person to whom the Honourable Member refers.

(98/C 196/144) **WRITTEN QUESTION E-4216/97**

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

(22 January 1998)

Subject: Ban on driftnets — Council's failure to take a decision — Obligation to inform

Official Journal C 367 of 4 December 1997 published two answers by the Council to questions by Members of the European Parliament, on which I should like further information. Question P-1212/97 ([1]) sought information on which Member States have spoken in the Council against the Commission's proposal to ban driftnets. However, the Council failed to reply on grounds of 'confidentiality'.

1. I should like to ask the question about Member States' voting behaviour again. How exactly did each Member State vote in Council?

The Council's answer to Question E-0893/97 ([2]), published in the same Official Journal, says that measures are 'already in place, particularly those on the disclosure of votes and explanations of vote, on open debates, access by the public to statements and minutes, and on public access to Council documents in general'. In addition to my first question, I should like to know

2. Why does the Council promise transparency and openness while in the same Official Journal (C 367 of 4 December 1997) refusing information on the grounds of confidentiality?

3. How does the Council intend to treat its decisions in future: transparently or secretly?

(1) OJ C 367, 4.12.1997, p. 99.
(2) OJ C 367, 4.12.1997, p. 56.

Answer

(7 April 1998)

The Council would like to inform the Honourable Member of the European Parliament that it has not yet adopted any final legislative act as regards the Commission proposal concerning a ban on drift-nets. Therefore, no vote has taken place within the Council on this matter.

The provisions concerning legislative transparency in the Council (the making public of votes, explanations of votes, and statements in the Council's minutes) only apply at the final adoption stage of legislative acts by the Council. This stage has not as yet been reached and accordingly the provisions in question do not apply.

Other transparency measures concerning access to specific Council documents are regulated by Council Decision 93/731/EC on public access to Council documents (1).

(1) OJ L 340, 31.12.93, p. 43.

(98/C 196/145) **WRITTEN QUESTION E-4224/97**

by Cristiana Muscardini (NI) and Amedeo Amadeo (NI) to the Commission

(21 January 1998)

Subject: Genetic modifications

On the contemporary scientific scene genetic research and its findings are among the most exciting achievements of the century.

Unfortunately the lack of regulation leads to irresponsible use of this scientific development, causing serious health and ethical problems which can no longer be ignored or underestimated. The first of these is the possibility of future genetic damage caused by couples who, unaware of their shared genetic heritage, may give birth to children with certain genetic abnormalities.

Does the Commission not consider:

1. that it would be useful and appropriate to propose rules making strict health checks on donors of semen compulsory;

2. that it is essential to establish a maximum number of eggs to be fertilized by the same donor's semen, in order to limit the risks of inter-breeding between blood-relations?

Answer given by Mr Flynn on behalf of the Commission

(11 March 1998)

Recourse to legislation on the issues raised in the question is a matter for the Member States.

In the context of its research work into biomedical ethics, the Biomedicine and Health Research Programme (Biomed) has funded a series of seminars on the ethical aspects of the donation of gametes. The question of limiting the number of births per donor has been discussed in this context.

Codes of practice exist at national level in certain Member States and at the centres responsible for gamete donation, but the Community has no powers in this domain.

(98/C 196/146)

WRITTEN QUESTION P-4229/97

by Ulf Holm (V) to the Council

(15 January 1998)

Subject: Treaty of Amsterdam publicity campaign

In the autumn, Sweden's Ministry of Foreign Affairs launched a large-scale propaganda campaign costing about SKR 9 million to promote the Treaty of Amsterdam. The material used in the campaign contains many factual errors, however, and the text is mainly devoted to examples of what are referred to as Swedish 'successes' on employment, the environment and equal opportunities. Yet the German Foreign Affairs Ministry's publication 'Der Abschluss der Regierungskonferenz — eine Gesamtwertung', for instance, does not even mention the issues highlighted in the Swedish campaign. Instead, it sets out in detail the aim of the Treaty of Amsterdam, namely further development of the common foreign and security policy, greater police and judicial cooperation and making the Union more effective by increasing its supranational dimension and curbing Member States' rights of veto, so as to make enlargement possible. The differences in the content of the material are so great that readers cannot help wondering if these texts refer to the same Treaty of Amsterdam. Instead of a public debate, we have thus got one-way communication, in which the authorities tell the public how things stand. In view of this, will the Council state: it is possible for information material produced by the governments of two Member States to differ so much? Whether it considers it ethically correct for governments to use their powers and for taxpayers' money to be spent to run 'politically' very biased information campaigns about the EU which also contain factual errors?

Answer

(30 March 1998)

The Honourable Member will kindly note that it is not for the Council to express an opinion on the information supplied by Member States in connection with the Amsterdam Treaty, which is currently subject to ratification by the Member States.

Through the Office for Official Publications of the European Communities the General Secretariat of the Council contributed to the publication of the texts of the Treaty of Amsterdam and of the consolidated versions of the Treaties. These publications may be consulted free of charge on the Internet via the General Secretariat of the Council's website (http://ue.eu.int). The texts are accompanied by descriptive summaries involving the liability of neither the Community institutions nor the Member States.

(98/C 196/147)

WRITTEN QUESTION P-4230/97

by Pierluigi Castagnetti (PPE) to the Commission

(14 January 1998)

Subject: Approval of the 1997-1999 Single Planning Document for the Region Friuli Venezia Giulia

The Region of Friuli Venezia Giulia submitted to the Commission the Single Planning Document for the period 1997-1999 at the beginning of August.

Despite intensive negotiations and assurances that the decision-making process would be rapidly concluded, the Document has still not been approved by the Commission.

Can the Commission state the reasons for the delay?

Is the Commission aware that the unjustified delay in the adoption of a decision on the subject is causing the regional government obvious difficulties in the execution of the planned measures?

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

(6 February 1998)

The Commission is pleased to confirm that the objective 2 single programming document for Friuli-Venezia-Giulia for the period 1997-1999 was adopted on 18 December 1997.

The Commission regrets the delay in taking this decision which was due essentially to the need to clarify certain aspects of the region's proposals and will do its utmost to assist the region to overcome any resulting implementation difficulties.

(98/C 196/148) **WRITTEN QUESTION P-0001/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(15 January 1998)

Subject: Inspection of third countries' aircraft

On 17 December 1997, a Ukrainian 'Yakovlev' crashed in Greece killing all passengers and crew. Although the findings of the official investigation into the accident have not been published, there are a great many question marks hanging over whether safety regulations were observed, whether the aircraft was adequately inspected prior to the flight and whether the crew had a satisfactory command of English.

On 17 February 1997, the Commission submitted a proposal for a Council directive establishing a safety assessment of third countries' aircraft using community airports which was debated in plenary by Parliament at its part-session in November 1997.

According to the Commission's surveys, which Member States of the Union already carry out checks on third country aircraft and of what do these checks consist in the main? Does Greece number among those countries carrying out effective checks? In view of the seriousness of this issue and the length of time before full adoption and implementation of the directive in the Member States, will the Commission take steps to ensure the immediate adoption by the Member States of a package of measures concerning the inspection of third countries' aircraft so as to minimize forthwith the likelihood of further accidents?

Answer given by Mr Kinnock on behalf of the Commission

(6 February 1998)

According to the Chicago Convention governing civil aviation, when it is suspected that a foreign aircraft does not comply with international safety standards, states have the right to perform a ramp inspection. The proposal [1] from the Commission enhances the value of this existing right by requiring Member States to perform such inspections when certain conditions exist, to participate in the collection and exchange of information, to ground unsafe aircraft and to decide on eventual collective measures.

The Commission understands that most, if not all, Member States have been performing ramp inspections on an individual basis for some time. The Commission is not always informed of these inspections and does not know if such inspections are performed in Greece.

The Commission is however informed of the Member States which already participate in an exchange of information without awaiting the entry into force of the proposed Directive. To date, Belgium, Denmark, Germany, France, Ireland, Luxembourg, the Netherlands, Portugal, Sweden and the United Kingdom are participating in this exercise. The Commission is aware that at least two other Member States perform ramp checks although for legal reasons, they do not participate already in the exchange of information.

In order to enable Member States to apply some of the measures before the entry into force of the Directive, the Commission is giving financial support to the establishment and operation of a database which has already received more than 1400 inspection reports resulting in at least five groundings of unsafe aircraft.

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[1] COM(97) 55 final, 17.2.1997.

(98/C 196/149)

WRITTEN QUESTION E-0014/98

by Gordon Adam (PSE) to the Council

(28 January 1998)

Subject: Response of the Council to the Greenpeace paper on energy and the environment

Will the Council state what response the Luxembourg Presidency gave to the Greenpeace paper on energy and the environment, which called on:

'The EU to develop policies to limit further exploitation of all existing oil and gas reserves in the European Union and European Union territories ...

... prevent the exploitation and exploration of oil and gas in the European Union and non-European Union territories ...

... phase out the production and use of coal as an energy source.'

If the Council did not respond to this specific point, would it please do so?

Answer

(7 April 1998)

The Council would point out that it does not adopt positions on documents submitted to it outside the institutional framework.

The Council would confirm that it considers the relationship between energy and the environment a matter of great importance and a key factor in energy policy choices. For that reason it has given the issue consistent consideration on the basis of the Commission's communications and proposals.

In that context it recently adopted, on 18 December 1997, a Resolution on a Community strategy to promote combined heat and power ([1]).

Furthermore, the Council is continuing its discussions on the basis of the Commission's White Paper on renewable sources of energy — a Community Strategy and Action Plan. At its meeting on 11 May 1998 the Council is to hold a public debate devoted to energy and the environment.

It is also giving careful study to the Commission communication on a multiannual framework programme for actions in the energy sector, which tackles all the issues relating to Community actions in the energy sphere.

([1]) OJ C 4, 8.1.1998, p.1.

(98/C 196/150)

WRITTEN QUESTION E-0019/98

by Nikitas Kaklamanis (UPE) to the Commission

(29 January 1998)

Subject: Need to protect Schengen system data

According to European press reports, an official of the Belgian police auxiliary unit has been arrested and is being held by the Belgian authorities in Brussels on charges that he has passed on confidential information contained in the Schengen European system to criminal gangs, mainly from the Netherlands.

The press reports in question note that the above system contains information regarding the sex, sexual preferences, political and religious beliefs and the state of health of citizens of the Union.

Will the Commission give its official view on this matter and say how it intends to respond to these very grave charges which raise issues concerning democratic freedoms and the need to protect the private lives of EU citizens?

Answer given by Mr Monti on behalf of the Commission

(10 March 1998)

It is not for the Commission to comment on the circumstances referred to by the Honourable Member.

At present, Schengen is an intergovernmental arrangement and does not confer any direct responsibility on the European institutions.

As far as the protection of personal data within the Schengen Information System is concerned, the Commission notes that, in accordance with Articles 114 and 115 of the Schengen Convention, each Contracting Party has designated a supervisory authority responsible, in compliance with national law, for carrying out independent supervision of the data file of the national section of the Schengen Information System and for checking that the processing and utilisation of data included in the Schengen Information System are not in violation of the rights of the person concerned. Any person has the right to ask the supervisory authorities to check the data concerning him which are included in the Schengen Information System, and the use which is made of such data.

A joint supervisory authority has been set up, with responsibility for supervising the technical support function of the Schengen Information System and for checking that the provisions of the Convention that relate to the technical support function of the Schengen Information System are properly implemented. It is also competent, in particular, to examine any difficulties of application or interpretation which may arise during the operation of the Schengen Information System, to study problems which may arise with the exercise of independent supervision by the national supervisory authorities of the Contracting Parties or in the exercise of the right of access to the system, and to draw up harmonised proposals for the purpose of finding joint solutions to existing problems.

(98/C 196/151) **WRITTEN QUESTION E-0027/98**

by Christoph Konrad (PPE) to the Commission

(29 January 1998)

Subject: EU humanitarian aid projects in Afghanistan

1. Is the European Union currently supporting any humanitarian aid projects in Afghanistan?

2. If so, what specific projects involving humanitarian medical aid for children are receiving support?

3. In its development aid for humanitarian projects, is the Commission cooperating with aid organizations and NGOs and,

4. if so, how does this work in practice on the spot and what are the financial arrangements?

5. What conditions must humanitarian organizations at national level satisfy to be eligible for EU funding?

Answer given by Mrs Bonino on behalf of the Commission

(17 March 1998)

The Commission committed during the 1996/1997 period 124 MECU for humanitarian assistance in Afghanistan. It has recently approved a programme of 17 MECU for humanitarian assistance in favour of the victims of the on-going conflict in this country. The Commission has also announced the approval of emergency aid for the victims of the earthquake that affected the province of Takhar on 4 February 1998.

Commission assistance to Afghanistan is implemented by European and Afghan non-governmental organisations (NGOs), Red Cross and United Nations agencies. The aims of the humanitarian operations are to secure essential medical services in several areas in the country, strengthen social safety nets, assist the humanitarian de-mining effort and rehabilitate destroyed physical infra-structure. Priority is given to addressing the needs of women and children.

Some of the humanitarian operations have a specific objective of reducing maternal morbidity and infant mortality. The Community is funding projects for intensive feeding for severely undernourished children, assisting mother and child health centres and supporting paediatric, gynaecological and obstetrical surgical activities in various hospitals in Kabul.

Humanitarian organisations must under Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid ([1]) be non-profit making autonomous organisations in a Member State under the laws in force in that Member State, and have their main headquarters in a Member State of the Community or in the third countries in receipt of the Community aid.

Account is also taken of administrative and financial management capacities, technical and logistical capacity in relation to the planned operation, experience in the field of humanitarian aid, the results of previous operations carried out by the organisation concerned and, where appropriate, previous experience in the third country involved in the humanitarian operation concerned.

As for finance, NGOs eligible for funding sign an operation contract for the implementation of a specific project and operation according to the provisions of the framework partnership contract for humanitarian aid adopted by the Commission in May 1993. This framework contract establishes the financial conditions, general and specific, applied to Community funded humanitarian projects.

([1]) OJ L 163, 2.7.1996.

(98/C 196/152)

WRITTEN QUESTION E-0030/98

by John Corrie (PPE) to the Council

(28 January 1998)

Subject: EU aid to Cyprus

How much money has come in the last ten years to Cyprus? How much was spent on the Greek side and how much on the Turkish side — and on what projects?

Answer

(7 April 1998)

1. In connection with the period that interests the Honourable Member, reference should be made to the second Financial Protocol of 1984, which remained in force until 1988, the third Financial Protocol of 1990, until 1994, and the fourth Financial Protocol, in force since 1 January 1996.

The second Protocol made provision for ECU 28 million in EIB loans, ECU 6 million in subsidized loans and ECU 10 million in aid.

The third Protocol made provision for ECU 44 million in EIB loans, ECU 5 million in venture capital and ECU 13 million in non-refundable aid.

These amounts were committed in their entirety, with the exception of the part set aside for the Turkish Cypriot community. The obstacles encountered in projects for both communities, both in drawing them up and in putting them into practice, have been such that the funds have not been used. The Community does not recognize the authorities in Northern Cyprus, while they cannot agree to proposed financing intended for them being handled by the authorities of the Republic of Cyprus.

As to identifying the projects for which aid has been used, the Honourable Member is invited to ask the Commission, which is responsible for the implementation of these programmes, for the desired detail as to their allocation between the Greek and Turkish communities.

2. The fourth Financial Protocol, currently in force, makes provision for financial cooperation with Cyprus amounting to ECU 74 million in total, allocated as follows:

— ECU 50 million in loans from the EIB from its own resources in the form of risk capital already allocated to projects to promote industry and environmental improvement;

— ECU 2 million from budgetary resources in the form of contributions for risk capital already committed to the Cyprus Development Bank;

— ECU 22 million in grants from budgetary resources allocated as follows:

  — ECU 12 million to finance studies or to support action to help improve understanding of the island's situation. This amount can be used only if both sides are prepared to work together;

  — ECU 5 million to promote the development of the island as a whole, an area in which, to the Council's knowledge, no projects appear to have been launched;

  — ECU 5 million for projects which may be seen as pre-accession projects. These are designed to prepare the Cypriot Government to include the 'acquis communautaire' with the help of technical assistance in the following sectors: transport, tourism, statistics and oil and products derived therefrom; to support the participation of Cyprus in certain Community programmes (Media II, Leonardo, Socrates and Youth for Europe) and to assist in spreading the idea of European integration, in particular through support for the European Institute of Cyprus.

The Honourable Member is also invited to ask the Commission for information on the progress made by the projects undertaken and how they are shared among the two communities on the island.

3. Furthermore, Cyprus receives so-called horizontal financial cooperation for all Mediterranean partners within the framework of the new Mediterranean policy (in particular regional cooperation, environmental matters, participation in the MED and LIFE programmes) and of ECIIP (European International Investment Partners). Cyprus is also covered by the MEDA Regulation for regional cooperation measures (essentially the financing of Barcelona Process activities).

(98/C 196/153)

WRITTEN QUESTION E-0037/98

by Bill Miller (PSE) to the Commission

(29 January 1998)

Subject: Excise

In his answer to question E-3239/97 [1] Commissioner Monti indicated that the Commission was currently studying the issue of excisable goods in the field of alcohol and tobacco products and will make a report, together with any appropriate proposals, to Council and the Parliament.

Considering this report has been due for some time, can the Commissioner give a date when he intends to present his report to both Parliament and the Council?

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[1] OJ C 158, 25.5.1998.

Answer given by Mr Monti on behalf of the Commission

(10 March 1998)

The Commission intends to produce separate reports for the tobacco products and alcoholic drinks sectors before the end of March 1998.

As regards the alcoholic drinks report, there is absolutely no consensus among Member States as regards the most basic tax issues confronting the Community. The Commission is working to identify a line of action which would be likely to obtain the necessary unanimous agreement of the Council, while Parliament has in the past been more or less equally divided on all the points at issue. At the same time, few would regard the current Community system of drinks taxation as being commensurate with the requirements of an internal market.

The Honourable Member will recall that the situation was similar at the time of the Commission's last report on drinks rates. On that occasion the Commission took the view that it was inappropriate to make any proposals for further harmonization (in particular in view of the reform of the wine market which the Commission had recently proposed). That approach was generally welcomed by both Council and Parliament.

Against that background, the Commission will endeavour to put its report to Council and Parliament as soon as possible.

(98/C 196/154)

WRITTEN QUESTION P-0042/98

by Heidi Hautala (V) to the Commission

(15 January 1998)

Subject: Compatibility of the Finnish system of taxation of electricity with the Treaty before 1 January 1997

The Advocate-General of the Court of Justice of the European Communities has published his opinion on the case of Outokumpu Oy versus the State of Finland. Outokumpu Oy was seeking a refund from the State of Finland of the tax levied on the electricity it had imported from Sweden, which it regarded as a form of import duty prohibited by Community law. The Advocate-General's opinion does not support Outokumpu Oy's claim.

The Commission had informed Finland on 23 November 1995 that it regarded the electricity tax which was then in force in Finland as discrimination contrary to Article 95 of the Treaty. Largely on this basis, the bias in favour of the environment was abandoned in the taxation of electricity in Finland with effect from 1 January 1997.

According to the Advocate-General, the Treaty does not prohibit taxation of electricity which favours less environmentally damaging production methods. Similarly, the Directive on the transmission of electricity stipulates that energy policy should not have the sole object of reducing costs and maintaining competition but that account should also be taken of the compatibility of energy with the environment.

If the Court decides to uphold the opinion of the Advocate-General, will the Commission even then consider that the electricity tax levied in Finland before 1997 was contrary to the Treaty, or would Finland have had the right to retain its taxation system, which served to reduce emissions of carbon dioxide in electricity production?

Answer given by Mr Monti on behalf of the Commission

(17 February 1998)

In the current state of the proceedings the answer to the Honourable Member can only be that the ruling of the Court of justice should be awaited. Any reflection on what the Commission will do, depending on the outcome of these proceedings, is premature. After the pronouncement of the judgment and taking into account the reasoning of the Court of justice the Commission will analyse the matter and draw its conclusions.

At the moment of the pronouncement of the judgment it will become apparent to what extent Finland could from the point of view of Community law eventually have upheld the former taxation model of electricity. Therefore, the second question of the Honourable Member will be answered by the decision of the Court in the matter.

It is useful to recall that the Commission has not questioned the right of the Member State to use taxation to promote environmental issues provided that such taxation is compatible with Community law.

(98/C 196/155)

WRITTEN QUESTION P-0043/98

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

(15 January 1998)

Subject: Moroccan failure to comply with the fisheries agreement with the EU

The Kingdom of Morocco's unilateral decision to extend the biological rest period for cephalopods to four months in 1998 infringes the provisions of the current fisheries agreement with the EU. Moreover, it is a known fact that Morocco does not respect the cephalopod breeding areas within the 12 mile limit, so that as a means of conserving resources, the supposed biological rest periods are no more than pseudo-measures.

What steps has the Commission already taken, and what further steps does it intend to take to prevent the Moroccan authorities from violating the current fisheries agreement in this way?

Should the measure go ahead, what will the political, economic and commercial effects on EU relations with the Kingdom of Morocco, and in particular, what legal and financial consequences will there be as far as the fisheries agreement is concerned?

Answer given by Mrs Bonino on behalf of the Commission

(12 February 1998)

The Community has always accorded the greatest importance to conservation and rational management of fishery resources. The Agreement with Morocco involves a commitment by the Community to apply, in concert with its partner, a policy safeguarding the long-term viability of the sector, in particular of the cephalopod fishery, which is of recognised importance to the fleets of both parties.

The Commission considers that a biological rest period is only one of a range of protective measures for this resource. It is not opposed to the basic idea of doubling the rest period specified in the Agreement.

Such a measure must however be set within the context of implementation of the conservation measures to which Morocco has committed itself. These must, in the interests of both parties, extend to both its industrial and non-industrial fleets fishing cephalopods. This was the position defended by the Community when the Joint Committee met on 3 and 4 December 1997.

As regards Morocco's unilateral extension of the biological rest period, the Commission, in line with the declaration on fisheries relations with Morocco adopted by the Council on 18 December 1997, is pressing on with its efforts to secure compliance with the undertakings entered into.

(98/C 196/156) **WRITTEN QUESTION E-0048/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(29 January 1998)

Subject: Aid for the peace process in Guatemala

In the year that has elapsed since the signing of the peace agreements between the Guatemalan Government and the U.R.N.G., how much aid has the European Union contributed towards the implementation of these agreements?

Is EU aid dependent on certain provisions of the peace agreements being fulfilled?

(98/C 196/157) **WRITTEN QUESTION E-0049/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(29 January 1998)

Subject: Implementation of the Guatemalan peace agreements

A year on from the signing of the Guatemalan peace agreements, has the Commission assessed to what extent the provisions of these agreements have been complied with?

If so, with what results? What conclusions has the Commission drawn?

Joint answer
to Written Questions E-0048/98 and E-0049/98
given by Mr Marín on behalf of the Commission

(18 February 1998)

Through its office in Guatemala the Commission, throughout 1997, closely monitored the implementation by the Guatemalan Government of the undertakings in the part agreements. Its assessment largely agrees with the recent (23 December 1997) one by the Heads of Mission tasked with monitoring the peace process in Guatemala.

While acknowledging that achievements to date have been satisfactory, the Commission agrees with the view expressed by the Heads of Mission: 1998 will be a crucial year. Sensitive subjects, such as the purchase of land and its distribution to the groups named in the agreements, the fairness and effectiveness of the tax system, the administration of justice, the increase in social expenditure, and the establishment of a national land registry will provide the Government with a difficult set of tests of its ability to address the country's structural problems.

Under the joint declaration regarding the translation into action of the European Union's contribution to the peace process in Guatemala the Commission made a big contribution in 1997 to the implementation of the peace agreements. Action related, in particular, to the demobilisation and reintegration into productive life of former URNG (Guatemalan Revolutionary National Unity Movement) fighters (the following have been or are being implemented: heading B7-210, Humanitarian and Emergency Projects (ECHO) and B7-217: six projects totalling ECU 3 440 000; heading B7-6410 Rehabilitation: one project worth ECU 950 000, of which the following have been committed: B7-6410 Rehabilitation: one project worth ECU 5 million for permanent reintegration of former URNG fighters); establishment of a national land registry (approval of a pilot project worth ECU 990 000); aid for setting up a civilian national police force (PNC) (approval of a major aid project, amounting to ECU 31.73 million, to train PNC members, supply of equipment, rehabilitation of the police training school, and the building of small-scale infrastructure (police stations) in various departments of the country) and aid for strengthening local government (approval of an initial pilot project: ECU 940 000).

Altogether, Community cooperation in 1997 linked directly with the implementation of the peace agreement amounted to ECU 43 million; total cooperation spending (under all financial instruments) amounted to ECU 63 million.

Financial aid from the Community is subject to the general requirement for compliance with the spirit of the peace agreements. This requirement has, of course, to be applied by constantly assessing that there is a sufficiently strong political will to carry out the various undertakings given while taking account of the difficulties which may hamper their implementation.

(98/C 196/158)

WRITTEN QUESTION E-0057/98

by Alex Smith (PSE) to the Commission

(29 January 1998)

Subject: Trade and cooperation agreement between the EU and South Africa

The EU is currently negotiating a trade and cooperation agreement with South Africa. The agreement will be crucial for the future of South Africa. It is therefore important to make sure that all sectors of society, and especially the more vulnerable groups, benefit from the agreement.

The biggest vulnerable group are women. How is the Commission going to make sure that the agreement, and especially its trade section, will not adversely affect women in South Africa? Will impact studies on the effects of the agreement on women be drawn up? Would the Commission be prepared to support South Africa financially if it drew up such studies?

In particular, will the Commission review the impact of EU imports on local products which are often traded in the region by small-scale women traders? Will there be an exemption for these products which provide a large number of women with an income in the informal sector?

(98/C 196/159)

WRITTEN QUESTION E-0058/98

by Alex Smith (PSE) to the Commission

(29 January 1998)

Subject: Trade and cooperation agreement between the EU and South Africa

The EU is currently negotiating a trade and cooperation agreement with South Africa. The agreement will be very important for the people of South Africa. However, experience shows that women often find it very difficult to participate in the proposed measures of a cooperation agreement.

Will the agreement foresee an obligation to study whether women actually have access to the development and economic cooperation measures set out in the cooperation section of the agreement and whether they actively take part in the proposed cooperation in fields such as human resource development, information and media, and technological and social cooperation? If so, how will the Commission do this? Will it collect gender-disaggregated data?

Agreements normally are evaluated on a regular basis. How are the negotiating partners trying to make sure that women's interests are represented in this evaluation? Will women's representatives of civil society have the right to take part in this evaluation? Will the question be discussed whether the agreement benefits women?

Joint answer
to Written Questions E-0057/98 and E-0058/98
given by Mr Pinheiro on behalf of the Commission

(12 February 1998)

Gender issue is a priority in the Commission's development policy, and the South African government is committed to promote gender issues and to monitor progress in this area. There is no doubt that this will be mentioned and underlined in the text of the 'Development cooperation' and 'Cooperation in other areas' chapters of the agreement. The Commission will favour provisions promoting the role of women in the fields suggested by the Honourable Member. Therefore, the agreement will benefit women.

The negotiators do not foresee in the agreement any obligation to launch studies, but the Commission is committed to assessing the impact on women of any development programme already launched under the current European programme for reconstruction and development in South Africa (EPRD) programme, and which will be launched in the future.

The agreement will also contain provisions on the follow-up of cooperation between the Community and South African activities. Concerning development cooperation in the framework of the EPRD, the Commission holds annual consultations with the South Africa government where results and achievements of on-going programmes are reviewed, and this practice will be maintained under the future agreement. When it comes to assessing specific programmes, the Commission usually takes into account the views of the beneficiaries. Therefore, when appropriate, the assessment of the impact on women will be done with womens' representatives.

(98/C 196/160) **WRITTEN QUESTION E-0085/98**

by Carlos Robles Piquer (PPE) to the Commission

(30 January 1998)

Subject: Taiwan's financial situation and Taipei office

During the financial crisis which has hit the Asian financial markets in the past few months, one country has formed a shining exception to the rule i.e. Taiwan. Its economy appears to have weathered the storm unaffected.

Can the Commission explain this admirable exception? Also, does it not think that this constitutes an additional reason, in Europe's interest, to find the necessary funding in the 1998 Budget for an information office as referred to in the written question by Mr Dupuis (P-1432/97) of 16 April 1997 and in the reply by Sir Leon Brittan (13 May 1997) published in the OJ of 4 December 1997 ([1])?

([1]) OJ C 367, 4.12.1997, p. 125.

Answer given by Sir Leon Brittan on behalf of the Commission

(12 March 1998)

Whilst Taiwan is not the only Asian country to emerge relatively unscathed so far by the Asian financial crisis, its resilience in the face of severe turmoil has indeed been impressive. There appear to be several reasons for this. Firstly, Taiwan's banks are relatively unexposed in Asia compared to those of neighbouring countries. Its investments in Asia tend to take the form of industrial plants, many of which may indeed benefit from the turmoil by exporting from countries with newly devalued currencies. This would help Taiwanese companies counterbalance any potential loss of competitiveness from their operations in mainland China.

Secondly, the healthy running of the Taiwanese economy — including sound financial management (leaving the treasury with some $82 billion of foreign currency reserves), transparency and a growing degree of democratic control — will have helped Taiwan sustain investor confidence.

Taiwan's response to the crisis, too, has been to open up its economy further rather than close it off. It should not be forgotten, however, that Taiwan did not escape the turmoil altogether. Its currency dipped to a ten-year low against the US dollar, while the stock market fell to its lowest level for almost two years.

The Commission believes that an office, operating along similar informal lines to the trade offices of many Member States there, would help promote European economic and trade interests in Taiwan, not least in view of the significant progress made recently in the negotiations for a bilateral Community-Taiwan market access package. It therefore considers important that such an office be opened as soon as possible, depending on an evaluation of the Commission's priorities for the development of its network of external representations. This in turn will depend on the overall availability of human and financial resources.

(98/C 196/161) **WRITTEN QUESTION P-0091/98**

by Ernesto Caccavale (UPE) to the Commission

(20 January 1998)

Subject: Abuse of dominant position in the radio broadcasting sector by the RAI

A service agreement was recently concluded between the Italian Ministry for Communications and the RAI (Italian public broadcasting company) under which the RAI was given the right to set up a dedicated radio network to carry national broadcasts of parliamentary proceedings. The other operators which had expressed an interest were not given the opportunity to submit competing bids on the basis of an open, transparent tendering procedure.

Up until 21 November 1997, Radio Radicale had held the contract for radio broadcasting of parliamentary proceedings in Italy under an agreement concluded on 21 November 1994 with the Ministry for Posts and Telecommunications, several subsequent applications for the renewal of which were rejected.

Would the Commission take the necessary steps to ascertain whether the RAI has not abused its dominant position with a view to further strengthening its position in Italy and expanding its operations into neighbouring European countries?

Would it not agree that contracts for the radio broadcasting of parliamentary proceedings should be awarded on the basis of Europe-wide calls for tenders in compliance with current Community legislation?

Furthermore, would it ascertain whether such abusive behaviour is detrimental to the interests of competitors on the national radio broadcasting market and the listener's right to plurality of information. (Ironically, the licence fee — of which the RAI is the beneficiary — is about to be increased.)

Answer given by Mr Van Miert on behalf of the Commission

(17 February 1998)

The Honourable Member has drawn the Commission's attention to the problem of the compatibility with Community law of a 'service contract' concluded between the Italian Ministry of Communications and the Italian public broadcasting company (RAI) on the establishment by the RAI of 'a dedicated radio network to carry national broadcasts of parliamentary proceedings'. In particular, the Commission has been asked to examine whether this constitutes abuse of a dominant position to the detriment of competitors and listeners, whose interests could be better safeguarded by a service contract awarded on the basis of a call for tenders.

According to information in the Commission's possession, the Italian Government approved on 16 January a draft law that would allow Radio Radicale to continue to carry broadcasts of parliamentary proceedings during the current year, with the future award of the contract being subject to an open procedure.

Accordingly, the Commission takes the view that, as things stand, the necessary conditions have not been met to justify — along the lines indicated by the Honourable Member — the launching of an investigation into the possible abuse of a dominant position.

(98/C 196/162)

WRITTEN QUESTION E-0099/98

by Umberto Bossi (NI) to the Council

(30 January 1998)

Subject: Measures against clandestine immigration in Europe

The recent immigration of Albanians to Italy has given rise to heated discussions, often useless and exploited to the point of absurdity, that are starting all over again with the arrival of Kurds. According to international sources thousands of Kurds are arriving on the coasts of Apulia from their territories in Turkey and Iraq, creating a very serious situation from the point of view of health and public order.

Official data indicate that crime (especially in large towns and in the hinterland of north Italy) has increased alarmingly because of incredible Albanian organized crime (prostitution racket and drugs trafficking): in little more than a year the Albanians, whether clandestine or not, have been able to found a veritable criminal empire.

The disastrous Italian legislation on extra-Community immigration (the Martelli law) allows clandestine immigrants to remain in Italy for 15 days before leaving voluntarily: this obviously means that illegal immigrants move on to other European countries (especially Germany, France and Austria).

Will the Council take concrete steps to ensure that Turkey, which is negotiating accession to the Union, puts an end to violations of human rights vis-à-vis the Kurdish people?

Will the Council adopt legislative measures to discourage illegal immigrants from outside the Community who intend to settle on Union territory? Does it not think that the Member States should adapt their legislation so that they take in only extra-Community immigrants to whom they can offer regular work, a decent standard of living and adequate social services?

What will it do to prevent the spread of criminal organizations from third countries in Europe?

Answer

(7 April 1998)

The European Union attaches great importance to respect for human rights and fundamental freedoms. In the framework of the dialogue and cooperation between the EU and Turkey, the promotion of human rights is considered a fundamental objective.

As regards the instruments adopted by the Council in order to discourage illegal immigration, reference is made to the reply by the Council to written question No E-3773/97.

A number of instruments have been adopted concerning the conditions for admission of third-country nationals to the territory of Member States. At their Copenhagen meeting on 1 June 1993, Ministers with responsibility for immigration adopted the Resolution on the harmonization of national policies on family reunification. Subsequently, the Council adopted the following resolutions:

— Council resolution of 20 June 1994 on limitations on admission of third-country nationals to the territory of the Member States for employment (OJ C 274, 19.9.1996, p. 3);

— Council resolution of 30 November 1994 relating to the limitations on admission of third-country nationals to the territory of the Member States for the purpose of pursuing activities as self-employed persons (OJ C 274, 19.9.1996, p. 7); and

— Council resolution of 30 November 1994 on the admission of third-country nationals to the territory of the Member States for study purposes (OJ C 274, 19.9.1996, p. 10).

The Council regularly monitors the implementation by Member States of these instruments, in accordance with the Council decision of 22 December 1995 on monitoring the implementation of instruments already adopted concerning the admission of third-country nationals (OJ C 11, 16.1.1995, p. 1).

Furthermore, this matter is the subject of the Commission proposal for a Council Act establishing the Convention on rules for the admission of third-country nationals to the Member States (OJ C 337, 7.11.1997, p. 9), which is currently under review in the competent working group of the Council.

Finally, the Council is aware that racketeers are behind the planning and facilitation of much of the illegal immigration, particularly the recent migration influx from Iraq and the neighbouring region to which the Honourable Member referred in his question. For this reason, the Council considers that the tackling of illegal immigration is also an effective means of preventing the spread of criminal organizations from third countries in Europe. In this respect, reference is made to the EU Action Plan, adopted by the Council on 26 January 1998, to respond to the recent increase of migrants from Iraq and the neighbouring region. The Action Plan covers different aspects of this recent influx. It includes, in particular, elements aimed, on the one hand, at bringing together, analysing and acting upon all available intelligence on the involvement of organised crime in clandestine immigration networks, and on the other, at identifying any linkage to other areas of transnational organised crime in which the groups concerned may be involved.

(98/C 196/163)

WRITTEN QUESTION E-0118/98

by Jesús Cabezón Alonso (PSE) to the Council

(30 January 1998)

Subject: Fisheries agreement with Morocco: biological rest period

Does the planned extension of the biological rest period for the fishing fleet decided on by the Kingdom of Morocco, which goes beyond that provided for in the current Fisheries Agreement between Morocco and the European Union, have the express approval of the Fisheries Ministers of all the Member States?

Answer

(30 March 1998)

The reply to this question is in the negative.

At its meeting on 18/19 December 1997, the Council was briefed by the Commission on the difficulties experienced in applying the Fisheries Agreement with the Kingdom of Morocco. The Council expressed considerable concern on this issue and asked the Commission to press on with its efforts to guarantee compliance with the undertakings entered into.

(98/C 196/164)

WRITTEN QUESTION P-0133/98

by Katerina Daskalaki (UPE) to the Council

(23 January 1998)

Subject: Murder of church sexton in Istanbul

The Ecumenical Patriarchate of Constantinople has recently suffered a number of attacks such as the bomb attack which severely injured a clergyman. The latest target of the attacks was the font of the church of Ayios Therapon which was set ablaze by persons unknown who stole priceless icons and vessels and murdered the church sexton, V. Khavieropoulos, after a horrifying ordeal.

No-one has ever been arrested in connection with the intermittent attacks on the Ecumenical Patriarchate while the Turkish authorities do not allow the Greek Consul-General to communicate with the Istanbul local authorities to protest.

In view of the fact that Turkey has specific agreements associating the country with the EU and is required to protect Christian monuments, what measures can and will the Council take to pressure Turkey into taking steps to safeguard the monuments concerned and to protect the very few Greeks who remain in Istanbul?

Answer

(30 April 1998)

The Council regrets and condemns the violent incidents mentioned by the Honourable Member, including the bombing of churches. It also notes that under the Treaty of Peace, signed at Lausanne in July 1923, the Turkish Government undertook to grant full protection to churches, synagogues, cemeteries, and other religious establishments of non-Moslem minorities.

The European Council meeting in Luxembourg on 12-13 December 1997 again underlined the necessity for the Turkish Government to meet its fundamental obligations, including the protection of minorities, which encompasses religious minorities as well. It recalled, in line with the Council position expressed at the Association Council with Turkey on 29 April 1997, that strengthening Turkey's links with the European Union also depended on that country's pursuit of political and economic reforms, including the alignment of human rights standards and practices on those in force in the EU. In this context, respect for and protection of all minorities is essential.

These issues are brought up virtually on every appropriate occasion with the Turkish authorities.

(98/C 196/165)

WRITTEN QUESTION P-0138/98

by Hugh McMahon (PSE) to the Commission

(23 January 1998)

Subject: Brussels — Strasbourg flights

Is the Commission aware that a number of complaints have been lodged concerning the non-availability of economy airfares on Sabena World Airlines flights between Brussels and Strasbourg during Parliament part-session weeks? Would it be possible for the Commission to investigate whether there is an infringement of competition rules, given the monopoly on this route by the aforementioned airline?

Answer given by Mr Van Miert on behalf of the Commission

(18 February 1998)

The Commission is not aware of any complaints on the non-availability of economy fares on Sabena Belgian World Airlines on the route between Brussels and Strasbourg during the plenary week.

Through the adoption of the third liberalization package for civil aviation the Commission created the legal framework in which the air carriers can set their tariffs freely in accordance with their commercial policy. The Commission has no competence to impose tariffs on undertakings. The Commission would however consider taking action in case of infringement of the competition rules of Article 85 of the EC Treaty — for example by air carriers fixing common prices — and Article 86 of the EC Treaty — for example by air carriers abusing their dominant position by hindering a competitor to enter a specific route by charging excessively low fares. The fact that at present only one air carrier operates on this route does not, in itself, constitute an infringement of the competition rules. The non-availability of economy air fares on the route mentioned by the Honourable Member is not limited to Parliament plenary weeks. Reduced fares are available all year round provided travellers stay over the weekend. This is not in itself a violation of the competition rules.

The Commission is however not limited to taking action under the competition rules. Under Council Regulation (EEC) No 2409/92 of 23 July 1992 on fares and rates for air services ([1]) Member States may require airlines to file scheduled fares with the Member States. Should a fare be excessively high to the disadvantage of users in relation to the overall long-term fully allocated costs of the carrier, then the Member States concerned may intervene against the fare and suspend the application of the basic fare. Also the Commission may at any time examine whether a fare complies with the criteria set out under this Regulation on receipt of a complaint from any party with a legitimate interest.

([1]) OJ L 240, 24.8.1992.

(98/C 196/166) **WRITTEN QUESTION E-0141/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(2 February 1998)

Subject: Community 'Pesca' initiative for Greece

The Community 'Pesca' initiative for Greece comprises four Sub-Programmes and a fifth for technical assistance. As there is a timetable for each of sub-programmes 1 to 4, will the Commission say:

1. what progress has been made with the sub-programmes and what measures have been taken in each sub-programme, and

2. whether there have been any delays in taking up funds and, if so, what the main reasons for the delays are?

Answer given by Mrs Bonino on behalf of the Commission

(13 March 1998)

1. Administrative arrangements in Greece for the four main parts of the PESCA programme are now complete. The authorities state that for private investments applications must reach the local fisheries department by 31 March and that the national commitment decisions will be taken before the end of June. The commitment decisions for public investments are in preparation. Once these procedures are completed the programme can actually be implemented.

2. The delay in starting the programme can be imputed largely to lack of the necessary coordination for implementation of a multifund programme requiring the involvement of several public departments. As a result none of the available appropriations has so far been used. The administrative arrangements now made mean that the first payments to recipients under the programme should be made in the second half of this year.

(98/C 196/167)

WRITTEN QUESTION P-0169/98

by Sérgio Ribeiro (GUE/NGL) to the Council

(28 January 1998)

Subject: Map of the EU on the euro coins and failure to differentiate two Member States

The information and publicity material produced by the European Monetary Institute concerning the euro (e.g. the recently distributed 1998 calendar) has included designs of euro coins showing the EU map in such a way as to distinguish all the Member States — with the exception of Portugal and Spain, which are lumped together as if they were a single country. This error (for it can only be an error) has been reported in the Portuguese media (see the 16 January 1998 issue of the newspaper 'O Independente'), and the Council is no doubt aware of the seriousness and sensitiveness of the matter.

The cooperation procedure for the adoption of a Council regulation on the denominations and technical specifications of the euro coins is now under way; Parliament has adopted two resolutions (on 6 November and 17 December 1997), without, however, making any reference to this error.

Can the Council state what action it intends to take to correct this error and avert its consequences, and what action or actions it intends to promote so as to alert public opinion to the matter and remedy or alleviate those consequences which it is now too late to prevent?

Answer

(30 March 1998)

Under the Treaty, the Council, not the EMI,l is competent to harmonize the denominations and technical specifications of euro coins (Article 105a(2) of the Treaty).

In completing the cooperation procedure with the European Parliament, the Council confirmed, on 19 January 1998, its agreement on the common position with a view to adopting a Regulation on denominations and technical specifications of euro coins, after having examined the European Parliament's second-reading amendments. The Regulation will be formally adopted after confirmation of the Member States which are adopting the euro.

On the other hand, the decision on the design of the common side of euro coins follows a different procedure: by an intergovernmental agreement all Member States approved, first in the Amsterdam European Council and most recently alongside the Ecofin Council meeting on 17 November 1997, the final design of that common side.

The design referred to above shows Spain and Portugal as two separate geographical entities.

(98/C 196/168)

WRITTEN QUESTION E-0190/98

by Cristiana Muscardini (NI) to the Council

(6 February 1998)

Subject: Dual citizenship for Italians in Belgium

The Strasbourg Convention of 6 May 1963 regulates instances of dual citizenship and, in practice, provides for the reacquisition of citizenship even when it has been given up voluntarily, since it establishes that the various positions set out in international agreements remain unaffected.

Thus the Protocol to the Strasbourg Convention has, for example, made the agreements between Italy and France and Italy and the Netherlands, which allow dual citizenship, operational.

In order to remove the obstacles to freedom of movement and ensure the free movement of citizens, can the Council introduce the appropriate measures to extend the Strasbourg Protocol to cover the European countries in which there are large numbers of Italians?

Can it also, in view of the sizeable Italian community in Belgium, extend the Strasbourg Protocol, as a matter of urgency, to relations between Belgium and Italy, so as to allow the Italians living in Belgium who want to complete the formalities for reacquisition of their original citizenship, to do so, whilst keeping the Belgian citizenship which they acquired by means of voluntary naturalization?

Answer

(7 April 1998)

The Council would draw the Honourable Member's attention to the fact that it is up to each Member State to determine rules for the granting of nationality. It would point out that Declaration No 2 annexed to the Final Act of the Treaty on European Union stipulates that 'wherever in the Treaty establishing the European Community reference is made to nationals of the Member States, the question whether an individual possesses the nationality of a Member State shall be settled solely by reference to the national law of the Member State concerned. Member States may declare, for information, who are to be considered their nationals for Community purposes by way of a declaration lodged with the Presidency and may amend any such declaration when necessary.'

(98/C 196/169) **WRITTEN QUESTION P-0192/98**

by Luigi Florio (UPE) to the Council

(29 January 1998)

Subject: Pluralism and freedom of expression in Turkey and Italy

On 16 January last the British presidency of the EU, having heard that the Constitutional Court of Turkey had outlawed the local Islamic party 'Refah', issued a public statement in which it said that it was concerned about the implications this decision had for democratic pluralism and freedom of expression and that the banning of the party would be examined by the European partners in the near future.

In the light of these understandable concerns about events in a country outside the EU, can the presidency say whether it does not consider it appropriate to consider, as soon as possible, the implications for democratic pluralism and freedom of expression of events which have been taking place in a country inside the EU, Italy, for about a year and a half. These events include:

1. the broadcasting authority (RAI), for the first time in its history is managed entirely by people who are exclusively influenced by the Ulivo political majority;
2. the main private television channel is headed by an eminent journalist who is a known supporter of the Ulivo;
3. the second most important private television channel belongs to an Ulivo senator;
4. all the managers of the main public corporations appointed in the last eighteen months are Ulivo supporters and a significant proportion of them came from Nomisma, a consultancy and research company founded by the current Prime Minister;
5. the school reform recently introduced by the Education Minister Berlinguer (PDS) is 'rewriting' the history of the twentieth century without mentioning Communism or any of the crimes committed by Communist regimes;
6. last year the Constitutional Court prevented a wide range of referendums from being held on the basis of purely political considerations;
7. in December last year the Commissioner Emma Bonino publicly denounced the establishment in Italy of what amounts to a 'regime'.

Answer

(30 March 1998)

The declaration by the Presidency on behalf of the European Union to which the Honourable Member refers stated the Union's concern at the implications for democratic pluralism and freedom of expression in Turkey of the banning of a political party.

It should be added that it is not for the Council to comment on audiovisual media management appointments in a Member State, on Government education policy in a Member State, on the rulings of a Member State's court or indeed on statements made by a Commissioner in a personal capacity.

(98/C 196/170)

WRITTEN QUESTION E-0203/98

by Gerhard Hager (NI) to the Council

(11 February 1998)

Subject: Schengen task force

Recently there have been reports of a 'task force' which will be concerned with measures to improve the Schengen external frontiers. Accordingly, I should like to ask the Council the following questions:

1. What prompted the European Union to set up this task force?

2. Where does the Council feel there are shortcomings in existing checks at external borders?

3. What improvements does the Council expect the new task force to bring about?

4. Does the Council believe that setting up a task force can ensure foolproof checks at land and sea borders?

5. Is the Council of the opinion that the current difficulties are caused solely by problems in national transposition or by shortcomings in the Schengen rules?

6. Does the Council regard the practice of some Member States (detecting illegal immigrants but not ensuring that they subsequently leave the territory of the Union) as running counter to the Union's acquis?

Answer

(7 April 1998)

The working party referred to by the Honourable Member (the 'Schengen Task Force') is not a European Union but a Schengen working party. The Council is not competent to reply to the question posed.

(98/C 196/171)

WRITTEN QUESTION E-0267/98

by Yiannis Roubatis (PSE) to the Council

(17 February 1998)

Subject: Tragic consequences of the sanctions policy for the population of Iraq

The sanctions policy imposed on the regime of Saddam Hussein in Iraq has had tragic consequences for the population of the country, and particularly children who suffer from malnutrition and a lack of drugs.

Given that it is questionable how much the sanctions policy has produced the desired results and the plight of the population is unbearable for any civilized state:

Will the Council say:

1. What is its position on this matter?

2. Does it intend to take any measures to relieve the plight of the population and particularly the children suffering from malnutrition and a lack of drugs?

Answer

(30 April 1998)

The European Union is deeply concerned about the suffering of the Iraqi civilian population, and of children in particular. In has, therefore, from the outset, been a strong supporter of Security Council Resolution 986 which permits Iraq to sell oil to buy humanitarian goods for its citizens.

At its meeting of 23 February 1998 the Council welcomed the UN Security Council's decision to considerably expand and enhance the oil-for-food programme and called upon Iraq to facilitate the humanitarian relief effort.

In addition to its active support for the oil-for-food arrangement the Union is the main contributor of humanitarian relief to the population in Iraq.

(98/C 196/172) **WRITTEN QUESTION E-0286/98**

by Ana Miranda de Lage (PSE) to the Council

(17 February 1998)

Subject: Committee for monitoring human rights in Cuba

According to recent reports, the Council has instructed the EU embassies accredited to the Havana government to set up a committee for the monitoring and assessment of the human rights situation in Cuba.

Can the Council explain the nature and precise objectives of this network?

In view of the above and the numerous declarations which have been made of commitment to human rights, social rights, environmental rights, pluralist democracy, etc, has the Council considered extending this pioneering and committed initiative to such countries as China, the UAE, Saudi Arabia, etc, to which, unlike Cuba, the EU is linked by substantial and long-standing commercial ties, despite the non-existence of any relation between the cooperation concerned and any kind of democratic quid pro quo?

Answer

(30 April 1998)

The first objective laid down in the Common Position on Cuba adopted by the Council on 2 December 1996 is 'to encourage a process of transition to pluralist democracy and respect for human rights and fundamental freedoms'.

To implement the task of developing a more coordinated dialogue with groups promoting civil and political rights it was decided to set up a local EU Human Rights Working Group (HRWG) based on Member States' diplomatic missions in Havana. The HRWG has two main functions: monitoring human rights issues and developing a more coordinated dialogue with local groups and individuals promoting civic and political rights in Cuba. Contacts with Cuban officials might also take place in this framework.

At present, the HRWG is preparing an analysis of the human rights situation in Cuba and will make recommendations on how the EU should take forward dialogue in this area.

The appointment of a HRWG to monitor the human rights situation is only one of the methods the Council uses. For the countries which the Honourable Member is referring to, other methods, like a standing dialogue on human rights or a monitoring through Heads of Mission's reports, are being applied.

The Council certainly shares the view that the European Union's action aimed at promoting democracy and respect for human rights in the framework of the Community and its Members States' cooperation policies should be guided by objective and equitable criteria and should be implemented in a coherent and consistent manner.

(98/C 196/173)

WRITTEN QUESTION E-0299/98

by Leonie van Bladel (UPE) to the Council

(17 February 1998)

Subject: Separate EU Ambassador for Asia

1. Can the Council President indicate why, to date, nothing has been done to appoint a separate EU Ambassador for Asia?

2. On the eve of the Europe-Asia Summit in London, is the Council President aware that the appointment of a separate EU Ambassador for Asia would, in a symbolic manner, emphasize EU unity in the light of the crisis in Asia and that it might help towards curbing the adverse effects of the current crisis on the economic situation and on employment, not only in Asia but also in the European Union?

Answer

(30 April 1998)

The General Affairs Council on 23 February 1998 discussed the European Union's response to the financial crisis in Asia. The Presidency agreed to consider appointing a Special Representative, who could visit the region to underline Europe's support for those affected by the Asian financial crisis.

In the light of that discussion, the Presidency has decided to appoint Mr Derek Fatchett, Foreign Office Minister responsible for Asia, as its Special Representative. Mr Fatchett visited Thailand, Malaysia, Indonesia and Singapore from 3-7 March accompanied by Mr Cloos, representative of the European Commission.

The visit was a clear signal of the importance which the European Union attaches to helping tackle the crisis affecting Asia. It was designed to dispel any impression that Europe is less engaged than eg. the US in responding to the difficulties facing many of our Asian partners. It also provided an opportunity to make clear the EU's desire to discuss the Asian financial crisis at the 2nd Asia-Europe Meeting (ASEM 2) in April 1998.

(98/C 196/174)

WRITTEN QUESTION P-0310/98

by Magda Aelvoet (V) to the Council

(9 February 1998)

Subject: Security in Great Lakes Region of Africa

Does the Council intend to support international efforts for the reactivation of the United Nations International Commission (Rwanda) and the extension of its mandate to investigate arms flows to the Great Lakes region, as called for by the European Parliament? Does the Council support international calls for the deployment of United Nations or Organization of African Unity observers to key airstrips and crossing points in the Great Lakes region?

Answer

(30 April 1998)

The Council would be happy to support international efforts to re-activate the United Nations International Commission. The United States has proposed enlarging the mandate of that Commission, including a reference to Burundi, and has discussed elements for a draft Security Council resolution with representatives of African countries at the UN. However, no text has yet been proposed.

No proposals have been made to deploy UN or OAU observers to key airstrips and border crossings in the region. The Council would, however, give careful consideration to any such proposal.

(98/C 196/175) **WRITTEN QUESTION P-0353/98**

by Carmen Díez de Rivera Icaza (PSE) to the Council

(6 February 1998)

Subject: National emblems on euro banknotes

Given that the introduction of a single currency is an essential stage in the process of European integration, has the Council taken a decision on whether national emblems should appear on one of the sides of banknotes? Would it not agree that, in addition to being contrary to the idea of a union, such emblems could be a source of unwanted confusion?

Answer

(7 April 1998)

In accordance with the distribution of powers laid down in the Treaty the European Central Bank will have the exclusive right to authorize the issue of banknotes in euro, and to take decisions regarding their design (Article 105a of the Treaty and Article 16 of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank).

It will therefore be for the European Central Bank, once it has been established, to take the final decisions on this matter.

(98/C 196/176) **WRITTEN QUESTION P-0500/98**

by Jaak Vandemeulebroucke (ARE) to the Council

(17 February 1998)

Subject: Embargo on the supply of arms to Burundi

In its resolution of 18 December 1997, and on the recommendation of the UN Special Rapporteur for Burundi, the European Parliament called for an embargo on the supply of arms to the belligerent parties in Burundi.

As part of an active peace policy, is the Council prepared to act in accordance with that resolution and, more generally, to prohibit Member States from participating in the supply of armaments to third countries?

Answer

(30 April 1998)

The Council is aware of the Resolution on Burundi adopted by the European Parliament on 18 December 1997 and welcomes its condemnation of atrocities and human rights violations against the civilian population and of the continuing supply of arms to the opposing parties in the conflict.

Although there is no EU arms embargo as such against Burundi, Member States act in accordance with the Common Criteria defined in the conclusions of the European Councils of 29 June 1991 and 26-27 June 1992, on the basis of which the Amsterdam European Council (16-17 June 1997) called for renewed and sustained attention in the framework of the Common Foreign and Security Policy (CFSP) to developing a responsible and coherent arms export policy throughout the Union. In the case of Burundi the competent national authorities do not grant licences for arms exports. If arms do reach Burundi from or via a Member State, the case is investigated by the relevant national authorities.

The Council will continue to follow the situation in Burundi and the Great Lakes Region closely, including the issue of arms transfers.

(98/C 196/177)

WRITTEN QUESTION P-0501/98

by Elly Plooij-van Gorsel (ELDR) to the Council

(17 February 1998)

Subject: Monitoring of European telephone, fax and e-mail traffic by the US

1. Is the Council aware of the substance of the report commissioned by the European Parliament entitled: 'An Appraisal of Technologies of Political Control'?

2. Is it true that the United States systematically monitor telephone, fax, e-mail and telex traffic in the Member States of the European Union?

3. Is it true that the United Kingdom serves as a relay station for this activity? If so, does this occur with the knowledge and agreement of the other Member States of the European Union? Might the President of the Council be able to throw some light on the matter?

4. Did large-scale monitoring of communications channels take place during the GATT and WTO negotiating rounds and during the conclusion of the Basic Telecoms Agreement? If so, to what extent has this had an adverse effect on the European Union's position, and to what extent has this damaged the commercial interests of European businesses?

Answer

(30 April 1998)

The report referred to in point 1 has not been officially transmitted to the Council. The Council is not aware of the matters mentioned by the Honourable Member in points 2, 3 and 4.
