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**I***(Information)***EUROPEAN PARLIAMENT****WRITTEN QUESTIONS WITH ANSWER**

(98/C 304/01)

**WRITTEN QUESTION E-3597/97****by Giacomo Santini (PPE) to the Commission***(13 November 1997)**Subject:* Invasion of the European market by elvers caught by Asian boats

Following the invasion of the European market by small elvers (which would become European eels in adulthood) weighing about 0.3 grammes each, which are caught by Asian ships off Atlantic coasts, the costs of such fry have risen astronomically (from Lit 165 000 per kilo in 1995 to Lit 750 000 per kilo in 1997).

The Asians (in particular the Japanese and Chinese) have indiscriminately fished for Japanese eels (*Anguilla japonica*), thereby interfering with reproduction (Japan alone consumes approximately 120 000 tonnes every year), and they have therefore turned to the European market where, unlike in Japan, there are no limits on the export of fry.

Can the Commission say:

1. what it intends to do to safeguard Italian and European fish farmers, in view of the fact that Italy produces 7 000 tonnes of European eels (*Anguilla anguilla*) per year out of the total of 20 000 tonnes produced in Europe every year;
2. what it intends to do to prevent indiscriminate fishing from causing irreparable damage to the reproduction of these fish on the Atlantic coasts of Europe too?

**Answer given by Mrs Bonino on behalf of the Commission***(14 January 1998)*

The Commission is aware of the valuable and growing contribution of the eel cultivation sector to European aquaculture and of the particular importance of this activity in Italy. The dependence on supplies of juvenile eels caught in the wild will remain for so long as it continues to be impossible to complete the life cycle of this species in captivity.

Glass eels are caught as they migrate up rivers on the final leg of their migration from the Sargasso Sea. The competence of managing glass eel fisheries has up to now laid primarily with Member States and a range of national control measures exist, depending on the traditional patterns of exploitation and use. Five Member States ban commercial fishing for glass eels and elvers, while a regional ban exists in a sixth Member State. In the southern Member States where there is a tradition of consuming smaller eels, glass eel fishing is permitted but controls are applied to fishing gear, open season or fishing and dealing licences.

A recently completed report on management of the European eel (concerted action AIR A94- 1939) has shown that returns of glass eels have fallen, resulting in a serious decline of existing fisheries, particularly in the Baltic and Mediterranean Member States. This is matter of concern and the Commission in September 1997 requested the International Council for the Exploration of the Sea (ICES) to provide advice on possible management actions

to ensure a sustainable development of the eel fisheries within the Community. This advice should be provided in 1998 and any possible proposals on aspects such as regulating exports of glass eels will be deferred until then.

(98/C 304/02)

**WRITTEN QUESTION E-3622/97**

**by Giuseppe Rauti (NI) to the Commission**

*(13 November 1997)*

*Subject:* Protecting the rights of taxi drivers in Italy and Europe

Is the Commission aware that a huge protest movement is spreading among taxi drivers in Italy, who complain that various Italian legal provisions — which fly in the face of various European Directives — place them at a severe fiscal disadvantage? Italian taxi drivers are, for example, prevented from recovering VAT on the purchase of both vehicles and all the 'ancillary' items (from fuel to replacement parts) required to run what is their only means of work and income. They are also obliged to ply their trade on the basis of what are known as 'administrative fares', which are not based on a realistic analysis of costs. Furthermore — to give but one of many other possible examples — in 1990 a 'decree' issued by Mr Formica (Socialist), the minister in charge of such matters at the time, deprived taxi drivers of 30% of their fuel refund, a further 30% of which was removed in 1991 by Minister Gorla (Christian Democrat). In 1992 a further 30% was cut by Minister Amato (Socialist), with the remaining 10% becoming a withholding tax.

Would the Commission not agree that it should make representations to the Italian Government with a view to ensuring compliance with the relevant Community legislation?

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

*(6 January 1998)*

The Commission is aware that VAT legislation in Italy does not allow taxi firms (whose transport operations are exempt by virtue of a temporary derogation from the principle of taxation under the Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of VAT: uniform basis of assessment <sup>(1)</sup>) to recover tax paid on their acquisitions of goods and services. This is in keeping with the provision of the Directive whereby VAT is deductible in so far as the goods and services acquired are used for the purposes of taxed operations.

The Member State in question does, of course, have the right not to apply the derogation and to charge VAT on the transport of persons, thereby permitting recovery of the VAT paid on goods and services acquired.

<sup>(1)</sup> OJ L 145, 13.6.1977.

(98/C 304/03)

**WRITTEN QUESTION E-3866/97**

**by José Valverde López (PPE) to the Commission**

*(5 December 1997)*

*Subject:* Energy self-sufficiency in Andalusia

Andalusia's self-sufficiency rate in energy is a mere 8%, although the figure for Spain as a whole is 30%.

Can the Commission state what projects for local production (on the basis of cogeneration and renewable energy) have been funded from the Structural Funds and the Cohesion Fund in the past, or are being funded now?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(9 February 1998)*

In 1986-91, Andalusia received approximately ECU 25 million under the Community Initiative Valoren for 126 projects to promote local production of alternative energy (solar, wind power, biomass) and to improve the use of energy.

In 1994-99, the Commission is granting assistance from the European Regional Development Fund of ECU 118.3 million for a global grant managed by IDAE (Instituto para la diversificación y el ahorro energético) covering all the Spanish areas eligible under Objective 1 for the same purposes as the assistance mentioned above. Since this is a programme depending on applications received, a regional breakdown of the figure given is currently not possible.

The operational programme for Andalusia also provides, over the same period and in the field of alternative energy, for several aid schemes part-financed by the ERDF with a volume of approximately ECU 14 million.

The Cohesion Fund has not supported any projects of this kind in the region, as the scope of this Fund is to finance projects in the field of the environment and transport infrastructures of common interest.

(98/C 304/04)

**WRITTEN QUESTION E-3904/97****by Cristiana Muscardini (NI) to the Council***(10 December 1997)**Subject:* Tourist massacre in Egypt

In the wake of the massacre of tourists in the Valley of Queens in Egypt at the hands of Islamist terrorists organized along the lines of a full-scale revolutionary army, Europe cannot postpone the following decisions:

1. to assist President Mubarak's government in taking drastic and resolute action against terrorism and Islamic fundamentalism;
2. to obtain guarantees of the safety of all those visiting Egypt for the purposes of business or tourism in order to ensure that it retains its links to the West;
3. to protect the architectural and cultural heritage of Egypt, whose history belongs to and must be safeguarded by the international community as a whole.

Will the Council say what specific measures it intends to promote in order to combat collusion in the EU Member States between international terrorist groups, specifically Islamist terrorists?

**Answer***(28 May 1998)*

1. The Council condemns terrorism in any form and supports Egypt in its fight against it.
2. The internal and external threats posed by terrorism to the European Union are regularly reviewed by the Council bodies. On 15 October 1996, the Council adopted a Joint Action concerning the creation and maintenance of a Directory of specialized counter-terrorist competences, skills and expertise to facilitate counter-terrorist cooperation between the Member States of the European Union <sup>(1)</sup>.

On the basis of the arrangements concluded for the exchange of operational information in this area, meetings and seminars are regularly held to help combat all aspects of terrorism.

3. In the light of the expected entry into force of the Europol Convention, the Council agreed on 19 March 1998 to take a decision on the extension of the mandate of Europol to cover the fight against terrorism as soon as possible after Europol takes up its activities (Article 2 of the Convention).

<sup>(1)</sup> OJ L 273, 25.10.1996, p. 1.

(98/C 304/05)

**WRITTEN QUESTION E-3913/97****by Hiltrud Breyer (V) to the Commission***(11 December 1997)**Subject: Seveso directive*

For requirements relating to the protection of the environment and the safety of establishments the directives

- of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (85/337/EEC) <sup>(1)</sup>,
- of 24 September 1996 concerning integrated pollution prevention and control (96/61/EC) <sup>(2)</sup> and
- of 9 December 1996 on the control of major-accident hazards involving dangerous substances (96/82/EC) <sup>(3)</sup>

are of fundamental importance.

The last two of these directives must be implemented by the Member States by 1999 at the latest. During the discussions this has prompted a number of views giving rise to the following questions to the Commission have been put forward.

Article 12(2) of Directive 96/61/EC requires the Member States to ensure that no substantial change is made to an installation governed by the directive unless an authorization procedure is first completed. Articles 3 and 6 to 10 of the directive apply to the procedure for the issue of permits.

Is this provision to be so implemented by the Member States that, because of Article 3(e) of Directive 96/61/EC, the safety report revised pursuant to Article 10 of Directive 96/82/EC is also to be submitted to the competent authority before a permit is issued if it concerns an installation within the meaning of Directive 96/61/EC?

<sup>(1)</sup> OJ L 175, 5.7.1985, p. 40.

<sup>(2)</sup> OJ L 257, 10.10.1996, p. 26.

<sup>(3)</sup> OJ L 10, 14.1.1997, p. 13.

**Answer given by Mrs Bjerregaard on behalf of the Commission***(29 January 1998)*

Article 12(2) of the IPPC Directive stipulates that no substantial change to an installation planned by the operator may be made without a permit issued in accordance with the Directive.

For installations to which the provisions of both the IPPC Directive and Seveso II Directive (Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances) apply, Article 10 of the Seveso II Directive specifies the cases in which the operator must act (when modifying an installation, a plant, a process or the type and quantity of the hazardous substances which may have important implications for the major-accident hazards) and describes the operator's specific obligations (to review or modify the concept for the prevention of major accidents, the management systems and the procedures with regard to Articles 7 and 9 and to review or modify the safety report and notify the competent authority before making the changes).

A permit pursuant to the IPPC Directive therefore cannot be issued before any major alteration is made for installations which are also covered by the Seveso II Directive unless the obligations of that Directive are also met.



(98/C 304/06)

**WRITTEN QUESTION E-3940/97**  
**by Maren Günther (PPE) to the Commission**  
(12 December 1997)

*Subject:* Long-term and structural support for cultural networks in the field of the performing arts

In the context of the Kaleidoscope programme, the Commission supports European cultural networks as pilot projects. There is, however, as yet no continuing, structural support to enable the networks to make long-term plans for the work they are intended to carry out.

1. Does the Commission intend to follow the recommendations of Parliament's Committee on Culture and in future provide longer-term and structural support for the networks?
2. Do the plans for the Kaleidoscope programme in 1998 include one or more European cultural networks in the area of the performing arts?

**Answer given by Mr Oreja on behalf of the Commission**  
(6 February 1998)

The Commission would point out that the duration of the Community's Kaleidoscope programme is restricted to three years and that 1998 is the last year.

The budget restraints imposed on the Kaleidoscope programme (annexed to European Parliament and Council Decision No 719/96/EC of 29 March 1996 establishing a programme to support artistic and cultural activities having a European dimension) <sup>(1)</sup> are such that no structural assistance can be granted for cultural networks as such, but only for the projects and measures organised by them.

This means that, given the limited duration of the programme and the principle of annuality of the Community budget, no long-term Community support can be granted for the time being.

The Commission would, however, point out that priority in selection is given to projects involving long-term cooperation and that many quality networks have received support under the Kaleidoscope programme for several years in succession. A notable example is the 'Germinations' network, which deals with the visual arts, an area in which the Honourable Member takes a particular interest.

Structural support may also be provided under other Community policies and programmes and from other parts of the budget, particularly Part A. Support measures for trans-European structures under heading A-3020 is just one example.

As regards the outlook for support for cultural networks in 1998, the Commission is currently registering and examining the applications submitted for the Kaleidoscope programme. The 1998 results are due to be announced in April. In addition to the possibilities referred to above, certain limited opportunities for funding will be available to networks as a result of the call for proposals which the Commission is due to issue by the end of the year concerning Community support for cultural development projects under budget heading B3-2003.

<sup>(1)</sup> OJ L 99, 20.4.1996.

(98/C 304/07)

**WRITTEN QUESTION E-3981/97**  
**by Angela Billingham (PSE) to the Commission**  
(14 January 1998)

*Subject:* Comparative analysis of national minimum wages in Europe

Could the European Commission inform me whether there is any regular survey or comparative analysis of national minimum wages in the European Union?

Has the European Commission honoured its commitment in its 1993 Opinion on an equitable wage in which it called for action to improve transparency with regards to wages?

**Answer given by Mr Flynn on behalf of the Commission***(18 February 1998)*

The Commission opinion on an equitable wage <sup>(1)</sup> considered that Member States should improve transparency of the labour market by a better collection and dissemination of comparable statistical information about wage structures.

On 8 January 1997 the Commission adopted a progress report on equitable wages <sup>(2)</sup>, according to which transparency in wage information remains a problem area for all Member States. The wage statistics widely available at Member State level are often too general and too out of date to aid transparency, and wage information generated by job vacancy information is derived from too narrow a base to be useful.

It was also found that data on the structure of earnings and changes in income differentials are not generally available on a Community wide basis. However, new information sources have been initiated by the Commission and should provide some useful indicators over the next few years.

As part of the ongoing commitment to improve transparency concerning wage rates, and following on from last year's progress report, a publication 'Minimum wages, 1997- A comparative study' will be available in March 1998.

<sup>(1)</sup> COM(93) 288 final.

<sup>(2)</sup> COM(96) 698 final.

(98/C 304/08)

**WRITTEN QUESTION E-4000/97**

**by Danilo Poggiolini (PPE), Pierluigi Castagnetti (PPE),  
Antonio Graziani (PPE), Giampaolo D'Andrea (PPE), Michl Ebner (PPE),  
Livio Filippi (PPE), Maria Colombo Svevo (PPE), Vincenzo Viola (PPE), Carlo Casini (PPE),  
Alessandro Fontana (PPE) and Giovanni Burtone (PPE) to the Commission**

*(14 January 1998)*

*Subject:* Selection criteria for the recruitment of trainees to the Commission's administration

Given the rising number of applications for traineeships in the Commission's services and the reduced number of posts available, which inevitably means that many applications are rejected, and the obligation to ensure transparency in relations between EU citizens and their institutions, can the Commission:

1. say exactly what criteria are used, within the national quotas, for selecting the trainees recruited to the Commission's administrative services, particularly for the first selection round in which candidates' names are entered in the so-called 'Blue Book'?
2. Indicate the criteria for paying some but not all trainees?
3. Provide the figures for the different national quotas?

**Answer given by Mr Santer on behalf of the Commission***(30 January 1998)*

1. The selection criteria for in-service training with the Commission are set out in the rules governing in-service training of 7 July 1997.

In-service training is open to candidates who have not already benefited from in-service training in another European institution or body and who have completed by the closing date for applications a course of university education and obtained a full degree or its equivalent. The age limit is 30 and applicants must have a thorough knowledge of one Community language and a satisfactory knowledge of one other.

Applicants are selected on the basis of qualifications and, while there are no national quotas, an appropriate geographical balance is maintained taking account of the population of each country and the number of applicants. Priority is given to applicants on the basis of the results obtained during their studies.

The Commission has introduced a more rigorous and systematic procedure for examining stagiaires' applications through the creation of preselection groups for each nationality made up of Commission officials of that nationality.

2. The number of stagiaires who receive a grant is determined by the budget available. The Commission would prefer to be in a position to pay all its stagiaires and for this reason wrote to the president of the Parliament and the president of the budgets committee on 23 October 1997 to inform them that it intends to increase gradually the number of grants available each year from 800 to 1 200 with a view to ensuring that all stagiaires are paid. This operation will start in 1999 with a request for a 10% increase in the stage budget line A-3200.

3. There are no national quotas for stagiaires. A table sent direct to the Honourable Member and to the Parliament's Secretariat shows the numbers of stagiaires recruited by nationality in 1996 and 1997.

(98/C 304/09)

**WRITTEN QUESTION E-4012/97**

**by John Iversen (PSE) to the Commission**

*(14 January 1998)*

*Subject:* Pesticide residues in grapes

Is the Commission aware that several varieties of European grapes have been discovered on the German market with more than the permitted pesticide content? Öko Test in Germany tested 30 different grape varieties, several of which exceeded the permitted pesticide-residue levels, in some cases by over 100%.

Does the Commission believe that existing inspection arrangements are effective in guaranteeing consumers safe products?

Does the Commission recognize the problem that total pesticide levels in fruit can far exceed the permitted limit values for individual substances?

What action does the Commission intend to take to ensure that consumers are not thus receiving such large quantities of pesticides when they eat fruit?

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

*(17 February 1998)*

The Commission is aware that during 1996 the German authorities examined 188 samples of table grapes and that pesticide levels above the maximum residue level (MRL) were detected in four of these. In one sample, residues of two pesticides at levels above their respective MRLs were detected.

The four samples with levels over the MRL were from consignments of grapes produced in Member States and it is understood that the German authorities informed the authorities of the originating Member State directly of these infringements.

The Commission considers that the amendments to Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables<sup>(1)</sup> made by Council Directive 97/41/EC of 25 June 1997 amending Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on, respectively, fruit and vegetables, cereals, foodstuffs of animal origin, and certain products of plant origin, including fruit and vegetables<sup>(2)</sup>, due to be implemented by the Member States by 31 December 1998, will provide a framework for increased effectiveness of the arrangements for inspection and monitoring of pesticide residues. The Commission intends to make the detailed implementing rules necessary for the proper functioning of the amended provisions before that date.

<sup>(1)</sup> OJ L 350, 14.12.1990.

<sup>(2)</sup> OJ L 184, 12.7.1997.

(98/C 304/10)

**WRITTEN QUESTION E-4025/97****by Graham Watson (ELDR) to the Commission***(14 January 1998)**Subject:* Financial instruments for regional policy funds

When does the Commission envisage starting studies into possible use of new financial instruments to provide funds for regional policy?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(12 March 1998)*

In the context of Agenda 2000 and the revision of the current structural funds regulations for the period after 1999, the Commission is undertaking a number of studies on the possibilities of using new financial instruments. It will prepare a report on future cohesion policy support and the use of different financial assistance instruments, with particular attention to the idea that, in the future, financial support should strike a more judicious balance between grant aid and other types of funding, such as loans (with or without interest subsidies), loan guarantees or equity participation, depending on the nature of the investment at hand.

The Commission will consider how the grant financing aid element of structural funds interventions might be partly replaced, or used to leverage other (eg private) resources, to reduce the burden on the Community budget but still achieve the cohesion impact desired. As part of this exercise, a study on the impact of financial engineering measures within a selected number of existing European regional development fund programmes is currently under way.

After a policy appraisal within the Commission, discussions with the European investment bank (EIB), European investment fund and selected institutions in Member States are expected to develop technically the different schemes which may be identified. The outcome of these studies and discussions will take into account the new mandate given to the EIB, following the Amsterdam European Council, to encourage small and medium sized enterprises (SME) development, possibly making use of venture capital with involvement of the private banking sector.

(98/C 304/11)

**WRITTEN QUESTION E-4036/97****by Bryan Cassidy (PPE) to the Commission***(14 January 1998)**Subject:* Producer responsibility obligations (packaging waste) regulations, UK 1996

Can the Commission confirm that it is opening infraction proceedings against the UK over its implementation of the Directive 94/62/EC <sup>(1)</sup> and list the Commission's complaints?

<sup>(1)</sup> OJ L 365, 31.12.1994, p. 10.

**Answer given by Mrs Bjerregaard on behalf of the Commission***(23 February 1998)*

The Commission is able to inform the Honourable Member that there is a current infringement procedure against the United Kingdom concerning the partial implementation of Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste.

(98/C 304/12)

**WRITTEN QUESTION E-4057/97**  
**by Ulla Sandbæk (I-EDN) to the Council**  
(15 January 1998)

*Subject:* Weapons training in Greece

Could the Council kindly comment on the measure taken by the Greek Government in respect of the new 'people's defence' legislation? According to the provisions of the bill, which the government says will have to be put to the vote by the end of the year, all citizens — men and women — may be called up for weapons training once a year for a period from 4 to 12 days.

Is the Council aware of this situation? And is this not a violation against the human rights of the Greek people and a measure that might increase hatred for neighbouring countries and increase fear and hostility, especially in the areas bordering on Turkey?

**Answer**

(18 May 1998)

The Council has not been informed of the situation described by the Honourable Member. This question, moreover, does not come within the Community's sphere of competence and concerns a situation which is a matter for the Member State concerned.

(98/C 304/13)

**WRITTEN QUESTION E-4139/97**  
**by Angela Sierra González (GUE/NGL) to the Commission**  
(21 January 1998)

*Subject:* Waste on islands

According to information recently made available by the authorities of the autonomous government, the Canary Islands currently generates approximately 1 million tonnes of waste each year. This makes the islands a major waste producer, bearing in mind also the considerable flow of visitors to the islands as a result of the heavy tourism they attract.

Recently, the Commission's DG XI published a manual on codes of practice for waste management on islands, dealing with the specific waste management problems encountered in island regions.

One of the most effective ways of helping island regions reduce the quantity of waste could be the waste generation prevention programme which the European Commission has identified as a focal point for its Community strategy for waste management. In the case of island regions, this programme could be implemented in line with the principle of 'preventing the introduction of waste', bearing in mind that the vast majority of products which subsequently become waste have their origin outside the islands and are imports.

The introduction of measures to restrict import into the islands of excess packaging or non-returnable containers could help improve waste management. This would prevent the creation of waste and the serious social, environmental and economic problems it produces.

Although this measure might be in breach of the principle of the free movement of goods within the European Union, account must be taken, as it is in other cases (incentives for transport or supplies, for example) of the special nature of the island regions, particularly the outermost ones, which are remote from waste producing centres.

Will the Commission adopt a waste management strategy for islands which restricts the import of products with excess packaging and non-returnable containers, while also limiting their production in the islands?

Is it possible for the Spanish or Canary Island authorities to introduce rules restricting the import of goods with excess packaging or non-returnable containers?

Does the Commission believe that the specific nature of the island and outermost regions justifies the adoption of measures to restrict the import of these products into the islands, so as to prevent a serious environmental problem from occurring?

**Answer given by Mrs Bjerregaard on behalf of the Commission***(13 March 1998)*

The Honourable Member refers to a waste management strategy for islands which restricts the production and the import of products with excess packaging and non-returnable containers. The Commission draws the attention of the Honourable Member to Directive 94/62/EC on packaging and packaging waste <sup>(1)</sup>, which was to be transposed into national legislation by 1 July 1996. One of the main aims of this Directive is to prevent or reduce any impact of packaging and packaging waste on the environment. Therefore, in order to tackle the problems caused by the waste arising, national and local authorities should focus primarily on means to avoid the generation of waste. To this end, Member States shall ensure that preventive measures are implemented (Article 4 of the Directive). In addition, Member States may encourage re-use systems of packaging, which can be reused in an environmentally sound manner, in conformity with the EC Treaty (Article 5 of the Directive). The choice of the specific instruments to promote preventive measures and to encourage reuse systems lies with the Member States, provided they are in conformity with the EC Treaty.

A first possibility to limit the generation of packaging waste to be disposed of consists of the implementation of deposit-return systems. Such systems have been recognized by the Court of justice to be legitimate under Community law.

As regards mandatory measures on returnable packaging, they are in principle possible, although certain specifications of such systems might be in conflict with the principles of the free circulation of goods. Such measures must be non-discriminatory (thus apply to both domestically produced and imported products) and proportionate to the objective. The Commission assures the Honourable Member that, in assessing the proportionality of these measures (which are to be notified to the Commission under Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations <sup>(2)</sup> and Directive 94/62/EC), it will take full account of the specific problems incurred by islands in managing their waste (including distance from the mainland, lack of space, risk of groundwater contamination, and dependence of the economy on tourism).

The Commission fully recognizes the great problems of waste generation in islands, particularly in highly touristic locations and for this reason has started a specific programme 'waste management on islands' and published a manual on 'codes of practice for waste management on islands'. The aim is to provide decision makers with a practical tool containing suggestions and relevant examples which can help setting the framework for the development of local or national initiatives.

<sup>(1)</sup> OJ L 365, 31.12.1994.

<sup>(2)</sup> OJ L 109, 26.4.1983.

(98/C 304/14)

**WRITTEN QUESTION E-4160/97****by Leonie van Bladel (UPE) to the Council***(22 January 1998)*

*Subject:* Concern about deterioration of the EU's relations with Suriname

1. Is the Council aware note of the arrest of 27 civilians and military personnel on 25 October 1997 in Suriname in response to the planning of an alleged coup?
2. Does the Council share the fear that the allegations concerning the planning of the coup of 25 October 1997 are a reaction to the international investigation and arrest warrant put out recently by the Netherlands judicial authorities concerning the Surinamese state councillor, Desi Boaters, and also a manoeuvre by the Suriname government to halt domestic criticism of the failing financial policy of the current Suriname government?
3. Is the Council not seriously concerned about the comments of the former Suriname dictator and current state councillor, Desi Boaters, that foreign powers, including the Netherlands were responsible for planning the alleged coup in Suriname?
4. Is the Council aware that the allegations made by Boaters will cause considerable deterioration of relations between the countries of the European Union and Suriname?

(98/C 304/15)

**WRITTEN QUESTION E-4161/97****by Leonie van Bladel (UPE) to the Council***(22 January 1998)*

*Subject:* Concern about the possibility of EU citizens being taken hostage by Suriname

1. Is the Council aware of the arrest of 27 civilians and military personnel on 25 October 1997 in Suriname in response to the planning of an alleged coup?
2. Is the Council aware that it has now become known, inter alia through information from the human rights organization *Moiwana 86'*, that a large number of those arrested and alleged to be involved in the planning of the coup of 25 October 1997 have been seriously abused?
3. Does the Council realize that through the serious abuse or torture of the detainees it is easy to obtain statements whereby foreigners, including Dutch nationals, can be accused of responsibility for the planning of the coup of 25 October 1997?
4. Is the Council not afraid that the statements by the Suriname state councillor *Desi Bouterse*, concerning the involvement of foreign powers including the Netherlands, in the planning of the alleged coup and the threats made by *Bouterse* in the media to foreign powers, including the Netherlands will ultimately lead to the arrest or hostage-taking of foreign citizens, including Dutch nationals, on the grounds that they were allegedly involved in planning the coup, based on statements from tortured detainees on the involvement of these foreigners, including Dutch nationals, in the planning of this coup?
5. Has the Council prepared as effectively as possible to be able to take successful action if the above situation becomes a reality as a result of the actions of the Suriname authorities?

(98/C 304/16)

**WRITTEN QUESTION E-4162/97****by Leonie van Bladel (UPE) to the Council***(22 January 1998)*

*Subject:* Concern about the human rights situation in Suriname

1. Is the Council aware of the arrest of 27 civilians and military personnel on 25 October 1997 in Suriname in response to the planning of an alleged coup?
2. Is the Council prepared to disclaim the action of the Netherlands Minister for Foreign Affairs who gave the order to hand over to the Suriname judicial authorities one of the alleged suspects who came to the Netherlands embassy in his underwear to apply for asylum in October 1997 given the fact that, in relation to a previous alleged coup on 8 December 1982, it is known that 15 people who were arrested on allegations of involvement in a coup were summarily executed in Paramaribo?
3. Is the Council aware of the fact that the Suriname state councillor *Desi Bouterse* has publicly accused a number of leading figures in Suriname of treason, including the human rights activist *Stanley Rensch* and the journalists *Iwan Brave* and *Johny Kamperveen* and the newspaper *Ware Tijd* and what consequences does the Council draw from this?

(98/C 304/17)

**WRITTEN QUESTION E-4163/97****by Leonie van Bladel (UPE) to the Council***(22 January 1998)*

*Subject:* Measures in the event of EU citizens being taken hostage by Suriname

1. Is the Council aware of the arrest of 27 civilians and military personnel on 25 October 1997 in Suriname in response to the planning of an alleged coup?
2. Does the Council not consider that the allegations of the Suriname state councillor *Desi Bouterse*, which he made recently in the Suriname media on the involvement of foreign powers, including the Netherlands, in planning the alleged coup are a reaction by the former dictator to the inquiry carried out by the Netherlands Justice Ministry together with the American DEA into *Bouterse's* drug-related activities, this judicial inquiry having recently led to an international investigation and extradition request for *Bouterse*?

3. Is the Council fully aware of the seriousness of the situation which could occur in the event of the arrest or hostage taking of foreigners, including Dutch nationals, for involvement in the planning of the alleged coup as the Suriname government would then want to start negotiations for a mutual ending of investigations. This would involve the halting of proceedings against and release of those foreigners, including Dutch nationals arrested for alleged involvement in organizing the coup in exchange for the dropping of the international investigation and extradition request for the Suriname state counsellor Desi Bouterse, the dropping of the investigation of Bouterse for involvement in large-scale international cocaine trading and involvement in and leadership of an international criminal organization of which Desi Bouterse is accused by the Dutch judicial authorities?
4. Is the Council properly prepared to respond adequately if such hostage-taking occurs?

**Joint answer to Written Questions  
E-4160/97, E-4161/97, E-4162/97 and E-4163/97**

(18 May 1998)

The Council is only aware of the information provided by the Suriname authorities. According to this information, a number of persons have been arrested in the weekend of 25 October 1997 allegedly planning a coup.

The Council is also aware of a letter of the human rights organisation Moiwana 86 to the Inter American Commission on human rights concerning the case mentioned by the Honourable Member of Parliament.

In so far as the Council has been able to obtain information in relation to the case of the alleged suspect who came to the Netherlands Embassy in October 1997, that person was not seeking asylum.

The Council is of the opinion that should a hostage-taking case occur in Suriname the necessary measures would have to be taken in order to try to find a peaceful solution to an action of this type.

The Council is unaware of the allegations and accusations to which the Honourable Member refers to as having been made by Desi Delano Bouterse.

Furthermore, taking into account the fact that the judicial investigations referred to by the Honourable Member are still pending, the Council is not in a position to comment on this subject.

(98/C 304/18)

**WRITTEN QUESTION E-4164/97  
by Rijk van Dam (I-EDN) to the Commission**

(21 January 1998)

*Subject:* Extension of the 'old for new' provision

Article 8 of Regulation 1101/89 <sup>(1)</sup> states that for a period of five years from the entry into force of the regulation no newly constructed vessels may be brought into service on inland waterways unless the owner scraps a tonnage specified by the Commission or pays a contribution set by the Commission. In 1994 under Regulation 844/94 <sup>(2)</sup> the term of this 'old for new' provision was extended by five years to ten years after the entry into force of Regulation 1101/89. This means that the 'old for new' provision would apply until 1 May 1999. The industry has now stated almost unanimously that an extension of this provision even after this date is needed.

1. Can the Commission confirm that the 'old for new' provision is applicable until 1 May 1999?
2. If so, what procedure must be followed by the Commission for an extension of the 'old for new' provision after May 1999?
3. How much time would this procedure normally take?
4. When does the Commission intend to start the procedure referred to in 2 above?

<sup>(1)</sup> OJ L 116, 28.4.1989, p. 25.

<sup>(2)</sup> OJ L 98, 16.4.1994, p. 1.



**Answer given by Mr Kinnoek on behalf of the Commission***(26 February 1998)*

Council Regulation (EC) No 844/94 amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport, stipulates that the 'old for new rule' shall remain in force until 28 April 1999. The Commission, in its report of November 1997 <sup>(1)</sup> which was sent to the Council and the Parliament, expressed a presumption in favour of retaining a mechanism for regulating the capacity of the fleet after 28 April 1999. The Commission asked the group of experts on the re-structuring of the inland navigation sector, (which was established by Commission Regulation (EEC) No 1102/89 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvement in inland waterway transport), to reflect further on this matter on the basis of contributions from the industry and other interested parties. The Commission will now review this material and adopt the necessary proposals in due course.

<sup>(1)</sup> COM(97) 555 final.

(98/C 304/19)

**WRITTEN QUESTION E-4170/97****by Eryl McNally (PSE) to the Commission***(21 January 1998)*

*Subject:* Specific SME representation in the European-level Social Dialogue

Under the Maastricht Treaty certain social legislation, such as regulations in the workplace, can be set by a dialogue between European-level partners.

Will small and medium-sized enterprises (SMEs) have specific representation in the European-level Social Dialogue? What can the Commission do to support the claim for specific SME representation in the Social Dialogue?

**Answer given by Mr Flynn on behalf of the Commission***(10 March 1998)*

Small and medium sized enterprises (SMEs) are represented by a number of organisations at European level. They are represented in the social dialogue by various organisations including, for example, the European Union of crafts and small and medium-sized enterprises (UEAPME), the Union of industrial and employers confederations of Europe (UNICE) and Eurocommerce. They are members of certain advisory committees and the standing committee of employment, and they are formally consulted on legislative proposals in accordance with Article 3 of the agreement on social policy annexed to the Treaty on European Union.

SMEs are also represented in the sectorial joint committees and informal working groups, for example, in the commerce, agricultural and fishing sectors by employers organisations, often representing exclusively SMEs.

Negotiation of agreements is another aspect of the social dialogue at European level. Participation in these negotiations is based on principles of autonomy and mutual recognition of the negotiating parties. Currently, the two formal agreements adopted under the social Protocol were negotiated by UNICE, CEEP and ETUC. The Commission has nevertheless expressed repeatedly its wish to see the social partners showing a spirit of dialogue and of openness in order to seek among themselves the methods allowing the broadest possible acceptance of the outcome of the agreements and consultation. The Commission will continue to press Social partners to do this. The Commission is also engaged in carrying out a study of the representativity of Social partners, whose results will become available in late 1998.

The Commission is currently preparing a communication which follows an extensive hearing of all involved parties through the consultative 1996 Commission communication on development of the social dialogue at Community level <sup>(1)</sup>. The new communication will, while respecting the autonomy of the social partners, set forth the means the Commission intends to use to adapt and promote social dialogue in the future. The aim is to provide the tools for an even more constructive dialogue at European level where all interests, including those of SMEs, can be taken into account in a way that reflects their importance with regard to employment and job creation.

<sup>(1)</sup> COM(96) 448.

(98/C 304/20)

**WRITTEN QUESTION E-4178/97****by Daniel Varela Suanzes-Carpegna (PPE) to the Commission***(21 January 1998)**Subject:* Cohesion policy and culture

Article 128(4) of the EC Treaty states that the Community shall take cultural aspects into account in its action under other provisions of the Treaty.

Can the Commission say what monitoring and control measures have been adopted in this connection, especially in the context of Community structural policy?

Can the Commission say to what extent this aspect will be taken into account in the forthcoming reform of the Structural Funds?

What strategy, objectives and guidelines will accompany this reform with regard to the impact of the cultural sector on cohesion policy?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(2 March 1998)*

The Commission takes account of the cultural factor during negotiation and approval of the programming documents. For example, the Commission made explicit reference to culture in its guidelines to the Member States for the new objective 2 programmes (1997-1999).

However, the definition of programme priorities is a matter for the regional and local authorities concerned. For example, the regions themselves decide whether and in what form they will give priority to integration of culture within their programmes. The Commission may not impose any type of 'quota' as regards culture as this would conflict with the principle of subsidiarity.

The Commission considers culture as an important area of potential job creation to be included in the future programmes. At the same time the Commission does not consider it necessary to include culture explicitly as a specific eligible action in the new regulations because it is already covered by the existing scope.

The link with regional development and job creation will remain a necessary condition for assistance aimed at economic and social cohesion.

(98/C 304/21)

**WRITTEN QUESTION E-4180/97****by Riitta Myller (PSE) to the Commission***(21 January 1998)**Subject:* Preparation in the Commission of the interim report on the EU's northern dimension

The enlargement of the EU in 1995 to include the Nordic countries Sweden and Finland moved the Union's centre of gravity northwards. The decision on launching negotiations with the new candidate countries on membership and preparations for membership, together with the need to develop the EU's policy on Russia, further reinforces the significance of the northern dimension in the Union's policies.

The Presidency conclusions from the Luxembourg summit contain the following statement concerning the northern dimension: 'The European Council noted the Finnish proposal concerning a northern dimension for the policies of the Union and requests the Commission to submit an interim report on this subject at a forthcoming European Council meeting in 1998'. The importance of the northern dimension was also referred to in the report submitted by the Commission (at the instructions of Luxembourg) on regional cooperation.

I would therefore ask the Commissioner responsible what preparations the Commission has made to ensure that sufficient resources are available for the drafting of the interim report, and how it intends to link the northern dimension to the work of future European Councils.

**Answer given by Mr Van den Broek on behalf of the Commission***(19 February 1998)*

The Commission shares the view of the Honourable Member that the last and future enlargements of the Community, as well as the further development of the Community relations with Russia within the new framework created by the partnership and co-operation agreement, all contribute to enhancing the importance for the Community of the northern parts of Europe. These issues are already being addressed by a wide range of Community policies and Community instruments both internally and in relations with neighbours. The frameworks resulting from the Community agreements with each of its neighbours in the region, and the fora created by the Baltic and Barents regional co-operation initiatives, play an important role in this regard. Through regional policy and external assistance programmes, the Community supports the region's development. This will continue to be an important and integral part of the work being done in these existing frameworks. With this in mind, the Commission will prepare an interim report on this subject to the European Council.

Moreover, the European Conference, as stated by the European Council, will be a multilateral forum for political consultation, intended to address questions of general concern to the participants and to broaden and deepen their co-operation on foreign and security policy, justice and home affairs. It will also examine other areas of common concern, particularly economic matters and regional co-operation, the latter being of relevance to the issue raised by the Honourable Member.

(98/C 304/22)

**WRITTEN QUESTION E-4186/97****by Bárbara Dührkop Dührkop (PSE) to the Commission***(21 January 1998)*

*Subject:* Academic qualifications for A/LA grade competitions

Because of the great diversity of university qualifications in the European Union as a whole and the different study periods required, applicants are finding it difficult to understand what qualifications are needed in order to be eligible for A/LA grade competitions.

What selection criteria does the Commission use to determine eligibility for employment as an A/LA grade official in the European civil service?

Is it true that eligibility for such posts is restricted to those holding the highest university qualification in each Member State? If so, what legal provision governs this requirement?

Is it true that the Commission has accepted applications for A/LA grade posts from candidates holding a 'Fachhochschuldiplom', even though this is not the highest university qualification in the Member State concerned? On what grounds does the Commission accept such applications?

Why does it not accept the Spanish qualification of 'Ingeniero Técnico' for applications for A/LA grade posts?

**Answer given by Mr Liikanen on behalf of the Commission***(10 February 1998)*

Under the EC Treaty the organisation of education and education policy are not areas of competence specifically assigned to the Community institutions. Given the range and variety of qualifications, opportunities for study, university diplomas and centres and universities which issue qualifications and diplomas officially recognised in each Member State, the Commission has to determine whether or not a diploma is acceptable for admission to the civil service on the basis of the specific legislation of the Member State where the applicant claims to have obtained the qualifications.

According to Article 27 of the Staff Regulations, the Commission's recruitment policy is directed to securing for the institution the services of officials of the highest standard of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of Member States. In addition, officials must

be selected without reference to race, creed or sex. Accordingly, in response to the Honourable Member's question regarding access to category A/LA, applicants are required to hold university degrees giving admission to doctoral studies.

With respect to the Honourable Member's question concerning applicants holding a 'Fachhochschulen' diploma, the Commission bases itself on the 1976 German 'Hochschulrahmengesetz' (HRG, governing 'Universitäten, Pädagogische Hochschulen, Kunsthochschulen, Fachhochschulen'); this Act defines university level diplomas (Hochschulabschluss) without making a distinction between the different types. Therefore the Commission admits applicants holding German diplomas issued after a minimum of eight semesters to sit A/LA competitions.

The Spanish diplomas 'Ingeniero Técnico' and 'Arquitecto Técnico' or 'Diplomado' are first level studies which do not give admission to doctoral studies. According to the 1990 Ley Orgánica de Ordenación General del Sistema Educativo (Logse) the qualification of 'Ingeniero Técnico' is obtained after completing three academic years. Therefore they are not considered eligible for admission to A/LA competitions.

Finally, although the Commission is well aware that the Community civil service is independent of the national civil services, it is also aware that the Spanish qualification of 'Ingeniero Técnico' does not give applicants admission to A grade competitions for the Spanish civil service. For this applicants must hold the 'Licenciatura' or equivalent, not 'Ingeniero Técnico, Diplomado o Arquitecto Técnico'.

(98/C 304/23)

**WRITTEN QUESTION E-4212/97**

**by Bryan Cassidy (PPE) to the Commission**

*(21 January 1998)*

*Subject:* Judgment of the European Court of Justice (ECJ) on 26 October 1996 in the case of Elida Gibbs Limited (Case C-317/94)

This ECJ judgment appears to be frustrated by its non-application in Germany and its partial application in France and Greece.

Is there any rule in Germany which prohibits certain types of promotion scheme, such as the use of manufacturers' money-off coupons or manufacturers' cash-back offers? If so, what is the logic behind the prohibition and is such a prohibition acceptable in the Single Market?

If there is such a rule and it is not acceptable, what action has been taken by the European Commission, and under what provisions of the Treaty?

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

*(10 March 1998)*

There are very strict rules in Germany governing the granting of discounts and premiums.

The Zugabeverordnung (Order governing free gifts), which is dated March 1932, prohibits with very few exceptions the giving of any gift of whatever kind in connection with the sale of a good or service. The exceptions concern, for instance, packaging or gifts of insignificant value (of less than 50 pfennigs or so). The Rabattgesetz (Law on rebates), which dates from November 1933, prohibits discounts of more than 3%.

According to the information in the Commission's possession, the logic applied at the time by the legislature was twofold: to protect consumers by encouraging them to base their buying decisions on the intrinsic qualities of the product or service and on its price, and to ensure fair trading by preventing practices deemed likely to distort competition. In the 1920s premiums were offered particularly by large stores in Germany and, following the depression years, it was deemed expedient to protect small and medium-sized businesses by what was intended at the time as a temporary measure.

The German Government sought to propose the repeal of those two instruments in 1993/94, but its proposal was not adopted following opposition from the Upper House of Parliament and has not resurfaced since.

There can be no denying that the legislation in question, which has no counterpart elsewhere in the Community, might not be compatible with the principles of the single market. For, businesses are unable to adopt a pan-European promotional and advertising strategy in so far as they would have to rethink radically the content and nature of their advertising in order to comply with legislation in one of the largest markets in the Community. The Commission has received numerous complaints in this connection (see, for example, the answer to Written Question No 64/98 by Mr de Vries <sup>(1)</sup>).

In the absence of any Community harmonisation in this matter, the Commission is examining the possible restrictive effects and the proportionality of the German legislation as part of its investigations into the aforementioned complaints and in the light of the case law of the Court.

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<sup>(1)</sup> See page 26.

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(98/C 304/24)

**WRITTEN QUESTION E-0017/98**

**by Jaak Vandemeulebroucke (ARE) to the Commission**

*(29 January 1998)*

*Subject:* Language use in the Official Journal

Official Journal L 328 of 28 November 1997 contains a list of contracting authorities that are subject to the agreement concerning the award of public service contracts. On page 10, a list relating to Belgium appears only in French.

The Commission is aware of my concern with language use. Can I be informed why the above list appeared only in French? Am I to conclude that Dutch and German speakers are not subject to this procurement legislation?

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

*(20 March 1998)*

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

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(98/C 304/25)

**WRITTEN QUESTION E-0018/98**

**by Klaus Lukas (NI) to the Commission**

*(29 January 1998)*

*Subject:* Cost of the Commission representation in Vienna

The Commission's reply to question E-3151/97 <sup>(1)</sup> only partially answered the questions concerning expenditure on the Commission representation in Vienna.

An answer to the following questions would therefore be appreciated:

How many more staff does the Commission representation in Vienna now have than it had before Austria's accession?

Are there any plans for further increases in its staff? If so, how many more are to be recruited?

How much bigger is the head of the representation's office than that of President Santer?

How often are conferences held at the representation with 100 people in attendance?

The Commission itself says that the figures on numbers of visitors to the Commission representation in Vienna are estimates. If the visitors are therefore not counted exactly, how did the Commission arrive at the impressive figure of more than 10 000 people in a period of 12 months?

What was the degree of utilization of the storage space at the Commission representation in Hoyosgasse?

What is the degree of utilization of the storage space at the Commission representation in Kärntnerringhof?

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(<sup>1</sup>) OJ C 134, 30.4.1998, p. 77.

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

*(11 March 1998)*

The staff in the Commission representation in Vienna has increased by four people.

In principle there will be no further increases in staff, but during the second half of 1998, during Austria's European Union Presidency, two additional people will be employed on a limited basis only for the second half of 1998.

Considering the particularity of the room in which the head of representation works, a comparison with the offices at headquarters is not possible. Indeed, the diverse configurations of buildings occupied by the Commission in Brussels also prevent any meaningful comparison being made between them. The Community runs approximately 120 delegations in third countries and 23 representations and antennae in Member States, all with different architectural layouts.

Four events with 100 people and more were held at the representation in Vienna.

In a three week period this year which was chosen at random, precise records were kept of all callers to the Representation. The number of visitors, both individuals and groups came to 680. A simple extrapolation would indicate an annual total of well in excess of 10,000 visitors to the Representation.

The storage space in Hoyogasse was not only completely used, but in addition, several meters of bookshelves had to be installed in the corridors to store brochures, printed information material and so on.

Approximately 95% of the space dedicated to storage at the representation in Kärntnerringhof is being used.

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(98/C 304/26)

**WRITTEN QUESTION E-0022/98**

**by Christian Rovsing (PPE) to the Commission**

*(29 January 1998)*

*Subject:* Exclusive rights in the gas market

The state owned natural gas company 'Dansk Naturgas A/S' has legal exclusive rights to export, transmit and store natural gas in Denmark.

Are these exclusive rights, in the Commission's opinion, in accordance with the competition rules of the Treaty?

**Answer given by Mr Van Miert on behalf of the Commission**

*(9 March 1998)*

The Commission cannot comment on the legality of exclusive rights in the abstract. Certain exclusive rights may be justified if their removal makes it impossible for undertakings charged with the operation of services of a general economic interest to fulfil particular tasks imposed upon them by legal measures.

If there are any such exclusive rights as mentioned by the Honourable Member they should be evaluated in the context of the implementation of the forthcoming directive on common rules for the internal market in gas, on the basis of the common political position reached by the Council on 8 December 1997.

(98/C 304/27)

**WRITTEN QUESTION E-0028/98**

**by Nikitas Kaklamanis (UPE) to the Commission**

(29 January 1998)

*Subject:* Strange arrangements for staffing the European Environment Agency (EEA)

Exercising my right as a full member of Parliament's Committee on Budgets to raise the question of funding for and the use of Community resources by the EEA, I return once more to the question of the staffing of the Agency and would ask for a clear answer in the hope that I shall not be compelled to bring the matter before plenary and ask the Commissioner herself to make a statement.

1. How many candidates of Greek nationality were invited to interview in competitions EEA/A/97/1, EEA/A/97/2 and EEA/A/97/3 for the recruitment of staff and who were they?
2. How many candidates of Greek nationality passed the interview and were ultimately recruited by the EEA and who were they?
3. What is the exact number of Greek officials recruited by the EEA since its inception — a criterion to establish whether all scientists in the EEA Member States are afforded equal opportunities?

I would also point out that the Commission's answers hitherto have not been particularly enlightening, in contrast to the marked clarity of its documents applying to Parliament's Committee on Budgets for EU funds on behalf of the EEA.

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

(2 March 1998)

The Honourable Member will be aware that Regulation (EEC) No 1210/90<sup>(1)</sup>, which governs the European environment agency (EEA), gives the Agency independent status. The Commission is represented on the management board of the Agency, but is not involved in the administration, functioning or operations of the Agency. The Commission, therefore, has no competence in the area of staff recruitment to the Agency but has instead asked the Agency to provide the information requested.

The European environment agency has passed on the following information on the number of candidates of Greek nationality who have applied to enter competitions for recruitment to the agency.

Competition EEA/A/97/1 — 11 candidates  
Competition EEA/A/97/2 — 12 candidates  
Competition EEA/A/97/3 — 7 candidates.

The Agency takes the view that the names of these candidates should rest confidential and should not be published in answer to this question.

No candidates of Greek nationality were subsequently recruited by the Agency. Since the inception of the EEA, one official of Greek nationality has been recruited by the Agency.

<sup>(1)</sup> OJ L 120, 11.5.1990.

(98/C 304/28)

**WRITTEN QUESTION E-0031/98**  
**by John Corrie (PPE) to the Commission**  
(29 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 given by Mr Van den Broek on behalf of the Commission**  
(17 February 1998)

The following appropriations were allocated to Cyprus under the third and fourth financial protocols:

Third protocol (1990 — 1994)

European Investment Bank (EIB) loans from own resources: ECU 44 million  
EC grants: ECU 13 million  
EC venture capital: ECU 5 million

Fourth protocol (1995 — 1998)

EIB loans from own resources: ECU 50 million  
EC grants: ECU 22 million  
EC venture capital: ECU 2 million

The appropriations under the third protocol have been fully utilised. Execution of appropriations under the fourth protocol is in hand. The financial protocols were concluded with the Cypriot Government for the benefit of the entire island.

(98/C 304/29)

**WRITTEN QUESTION E-0038/98**  
**by Gianni Tamino (V) to the Commission**  
(29 January 1998)

*Subject:* Second report pursuant to Article 26 of Directive 86/609/EEC

Further to the answer given to Written Question E-2376/97 <sup>(1)</sup>:

1. Will the Commission confirm that it does not intend to comply with Article 26 of Directive 86/609/EEC <sup>(2)</sup>, which requires a report to be forwarded to the Council and European Parliament 'at regular intervals not exceeding three years', a deadline which expired on 27 May 1997?
2. Will it provide details of the 'agreed statistical tables at Community level reporting the number of animals used in experiments'?
3. Given that the Member States have undertaken to introduce the agreed statistical tables by 1999, does this mean that the Commission will not be providing any further information on this matter for the next three years?
4. If so, how can this be reconciled with the provisions of Directive 97/18/EC <sup>(3)</sup> postponing the date after which animal tests are prohibited for ingredients or combinations of ingredients of cosmetic products?

<sup>(1)</sup> OJ C 76, 11.3.1998, p. 102.

<sup>(2)</sup> OJ L 358, 18.12.1986, p. 1.

<sup>(3)</sup> OJ L 114, 1.5.1997, p. 43.

**Answer given by Mrs Bjerregaard on behalf of the Commission**  
(2 March 1998)

The Commission intends to comply with Article 26 of Directive 86/609/EEC on the protection of animals used for experimental and other scientific purposes. Work was immediately begun on preparing the second statistical report in 1997 when it became apparent that the agreed common set of statistical tables would not be completed before the end of 1998. The report is scheduled to be available by the end of April 1998.



A copy of the agreed set of statistical tables will be forwarded direct to the Honourable Member and to Parliament's Secretariat.

As mentioned above, the second statistical report based on non-harmonised data is scheduled to be available by the end of April 1998.

The Commission will incorporate the data on the cosmetic products passed on by the Member States into its 1997 annual report. Those data concern the progress made on the development, validation and legal acceptance of methods which may be used as substitutes for animal experiments in accordance with Article 4(1)(i) of Council Directive 76/768/EEC on cosmetic products, as amended by Council Directive 93/35/EEC of 14 June 1993 <sup>(1)</sup>.

<sup>(1)</sup> OJ L 151, 23.6.1993.

(98/C 304/30)

**WRITTEN QUESTION E-0039/98**  
**by Giacomo Leopardi (PPE) to the Commission**  
(29 January 1998)

*Subject:* Pharmaceutical expenditure — compulsory deductions and compatibility with EU principles

In considering the draft law on financial control for 1998, the Italian Parliament has adopted an amendment proposed by the Italian Government, requiring pharmaceutical companies, wholesale distribution companies and pharmacies to pay a contribution of the national health service equal to 60% of the surplus on planned pharmaceutical expenditure for 1998, with the amount calculated on the basis of the percentage of fees included in the consumer price of medicines (Article 31(15) of Senate law No. 4354).

Will the Commission say whether this provision, which imposes a compulsory deduction on surplus pharmaceutical spending which is in no way the responsibility of pharmacies or production and wholesale distribution companies, can be considered compatible with European Union principles and free enterprise, given that pharmacies are already required to pay a percentage contribution to the national health service, varying between 3.75% and 12.5%, depending on the price of the medicines provided by the Italian state for persons on benefit?

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

(6 April 1998)

The contribution to Italy's national health service referred to by the Honourable Member must be treated as a charge on the consumption of medicinal products even though it is intended that persons other than consumers should pay it. Its lawfulness must therefore be determined primarily on the basis of the Community rules on indirect taxation.

The Commission would note that the contribution is not objectionable under those rules since such charges have not been harmonised at Community level and, moreover, it does not give rise to tax discrimination to the detriment of other Member States' products.

(98/C 304/31)

**WRITTEN QUESTION E-0041/98**  
**by Ulf Holm (V) to the Commission**  
(29 January 1998)

*Subject:* Rules on the importation of domestic animals

When Sweden joined the EU some of the rules pertaining to the importation of domestic animals were changed. Now it is enough to have a veterinary certificate from the exporting country and in certain cases deworming and vaccination. There is a risk that an infected animal may not have developed antibodies and that the infection may therefore not be discovered. The previous rules which stipulated six months' quarantine considerably increased the possibility of preventing the importation of infected animals.

So there is an increased risk of infection spreading from imported domestic animals to game and back to domestic animals and human beings.

How does the Commission intend to tackle this problem?

Does the Commission consider that there is sufficient research into how susceptible various kinds of game are to infectious diseases?

Does the Commission think that there is a readiness in the EU to deal with the possible spread of infectious diseases from domestic animals to game?

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

*(10 March 1998)*

The Swedish national rules which have been introduced as an alternative to quarantine for rabies for the introduction of domestic pets require that the animals be vaccinated and pass a blood test for the detection of anti-bodies at least four months after vaccination. This waiting period after vaccination ensures that the animal is not incubating rabies and a successful blood test further ensures that the animal will not develop rabies.

The Commission is aware of the possibility of introducing to wild life via domestic animals, contagious diseases other than rabies, such as echnicoccosis, distemper and leishmaniasis. It will make suitable proposals on this matter at an appropriate time.

(98/C 304/32)

**WRITTEN QUESTION E-0045/98**

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

*(29 January 1998)*

*Subject:* Implementation of air traffic directive

Directive 93/65/EEC <sup>(1)</sup> applies (Article 1) to the definition and use of compatible technical specifications for the procurement of air-traffic management equipment and systems, in particular communications systems, surveillance systems, systems providing automated assistance to air-traffic control and navigation systems.

Under the same directive, the Member States shall notify the Commission annually of any measures they have introduced to achieve the objectives of the Directive (Article 8) and shall bring into force the provisions necessary for them to comply with the Directive no later than 19 July 1994 (Article 9).

As European standardization is a crucial factor in achieving a uniform level of safety in air-traffic management, will the Commission say to what extent Greece has taken the necessary measures to comply with Directive 93/65/EEC, whether it complies with the Eurocontrol standards enshrined in Community law and whether it duly notifies the Commission annually of the measures it has introduced to achieve the objectives of the Directive and what those are?

According to the Commission's report on the application of Community law, the Commission sent a letter of formal notice in 1995 and a reasoned opinion in 1996 to the Greek authorities. What was the outcome of the Commission's measures?

<sup>(1)</sup> OJ L 187, 29.7.1993, p. 52.

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

*(23 March 1998)*

Council Directive 93/65/EEC on the definition and use of compatible technical specifications for the procurement of air traffic management defines the general framework under which Eurocontrol standards are to be adopted under Community law.

It specifies the basic obligation on the part of awarding entities, in the general documents or specifications relating to each contract for the procurement of air traffic management equipment and systems, to refer to the specifications adopted in accordance with this Directive.

Transposition of the Directive into national law in each Member State was required by 20 July 1994. At that date, Greece had not notified any implementing measures for the Directive to the Commission. Consequently, the Commission initiated infringement procedures. The Greek authorities replied to the letter of formal notice by letter of 3 October 1996 in which they communicated the publication in the Official Journal (No 230, of 17 September 1996) of legislation (number 351) implementing Council Directive 93/65/EEC into Greek law. Following this notification, which was considered to be adequate, the Commission closed the infringement procedure against Greece.

The effective adoption of Eurocontrol standards into Community law is achieved under the Directive through specific legislative acts adopted within the committee procedure set out in Article 6. Two Eurocontrol standards — the on-line data interchange (OLDI) and the air traffic services exchange presentation (ADEXP) — are currently mandatory under Commission Directive 97/15/CE of 25 March 1997 adopting Eurocontrol standards and amending Council Directive 93/65/EEC <sup>(1)</sup>. Those standards do not deal with safety aspects but are essential to achieve interoperability between national air traffic control systems. Member States should have brought the implementing measures for this Directive into force by 1 December 1997. To date, Greece has not notified the Commission of any measures implementing this Directive, and will, therefore, receive a letter of formal notice in due course.

In practice, however, the Commission does not have any evidence that Greece does not apply Eurocontrol standards.

Article 8, paragraph 2 of the Directive concerns measures that Member States have taken to achieve the objectives of the Directive. The Committee established under the Directive is currently debating the interpretation of this provision and is expected shortly to adopt a position concerning the type of measures to be notified so that Member States can know what is expected of them. It is likely that the measures to be notified should be organisational in nature.

<sup>(1)</sup> OJ L 95, 10.4.1997.

(98/C 304/33)

**WRITTEN QUESTION E-0052/98**  
**by Hartmut Nassauer (PPE) to the Commission**

(29 January 1998)

*Subject:* Arrangements affecting building contractors posting workers to another country in the framework of the provision of services

Directive 96/71/EC <sup>(1)</sup> of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, further clarified by Declaration No 7 of the Council and Commission (minutes of the Council meeting of 24 September 1996, CODEC 550), concerns contributions to national social insurance schemes and the benefits paid by such schemes which do not form part of the general social security system.

The precise scope of these arrangements and the procedures for their application in the building industry give rise to various questions.

Of particular interest are the principle of and procedures for payments of contributions to a social insurance fund in the host country which are governed by a collective agreement or legislation, whether or not a corresponding system exists in the country of origin.

Against this background and

- as the two sides of industry in the construction sector, the European Construction Industry Federation (FIEC) and the European Federation of Building and Woodworkers (EFBWW), have recently signed a joint opinion on this subject, which opens the way for the conclusion of bilateral agreements at national level aimed at both ensuring respect for workers' rights and preventing the double payment of contributions to the employers' disadvantage;
- as the two sides of industry in the Belgian and Dutch construction sector have concluded a bilateral agreement on all their sectoral social systems;
- as the French and German sectoral funds have concluded an agreement on paid leave in the two countries,

what is the Commission's view of the joint opinion and the agreements referred to above, and what are its intentions with regard to overcoming the problems that continue to arise in this sector?

(<sup>1</sup>) OJ L 18, 21.1.1997, p. 1.

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

*(13 March 1998)*

The Commission is concerned by the fact that firms providing transnational services in the territory of a host Member State are required to meet identical obligations under both the law of the Member State in which they are established and the law of the host Member State. Such situations occur mainly in the construction sector, where some Member States have social insurance schemes that are responsible for paying benefits to workers, e.g. for paid leave, and are financed by employers' contributions. Such situations, which cause double payments to be levied on employers, run counter to the freedom to provide services and are inconsistent with the provisions of Directive 96/71/EC, the deadline for transposition of which expires on 16 December 1999. In laying down precise rules to be complied with by service providers in host Member States, Directive 96/71/EC specifically aims at avoiding double payment situations.

All solutions likely to remedy such situations must be considered. The Commission has called on the Member States' representatives in the group it has set up to monitor transposition of the Directive to cooperate actively in seeking solutions.

The Commission welcomes the joint opinion recently adopted by the social partners in the construction sector at European level and the bilateral collective agreements concluded at national level with a view to ensuring respect for workers' rights and preventing the double payment of employers' contributions.

The Commission is very much in favour of agreement-based solutions which are properly geared to the often complex situation in the sector concerned.

(98/C 304/34)

**WRITTEN QUESTION E-0054/98**

**by Nikitas Kaklamanis (UPE) to the Commission**

*(29 January 1998)*

*Subject:* Dramatic reduction in Community olive oil subsidies

Olive oil producers in Greece are in a very difficult economic position, following the decision to cut the Community support price from Drachma 457 a kilo to Drachma 301 a kilo.

This decision has driven producers to despair, since they will lose a total of some Drachma 180 billion in 1998, a loss which comes at a time when they are suffering an unprecedented fall in income, owing to the repeated austerity programmes implemented by Greek governments over the last few years. Their objective inability to replace olive oil production with some other product makes the situation even more complicated, and they increasingly feel that they are producing a product which does not enjoy the substantive support of the EU.

Will the Commission say precisely what measures it intends to take to support long-suffering Greek olive oil producers whose future will obviously be in jeopardy if the decision to cut the Community support price for olive oil is implemented?

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

*(26 February 1998)*

The common organisation of the market in olive oil lays down a system of production aid for olive oil, as follows:

- producers who exceed an average 500 kilograms of olive oil per marketing year are granted aid of ECU 142.20 per 100 kilograms, subject to reduction if there is an overrun of the maximum guaranteed quantity (MGQ), which is 1 350 000 tonnes;

- producers with average annual production under 500 kilograms are granted aid of ECU 151.48 per 100 kilograms and supplementary aid of ECU 3.574 per 100 kilograms. Small producers are not penalised by an overrun of the MGQ.

Clawbacks on are made on both types of production aid and allocated to work on establishing the olive cultivation register (2.4%), improving the quality of olive oil (1.4%) and running recognised producer organisations and associations of them (0.8%).

The cut in production aid to which the Honourable Member refers involves aid received by large-scale producers for output in the 1996/97 marketing year. According to the information in the Commission's possession, such producers represent around 25% of all olive growers in Greece.

Finally, we should not forget that this aid makes up only part of olive growers' incomes, since they are in fact paid for the olive oil that they sell.

(98/C 304/35)

**WRITTEN QUESTION E-0063/98**  
**by Jan Mulder (ELDR) to the Commission**

(29 January 1998)

*Subject:* Lower than anticipated costs of the swine fever crisis in the Netherlands

Reports appeared recently in the Dutch press indicating that the costs of the swine fever crisis in the Netherlands would prove lower than originally expected.

1. Can the Commission indicate the cost of the swine fever outbreak for the European budget in the Netherlands and in other EU Member States where the disease occurred and, by implication, the costs for the national budgets of the Member States?
2. Does the Commission see any reason to change the approach to swine fever outbreaks in future if the 'marker' vaccines come onto the market quickly?
3. Does the Commission see any reason, following the outbreak in recent years of animal diseases such as BSE and swine fever, to change the provisions on financial compensation from the European budget?

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

(12 March 1998)

1. The amounts paid up to 31 December 1997 are the following:

Member State	Veterinary expenditure (Article 3 Council Decision 90/424/EEC (1))	Eradication surveillance programmes (1997+1998)	Exceptional market support measures
Belgium	2	—	3.49
Germany	5	2.3	14.4
Spain	4	—	48.3
Italy	—	1.6 (including African swine fever (ASF))	—
Netherlands	31.3	—	431.4
TOTAL	42.3	3.9	497.59

These figures refer to decisions or regulations already adopted by the Commission on the basis of the information provided by the Member States concerned, funds available and evolution of disease. Therefore, the figures cannot be considered as definitive. The cost of the most recent outbreaks of classical swine fever in Germany and the veterinary expenditure which could not have been taken into consideration due to shortage of credit (estimated 100 MECU) is also not included.

The cost for national budgets of the Member States can be roughly estimated taking into account that the Commission supports about 50% of the veterinary expenditure and about 70% of the cost of the exceptional market support measures in Member States.

2. The Commission is aware that classical swine fever marker vaccines are being developed. However, no applications for registration of marker vaccines have been sent to the European medicinal evaluation agency in London. Therefore it appears unlikely that a marker vaccine will be available on the market before 12-15 months.

Moreover, data are lacking on the potential use of such vaccines in an emergency situation that are essential to amend current Community legislation regarding classical swine fever and to avoid any negative effect on trade of pigs and pork linked to the use of marker vaccines.

Therefore, in agreement with the opinion recently delivered by the scientific veterinary committee on this matter, the Commission is evaluating the possibility to support a laboratory trial aimed at evaluating the potential use of such vaccines in field conditions.

3. The Commission will consider the existing arrangement relating to financial contribution in view of its possible amendment.

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(<sup>1</sup>) OJ L 224, 18.8.1990.

(98/C 304/36)

**WRITTEN QUESTION P-0064/98**  
**by Gijs de Vries (ELDR) to the Commission**  
(15 January 1998)

*Subject:* Restrictions on direct marketing

On 7 April 1994, a complaint was lodged with the European Commission concerning restrictions on the establishment of a mail-order record business in Germany (case no 94/4337, SG(94) A/10269, PolyGram). It took the Commission more than two years (until November 1996) before it initiated a procedure under Article 169. In December 1997, the Commission had still not delivered a reasoned opinion on the matter.

1. Would the Commission explain why it has not taken this complaint more seriously?
2. Does the Commission agree that the delays incurred are detrimental to the competitive position of the direct marketing industry, one of the growth sectors in the electronic trading business?
3. Will the Commission now treat this complaint as a matter of priority?

**Answer given by Mr Monti on behalf of the Commission**  
(24 February 1998)

1. The Commission would like to reassure the Honourable Member that it has taken the complaint in question very seriously. Firstly, before sending the letter of formal notice in October 1996, it had already had an exchange of correspondence with the German authorities. Since then, the time taken to look into the matter reflects the particularly complex legal issues involved. Identification of the services concerned, the nature of the restrictions objected to, the objectives being pursued and the proportionality of the restrictions in relation to the general-interest objectives require detailed examination and in-depth investigation, due regard being had to both the Court's case-law and the characteristics of the distance-selling market in Germany. The Commission will endeavour to complete this detailed analysis as quickly as possible.

2. and 3. There are no statistical data to suggest that the restrictions encountered by the complainants on account of the German legislation affect the entire direct marketing industry in the Community. Between 1991 and 1996 mail-order sales rose by 22% and the German market alone accounts for half of the total turnover (<sup>1</sup>). It is true though that the bulk of mail-order sales are still transacted at national level. The problems faced by the industry as regards cross-border sales are, in many cases, linked to logistical

difficulties and, admittedly, to differences in national legislation governing business practices. In view of these differences and in the absence of harmonisation directives, the Commission is doing its utmost to ensure that Community legislation, and especially the principle of proportionality, is applied whenever national rules hamper the freedom to provide services.

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(<sup>1</sup>) Source: European Mail Order Traders Association (EMOTA).

(98/C 304/37)

**WRITTEN QUESTION E-0066/98**  
**by Hiltrud Breyer (V) to the Commission**  
(29 January 1998)

*Subject:* Leonardo Programme

In the new version of the Leonardo Programme, aid to businesses has been increased and, at the same time, aid to non-governmental organizations has been abolished.

On what grounds was that decision taken?

**Answer given by Mrs Cresson on behalf of the Commission**  
(17 February 1998)

The future of the new generation of vocational training programmes of the Community is currently under internal discussion within the Commission. Hence, there can now be no statements about the future policy of support.

Within the frame of the current programme Leonardo da Vinci, the activities in support of enterprises, especially of small and medium size enterprises (SMEs), have had special emphasis. The reason for that is the orientation of the European training policy towards labour market and employment policy issues, which was confirmed by the European Council of Luxemburg in November 1997. The employment European Council and the subsequent employment guidelines of the Community stress the special role of SMEs in creating and stabilising jobs.

There is no policy of reducing or cutting support for non-governmental organisations within the current programme Leonardo da Vinci. Moreover, an aim of European vocational training policy is to initiate or support transnational co-operation and partnership structures between as many actors as possible. The support for non-governmental organisations and co-operation structures also stems from the awareness that these organisations play an important role in the labour market.

(98/C 304/38)

**WRITTEN QUESTION E-0069/98**  
**by Gerhard Botz (PSE) to the Commission**  
(30 January 1998)

*Subject:* Possible investigations into the use of plant protection products and their impact on human fertility

In connection with the dramatic decline in the numbers of small game in intensively-farmed regions in recent years, I have received an increasing number of approaches from members of hunting clubs and nature protection societies bringing to my attention the scientific investigations recently carried out.

Apart from residues of herbicides and fungicides, those investigations also concern chemical substances which adversely affect, for example, oestrogen levels in wild hare and significantly diminish fertility. Since it is highly probable that the dicarboximides, which have Vinclozolin as their active ingredient and are frequently used in plant protection products, adversely affect mammals, the question naturally arises as to whether the 'final consumers' — human beings — are at risk.

I should therefore like to know whether the Commission is aware of such investigations and whether it has carried out any investigations itself in order to assess the possibility of such potential danger for consumers, and/or what possible countermeasures have already been taken?

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

*(25 March 1998)*

Vinclozolin as an active substance used in plant protection products is currently undergoing detailed scientific evaluation in the framework of Regulation (EEC) No 3600/92 of 11 December 1992 <sup>(1)</sup> laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market <sup>(2)</sup>. The evaluation report of the rapporteur Member State has been received by the Commission and will be submitted to review by specialised experts (peer review) from March to July 1998.

Studies on mutagenicity, carcinogenicity, reproductive toxicity, neurotoxicity, together with other toxicological and ecotoxicological data are being duly investigated by them.

After the peer review the examination will be finalised in the standing committee on plant health. On the basis of the evaluation a decision will be taken. If it were concluded that the risks posed by this substance are unacceptable for humans, animals or the environment, its use will be restricted or forbidden.

The Commission has been active in substantial research on the identification and assessment of endocrine disrupting substances. It is also involved in research coordination with Member States and with third countries such as the United States and Japan.

In addition the Commission and the Member States are active in developing new test strategies and new test methods on international level. The results of these activities will be published in internationally available data banks and if necessary be used in the context of an amendment of the data requirements for plant protection products laid down in Council Directive 91/414/EEC.

<sup>(1)</sup> OJ L 366, 15.12.1992.

<sup>(2)</sup> OJ L 230, 19.8.1991.

(98/C 304/39)

**WRITTEN QUESTION E-0072/98**

**by Nikitas Kaklamanis (UPE) to the Commission**

*(30 January 1998)*

*Subject:* Pollution of drinking water springs in Ioannina

Drinking water from the Toumba springs in Ioannina (Greece) which supply water for over 45 000 persons faces a very serious risk, because Elviex, a timber impregnation plant, has been set up directly above the springs, notably in the village of Perivleptos in the Prefecture of Ioannina. This plant impregnates timber with the dangerous toxic substance creosote oil. The phenols and the other hydrocarbons contained in the creosote oil pollute the soil, the atmosphere and the groundwater of the region. These substances are known to be carcinogenic.

This company is violating international environmental protection treaties and the relevant Community legislation.

What action does the Commission intend to take to put an end to the continuing pollution of the environment by the above company?



**Answer given by Mrs Bjerregaard on behalf of the Commission***(5 March 1998)*

The Commission will make the necessary contacts in order to obtain all available information on the matter described. It will not hesitate to initiate the procedure provided in Article 169 of the EC Treaty, should this prove necessary.

(98/C 304/40)

**WRITTEN QUESTION E-0078/98****by Patricia McKenna (V) to the Commission***(30 January 1998)**Subject:* Driftnets

Although the Italian Government has promised to support a complete ban on the use of driftnets, the Italian fisheries union La Pesca recently met with the European Commission seeking an exemption for driftnets of 8 km and under.

What discussions did the Commission have with the Italian Government following that meeting? What steps has the Commission taken to ensure that Italy fulfills its obligations to ban the use of driftnets?

**Answer given by Mrs Bonino on behalf of the Commission***(9 March 1998)*

The Commission did not meet Italian fishermen's associations recently on the subject of the length of driftnets permitted for fishing. The Commission does not envisage any exemption to the current Community rules on driftnet length.

The Commission is monitoring the progress of the Italian plan for the restructuring of the driftnet fleet. It is hoped that the Italian fishermen and boat owners will strongly support the plan.

(98/C 304/41)

**WRITTEN QUESTION E-0080/98****by Patricia McKenna (V) to the Commission***(30 January 1998)**Subject:* Incineration of domestic waste

When will the Commission be publishing the draft directive on dioxin emissions from the incineration of domestic waste?

Can the Commission give details of the main proposals which will be contained in the draft directive?

Will the Commission be making any proposals to encourage more environmentally sustainable forms of waste management, especially recycling, reduction and reuse, over incineration and landfill?

**Answer given by Mrs Bjerregaard on behalf of the Commission***(13 March 1998)*

The Commission discussed with Member States experts a working paper on incineration of waste twice last year and on 26 February 1998. The adoption of a proposal for a Council directive on waste incineration is foreseen for autumn this year.

The aim of the envisaged directive on incineration of waste is to set strict emission limit values and operational conditions for installations which incinerate waste in dedicated incinerators or co-incinerate waste in plants with the main purpose of the generation of energy or production of material products.

In general the proposal would provide for the same requirements as Council Directive 94/67/EC on the incineration of hazardous waste <sup>(1)</sup>, such as an emission limit value for dioxins of 0.1 nanogramme (ng) toxic equivalent (TEQ)/m<sup>3</sup> and 0.05mg/m<sup>3</sup> for mercury. Moreover, the proposal would apply an integrated approach. It could aim to prevent diversion of emissions from one media to the other. Therefore, it could set stringent emission limit values (ELVs) for waste water.

The policy of the Commission is that only waste that cannot be prevented or recovered by means of reuse or recycling should be incinerated. When waste is incinerated a high level of environmental protection should be assured.

In the communication from the Commission on the review of the Community strategy for waste management <sup>(2)</sup>, the hierarchy of principles of waste management policy, as established by the strategy document of 1989, was reconfirmed. In this hierarchy the first priority is given to prevention of the generation of waste, followed by the recovery of waste and finally by the safe disposal of waste. Implementation of this hierarchy is taken into account in all Commission initiatives in the field of waste policy.

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<sup>(1)</sup> OJ L 365, 31.12.1994.

<sup>(2)</sup> COM(96) 399 final.

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(98/C 304/42)

**WRITTEN QUESTION E-0082/98**

**by Carlos Robles Piquer (PPE) to the Council**

(30 January 1998)

*Subject:* Information on technology from NATO

In reply to a question (E-1133/97) <sup>(1)</sup> on the monitoring of NATO reports on technology, particularly with regard to aeronautical research, I received an answer to the effect that 'there does not exist any forum within the Council, nor is one envisaged in the future, for exchanging views with NATO organizations on this subject. It is not, therefore, foreseen that the Council would examine or monitor the reports referred to in the Question'.

As the Council is no doubt aware, the Commission has put forward a European Union strategy and a plan of action for defence related industries. Moreover, the Council recently considered the 'Bangemann Report' on the future of the aeronautical and aerospace industry. The Europe Bulletin (11 December 1997) also reports that 'Bangemann welcomes initiative by Bonn, Paris and London in view of greater integration of the aerospace industry'.

Can the Council say whether it will remain indifferent to technological information from NATO?

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<sup>(1)</sup> OJ C 82, 17.3.1998, p. 82.

**Answer**

(8 June 1998)

The Council confirms that NATO reports on technology have not been brought to its attention and that there is no forum for exchanging views with NATO on this subject. However Member States which are members both of the Union and NATO could, if they so wish, draw on these reports for elements which could be relevant for the discussion, within the Council, of the Commission communication on defence related industries.

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(98/C 304/43)

**WRITTEN QUESTION E-0106/98****by Marjo Matikainen-Kallström (PPE) to the Commission***(30 January 1998)*

*Subject:* Computer problems caused by the change of the millennium

Many computer experts have estimated that the change of the millennium will cause serious computer problems throughout the world as a result of defective programming.

How has the Commission prepared itself to deal with the problems caused by the change of the millennium in its own computers, e.g. to prevent the spread of new viruses?

**Answer given by Mr Liikanen on behalf of the Commission***(25 March 1998)*

The Honourable Member is quite right to identify the seriousness of the problem in terms of its potential impact and its scale. Both of these have been the subject of much professional analysis and media exposure over the last two years.

Expert analysis identifies the roots of the problem in the reasonable desire of early users of computer systems and their suppliers to minimise what was then the very high cost of magnetic storage and processing time, by the use of just two digits to represent the date. From that point onwards and in order to maintain compatibility between old and new systems and to protect user data and programme assets, the practice has been propagated through generations of systems. Further expert evidence has suggested that the cost savings that have been made in adopting this approach outstrip even the massive costs that we are all now facing in revising this practice. However, now that the time has come to pay the bill it is, as usual, the costs rather than the savings that are in the forefront of our attention.

A further point that also needs to be recognised is that the users of information technology (IT) equipment do much more programming than the IT industry itself. As a consequence both users and suppliers are involved together in making the corrections that must be applied to ensure the continuing and proper functioning of their systems. An approach to addressing this major problem is one that must involve close collaboration and a degree of trust between users and suppliers.

The Commission is concerned about the vulnerability of enterprises, infrastructures, and public administrations to the year 2000 computer problem as well as about the possible consequences for consumers. The Commission adopted a communication <sup>(1)</sup>, on 25 February 1998, in order to raise awareness and set out steps to address year 2000 issues. To complement the activities being undertaken by the private sector and the Member States, the Commission has begun implementing a number of activities on this issue, in close co-ordination with activities concerning the IT impact of the euro.

An inter-service task force has been established inside the Commission to address the impact on internal systems of both the year 2000 and the changeover to the euro, and work is in progress. Given the importance of the issue, the task force will be steered by a working group chaired at the highest level in the Commission.

To assist general awareness and mobilisation, extensive consultations were organised with public and private sectors in 1997, in order to identify the main priorities for action and the roles for enterprises, associations, administrations, and the Community itself.

The Commission will encourage and facilitate the exchange of information and experience on year 2000 initiatives undertaken by Member States and European associations, to identify how synergies can be established to reduce duplication of efforts and increase the overall impact.

The Commission will liaise with the European and international organisations that are responsible for regulating or supervising infrastructure sectors with significant cross-border effects (finance, telecommunications, energy, transport) in order to exchange information about the respective activities and identify where co-operation may be required.

The Commission maintains a World Wide Web site on the year 2000 computer problem and the IT impact of the euro (<http://www.ispo.cec.be/y2keuro>). This site provides access to information about activities in different economic sectors and Member States, points to sources of advice on specific aspects of the problem, and links to other sites as well as to all documents and reports produced by the Commission on the subject.

The Commission will discuss the year 2000 and its implications through all the relevant contacts available in industry and Member States. In particular, attention will be paid to the impact on and preparation of infrastructure sectors, the impact on consumers and small and medium-sized enterprises (SMEs), and the potential impact on the functioning of the internal market, including economic and monetary union.

The Commission will, together with Member States, monitor progress, exchange information, and benchmark best practice while reporting regularly to the Council on the Community's progress towards year 2000 readiness and its related issues.

The Commission will examine, in the context of its policies such as those on industry, SMEs, consumers, and training, whether a further contribution could be made towards helping raise awareness and address year 2000 related problems.

Within the Commission itself, the so-called millennium bug is handled by the Informatics directorate for the central aspects and by each directorate general for their information systems.

Since mid 1996 awareness of the year 2000 problem is promoted continuously by the Informatics directorate inside the Commission. Working groups were established at the beginning of 1997 to support analysis and solutions to identified problems, and at the end of 1997 a contact group between the Informatics services of the different institutions was initiated.

The project scope was established in 1997 and necessary resources were allocated. 1998 will be the year to fix and solve possible problems and 1999 will be the critical year to test and implement the solutions. The project year 2000 inside the Commission is following the phased approach, applied widely in the private and public sectors including risk management measures.

As for the prevention of new viruses spreading, the Commission is constantly upgrading the anti-viruses software used after virus attacks. Protection against computer viruses requires a constant effort to raise the awareness of IT professionals and users. It also requires a constant updating of the technology for detection and destruction of computer viruses. Within the Commission, the Security office and the Informatics directorate regularly organise awareness raising campaigns in co-operation with all other directorates general. Anti-virus software is in constant evolution, and is continuously assessed, updated and upgraded. The necessary guidelines for use are developed for all IT systems.

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(<sup>1</sup>) COM(98) 102.

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(98/C 304/44)

**WRITTEN QUESTION E-0114/98**  
**by Anita Pollack (PSE) to the Commission**  
(30 January 1998)

*Subject:* Urban policy

What plans has the Commission made to date for the Urban Forum planned for November 1998? Is there a date, venue and participation list agreed yet and will the European Parliament be invited to participate?

**Answer given by Mme Wulf-Mathies on behalf of the Commission**  
(26 February 1998)

The Commission intends to organise the Urban forum in Vienna on 26-27 November 1998 with the support of the city of Vienna. The participation list will be decided in the near future. The Commission hopes that the Parliament will be a major participant.

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(98/C 304/45)

**WRITTEN QUESTION E-0115/98**  
**by Anita Pollack (PSE) to the Commission**  
(30 January 1998)

*Subject:* Battery hens

When does the Commission plan to bring forward its proposals to update the battery hen Directive?

**Answer given by Mr Fischler on behalf of the Commission**  
(13 March 1998)

The Commission adopted on 11 March 1998 its report <sup>(1)</sup> to the Council and the Parliament as provided in Article 9 of Council Directive 88/166/EEC of 7 March 1988 laying down minimum standards for the protection of laying hens kept in battery cages <sup>(2)</sup>, together with the proposals relevant to the report's conclusions.

<sup>(1)</sup> COM(98) 135 final.

<sup>(2)</sup> OJ L 74, 19.3.1988.

(98/C 304/46)

**WRITTEN QUESTION E-0124/98**  
**by Marjo Matikainen-Kallström (PPE) to the Commission**  
(30 January 1998)

*Subject:* Follow-up question on the school milk programme

Commissioner Fischler's answer of 17 December 1997 to my question (E-3130/97) <sup>(1)</sup>, on the school milk scheme, is illogical. He states that the Commission does not wish its current scheme of subsidising full-fat milk products 'to influence those who benefit from the scheme in their choice of one dairy product as against another'.

To enable me to understand the Commissioner's reasoning, I should like to ask him a follow-up question:

On what does the Commission base its claim that subsidising full-fat milk products at the expense of low-fat products does not influence those who benefit from the scheme in favour of the former?

<sup>(1)</sup> OJ C 158, 25.5.1998, p. 40.

**Answer given by Mr Fischler on behalf of the Commission**  
(27 February 1998)

The amount of aid for different dairy products distributed under the Community school milk scheme is fixed taking into account the milk content of the products concerned. This results in a lower amount of aid for semi-skimmed milk compared with whole milk. However, in view of the higher retail price of the latter, the net price to be paid by the pupil is about the same for both types of products and should therefore, not influence the choice in favour of one or the other.

(98/C 304/47)

**WRITTEN QUESTION E-0125/98**  
**by Petrus Cornelissen (PPE) to the Commission**  
(30 January 1998)

*Subject:* Research into civil aviation incidents

1. Can the Commission provide a breakdown of the number of serious incidents in civil aviation which have been investigated in the various Member States of the European Union since directive 94/56 <sup>(1)</sup> of 21 November 1994 entered into force?

2. What authorities have received the incident reports, and what safety measures or other measures have been taken as a result?
3. When does the Commission intend to submit proposals for investigations into other incidents in civil aviation, as promised at the time of Parliament's debate on the abovementioned directive?
4. When it draws up its proposals, will the Commission take account of the wish expressed in the past by Parliament that it should publish the reports not only of accidents but also of incidents?

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(<sup>1</sup>) OJ L 319, 12.12.1994, p. 14.

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

*(23 March 1998)*

A number of the Member States of the Union, Belgium, Austria, Luxembourg and Italy have not yet implemented the provisions of Council Directive 94/56/EC of 21 November 1994 establishing the fundamental principles governing the investigation of civil aviation accidents and incidents. The Commission sent reasoned opinions to the Member States which had not replied satisfactorily to the letter of formal notice sent in May 1997. Even when legal transposition has taken place, there are still practical problems with the investigation of serious incidents due to the different procedures of investigation. The Commission has therefore received very few serious incident investigation reports and, as a result, it has not been possible to take further measures.

The pilot project of a European co-ordination center for aviation incidents reporting systems (ECCAIRS) carried out by the Commission is now deemed sufficiently mature to become operational. A formal presentation of the system will be organised in March and the Commission proposal, which will take account of the comments received after this presentation, will be issued in 1998.

Council Directive 94/56/EC requires publication of accident reports and a more restricted circulation of incident reports in order to take into account the very different nature of these occurrences. The Commission does not intend to change these requirements in the immediate future. However, the Commission intends to examine the whole question of the collection and dissemination of safety data as a preliminary activity before considering a possible proposal for publication of safety information. The legitimate interest of the public will at all times receive necessary attention.

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(98/C 304/48)

**WRITTEN QUESTION P-0128/98**

**by John Iversen (PSE) to the Commission**

*(22 January 1998)*

*Subject:* Transport of calves and maximum weights

In the Commission's answer P-3757/97 (<sup>1</sup>) it is asserted, without documentary backing, that the best slaughter-calves with a live weight of 300 kg can yield a carcass weight above 160 kg.

Even if this is were correct, it would still be mathematically impossible to obtain an average of 162 kg for all calves of live weights below 300 kg.

On page 12 of the Commission's report, COM(97)165, there is a breakdown of calves for slaughter in the Netherlands from December 1996 to 1997 week/12. Column II shows calves which, regardless of the early marketing premium, would have been delivered in those weight groups, i.e. the breakdown for 1995. These 84 464 calves had an average weight of 118.7 kg.

If Column II is extrapolated to include weight groups up to 165 kg, it is mathematically impossible to distribute the remaining 284 150 calves delivered in the Netherlands over a sixteen week period among these weight groups so as to end up with a weighted average of 162 kg for these 368 614 calves. Even if the remaining 284 150 calves are assumed each to weigh 162 kg, the weighted average will still only be 154 kg.

As of course all other calves will not be delivered at 300 kg live weight and with 'good to excellent conformation' there must have been errors in the Dutch and Belgian returns to Eurostat.

1. Will the Commission give documentary evidence of the average carcass weight for calves whose live weight is less than 300 kg?
2. Will the Commission show the distribution of calves slaughtered in 1995 in the Netherlands and Belgium, broken down by weight groups?
3. If this is claimed to be impossible, will the Commission state the estimated distribution among the weight groups for the Netherlands and Belgium of slaughter calves which can produce an average weight of 162 kg?

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(<sup>1</sup>) OJ C 174, 8.6.1998, p. 120.

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

*(27 February 1998)*

Further to its answer of 13 February 1998 (<sup>1</sup>), the Commission is now able to provide the following additional information.

The Commission takes note of the analysis provided by the Honourable Member in respect of weight references for calves.

Since the Council opted for Eurostat references in designing the general rules for the early marketing premium the Commission had to rely on information from Member States to its Statistical office. Within the category of calves, i.e. animal up to a maximum of 300 kilogrammes liveweight, information is provided on the total number of veal calves slaughtered and the total carcass weight of those calves.

The reported 1995 figures for the Netherlands were 1 198 000 calves equal to 193 900 tonnes while the corresponding figures in Belgium were 336 000 calves and 53 800 tonnes, equalling averages of 162 kilogrammes and 160 kilogrammes respectively.

In respect of the last two questions raised, the Commission does not receive statistical details from Member States which would enable it to establish the weight distributions requested.

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(<sup>1</sup>) OJ C 223, 17.7.1998, p. 120.

(98/C 304/49)

**WRITTEN QUESTION E-0130/98  
by Kirsten Jensen (PSE) to the Commission**

*(30 January 1998)*

*Subject: GMO*

Can the Commission confirm that a genetically modified tomato, which should be less perishable and therefore rot more slowly than natural tomatoes, is about to be approved in the EU?

Does it think it is defensible to allow this product on the market when it contains an antibiotic-resistant gene which can perhaps be transmitted to humans?

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

(18 March 1998)

At the end of November 1997 the Commission received a dossier concerning genetically modified tomatoes from the Spanish authorities under Article 12(2)(a) of Council Directive 90/220/EEC on the deliberate release of genetically modified organisms (GMOs) into the environment <sup>(1)</sup>. The procedure laid down in Article 13 is under way. The tomato contains an antibiotic resistance gene used as a marker gene and a partial endogenous polygalacturonase (PG) gene which decreases the rate of fruit softening.

Directive 90/220/EEC stipulates that before a GMO product is placed on the market an assessment must be carried out of the potential risks for human health and the environment. Accordingly, all GMO product notifications are assessed on a case by case basis which includes consideration of the genes inserted into the organism in question.

To date, the Commission has received no information on the marketing of genetically modified tomatoes as a novel food or novel food ingredient pursuant to Article 4 of Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients <sup>(2)</sup>.

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<sup>(1)</sup> OJ L 117, 8.5.1990.

<sup>(2)</sup> OJ L 43, 14.2.1997.

(98/C 304/50)

**WRITTEN QUESTION P-0134/98****by Georg Jarzembowski (PPE) to the Commission**

(23 January 1998)

*Subject:* Shipbuilding industry

The European shipbuilding industry faces fierce competition. Widespread subsidy schemes have distorted the international market and resulted in over-capacity throughout the world. The 1994 OECD agreement seeking to produce uniform conditions for competition has yet to be ratified by the USA. While support measures for the shipbuilding industry in the EU have nevertheless rightly been restructured, with order-related subsidies in particular to be completely abolished, Far East yards are still receiving massive subsidies which are distorting competition. After the collapse of the financial markets in East Asia the provision of billions in IMF aid seems likely to preserve this overcapacity and hence the distortions of competition.

1. Has the Commission therefore investigated the extent to which funds put up by the IMF are being passed on even to the State-aided shipbuilding industry in South Korea, the world market leader? If it has, what has it discovered? If it has not, why not, and will it now do so?

2. Has the Commission held talks with the Member States to ensure that they are not, by their indirect aid via IMF payments and the support the latter are giving to South Korean yards, undermining the European shipbuilding policy, which seeks to create a competitive European shipbuilding industry?

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

(23 February 1998)

At the request of the Council, and having regard to the possibility of a delay in or failure of the entry into force of the Organisation for Economic Cooperation and Development (OECD) agreement because the United States' fails to ratify it, the Commission put up a proposal for a new aid scheme for the industry in order to make European shipbuilding competitive in the future and prepare it for the challenges of the new millennium.



The Commission is concurrently carrying on with its attempts to persuade the United States to ratify the OECD agreement, with the application of which is the main objective of the Community.

Regarding the financial crisis in Asia, and its possible knock-on effects on the Korean shipbuilding industry, the Commission shares the Honourable Member's disquiet and in collaboration with Member States is watching for any impact on the Community industry.

The International Monetary Fund (IMF) plan which Korea has accepted, provides only for financial aid to stave off collapse of the financial and banking system and in no way provides for any allocation of funds to sectors of industry. Quite the reverse: the IMF authorities have pointed out that in no case should aid be used to save businesses in trouble. The structural reforms demanded by the IMF, and the drastic conditions imposed in terms of the prudential rules for lending by Korean banks, will undoubtedly preclude any repetition of the mistakes which encouraged Korean shipyards into ill-considered investments in capacity and caused some of them to become insolvent.

In the course of the debate in the Council about future aid arrangements the Korean question was discussed at length, as were the risks to the Community industry resulting from devaluation of the won. Member States which are members of the IMF, and as such can affect its decisions, are fully aware of their duty to be vigilant in this field.

For its part the Commission, which is not a member of the IMF, nevertheless keeps a careful eye on how the situation is developing. It will undoubtedly bring to the attention of the Council the risks of any use of aid which would be against the interests of the Community, particularly in shipbuilding. If necessary it could propose that Member States adopt a common position on this matter which would be forwarded to the IMF leadership with a view to forestalling this danger.

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(98/C 304/51)

**WRITTEN QUESTION P-0137/98**

**by Ilona Graenitz (PSE) to the Commission**

(23 January 1998)

*Subject:* Recognition of sign language in the Member States

Having regard to the EP resolution of 18 July 1988 (OJ C 187, p. 236), which called for official recognition of national sign languages in the Member States, and whereas the recognition of this non-ethnic language minority is a fundamental and important measure for the maintenance of culture, for the quality of life and, above all, for training opportunities for deaf people, I should like to know:

1. In which Member States has the national sign language actually been officially recognized or have comparable measures been taken?
2. Are those countries where this has still not occurred being supported in their efforts and, if so, in what way?
3. Is the Commission aware that, in the case of the deaf, this not only involves an issue affecting the 'disabled' but that what is involved here is a linguistic minority, which is still not recognized in many Member States 10 years after the EP resolution?
4. Is the Commission planning to submit to the Council urgently required proposals on this issue?

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

(5 March 1998)

The Commission would refer the Honourable Member to the reply it gave to her oral question H-42/98 during question time at Parliament's February 1998 part-session <sup>(1)</sup>.

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<sup>(1)</sup> Debates of the Parliament (February 1998).

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(98/C 304/52)

**WRITTEN QUESTION E-0139/98****by Michl Ebner (PPE) to the Commission***(30 January 1998)**Subject: Campaign against smoking*

As the Commission adopted on 21 April 1995 a European Parliament and Council decision on an action plan 1995-1999 to combat cancer, which identifies smoking as posing the greatest risk of cancer and calls for action against smoking in measures to combat cancer,

as more recent information relates a substantial proportion of cancers and many fatalities caused by cancer to lifestyle and as 30% of cases of cancer must be attributed to tobacco consumption, even though Regulation No 2075/92 on the common organization of the market in raw tobacco provides for the setting up of a Community fund for tobacco research and information; smoking is thus the most frequent avoidable cause of death in the Union,

as the EU Treaty requires that health protection form a constituent part of the Community's policies, including the common agricultural policy and

as expenditure on supporting the market in tobacco still amounts to ECU 817 million,

1. will the Commission propose to Parliament and the Council that the measures in support of raw tobacco should be abolished and that the resources should be spent on preventive health care;
2. does the Commission not consider it appropriate for a new super-tax to be imposed on tobacco products, with the proceeds spent on cancer research? This should also be regarded partly as compensation for the considerable damage to the economy that can be attributed to tobacco consumption. Such a measure would also be compatible with the increase in the real price of tobacco proposed by Parliament and with the setting of a minimum level of tobacco taxes in the context of their harmonization. As Parliament has recognized, price can have a major influence on tobacco consumption and is an important instrument in the policy on tobacco consumption;
3. what actions to combat the causes of cancer and what projects to encourage people to stop smoking are planned in order to give practical form to the fight against cancer?

**Answer given by Mr Flynn on behalf of the Commission***(1 April 1998)*

1. On 22 January 1998, the Commission adopted a proposal for the reform of the common organisation of the market in raw tobacco <sup>(1)</sup>. This text was forwarded to Parliament and the Council.

In accordance with the report it presented at the beginning of 1997, the conclusions of which were well received by both the Council and Parliament, the Commission proposes in the text adopted in January 1998 that support for raw tobacco production should continue and that there should be an in-depth reform of the system in order to encourage quality. The Commission also proposes taking more account of public health and environmental concerns, and to this end proposes doubling the budget for the Community fund for research and information on tobacco.

2. It is true that prices can have an influence on tobacco consumption. However, in deciding to adopt a system of minimum tax rates for tobacco products in the internal market, the Council made a decision in favour of a system of freely formed prices for these products.

Indeed, according to Council Directive 95/59/EC of 27 November 1995 on taxes other than turnover taxes which affect the consumption of manufactured tobacco <sup>(2)</sup>, manufacturers are free to determine maximum retail prices for each of their products for each Member State in which they are to be released for consumption. The authorities are free to determine their rates of indirect taxes on condition that they respect the minimum rates laid down for tobacco products in Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes and Council Directive 92/80/EEC of 19 October 1992 on the approximation of taxes on manufactured tobacco other than cigarettes <sup>(3)</sup>. Consequently, it is a matter for Member States to take into account the specific situation in their country, health considerations and other factors such as fraud when fixing their rates.

At this moment, the Commission has no intention to make proposals for additional taxes on tobacco products. However, Member States are free to subject tobacco products to other indirect taxes for specific purposes, provided that those taxes comply with the tax rules applicable for excise duty and VAT purposes as far as determination of the tax base, calculation of the tax, chargeability and monitoring of the tax are concerned.

3. Community actions to combat cancer are found within the 'Europe Against Cancer' programme, which includes initiatives to inform and educate the public on the dangers of smoking. A series of prevention projects have been financed by this programme, and details of such projects financed in 1996 and 1997 are sent direct to the Honourable Member and to Parliament's Secretariat, together with details of information projects financed through the Community fund for research and information on tobacco.

(<sup>1</sup>) COM(98)19 final.

(<sup>2</sup>) OJ L 291, 6.12.1995.

(<sup>3</sup>) OJ L 316, 31.10.1992.

(98/C 304/53)

**WRITTEN QUESTION E-0140/98**

**by Alexandros Alavanos (GUE/NGL) to the Commission**

*(2 February 1998)*

*Subject:* Fisheries operational programme in Greece

The fisheries operational programme in 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. The progress of the four sub-programmes of the fisheries programme in Greece, in terms of financial commitments to measures by the Member State and payments (execution) is as follows:

— fleet:

financial commitments: 72% of the sub-programme  
payments: 36% (ditto)

— aquaculture:

financial commitments: 90.6% of the sub-programme  
payment: 12.6% (ditto)

— processing or marketing:

financial commitments: 64.1% of the sub-programme  
payment: 11.6% (ditto)

— infrastructure:

financial commitments: 63.8% of the sub-programme  
payment: 3.6% (ditto)

2. The above data shows that the sub-programme for infrastructure is seriously lagging behind the others in terms of utilisation of appropriations. The delays are mainly due to the time needed to carry out the investments (often two years) after the funds have been committed to the measure.

(98/C 304/54)

**WRITTEN QUESTION E-0151/98****by Cristiana Muscardini (NI) to the Commission***(2 February 1998)*

*Subject:* The Italian Government's attitude to liberalization of the telecommunications sector

In his reply of 24 April 1996 to Question 0801/96 <sup>(1)</sup> Commissioner Van Miert said that the Italian Government had undertaken to award a licence to a third mobile and personal telephone operator using DCS 1800 technology 'not later than 1 January 1998'.

The tendering procedure for the award of that licence has yet to be opened.

The Italian Government gave the Wind and Picienne groups responsibility for conducting trials of DCS 1800 technology only after those groups had complained to the European authorities.

The Commission received assurances from the Italian Government that it would not grant licences for the use of DCS 1800 technology prior to the tendering procedure for the selection of the third mobile and personal telephone operator (Question 02120/96 of 20 March 1996).

In mid-December 1997 the Italian Ministry for Posts awarded Telecom Italia s.p.a the necessary licence for the commercial launch of the 'Fido' DECT service without conducting a tendering procedure.

Given the above, would the Commission state:

1. what action it intends to take, with a view to upholding the principle of fair competition in the mobile and personal telephone sector, to ensure that a licence is awarded to the third operator and that an appropriate period of time elapses before the two existing operators, TIM and OPI, launch their DCS 1800 services?
2. how it intends to tackle the issue of late implementation of Community directives by the Italian Government?
3. whether it would agree that the award of a licence to the public operator while it still held a monopoly only a few days prior to the liberalization of the market for telecommunications services was in breach of competition and market rules and tantamount to facilitating the consolidation of a dominant position?

<sup>(1)</sup> OJ C 217, 26.7.1996, p. 115.

**Answer given by Mr Van Miert on behalf of the Commission***(16 March 1998)*

As the Honourable Member rightly points out, the Italian Government did announce that it would award a licence to a third mobile and personal telephone operator using 'digital cellular system' (DCS) 1800 technology in 1996, i.e. before the deadline of 1 January 1998 set by Commission Directive 96/2/EC of 16 January 1996 amending Directive 90/388/EEC with regard to mobile and personal communications <sup>(1)</sup>. The Italian Government also promised that it would allow this operator to become established in the market before authorising the two 'pan-European digital cellular mobile system' (GSM) operators also to use the DCS 1800 technology.

However, the Italian Government did not keep to its timetable for selection of the third mobile operator. Article 2(4) of Directive 96/2/EC stipulates that Member States shall adopt, where required, measures to ensure effective competition between operators competing in the relevant market. The Commission will therefore examine the terms stipulated by the Italian Government in the tendering procedure ('gara') for the third operator in the light of this obligation.

With regard to the delay in opening the procedure for selecting the third operator, on 24 November 1997 the Commission reminded the Italian Government of its obligations and will initiate infringement proceedings under Article 169 of the EC Treaty if Italy does not comply with Directive 96/2/EC.

The launching of the DECT (Digital European Cordless Telecommunications) service by Telecom Italia just prior to the complete liberalisation of the Italian market does not in itself constitute a breach of the competition rules laid down in the EC Treaty. However, the circumstances in which the Italian Government authorised this launch, and in particular the lack of legal separation between Telecom and the division which supplies the DECT service, mean it is not possible to make sure that the dominant operator will not apply anti-competitive conditions

to any competitors who would also like to offer this service. The Commission has therefore decided to begin proceedings in order to obtain greater transparency regarding the conditions under which Telecom's DECT service is provided.

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(<sup>1</sup>) OJ L 20, 26.1.1996.

(98/C 304/55)

**WRITTEN QUESTION E-0156/98**  
**by Klaus Lukas (NI) to the Commission**  
(2 February 1998)

*Subject:* Recall of the head of delegation in Bratislava (continued)

Further to the answer given to Question 3153/97 (<sup>1</sup>), I should be grateful for answers to the following questions:

It is reported that the Commission's anti-fraud unit, UCLAF, has already carried out an investigation into the activities of Mr Georgios Zavvos. What were the findings of UCLAF's investigation?

When will the EP be informed of the findings of the investigation?

How are we then to understand the Commission's statement that Mr Georgios Zavvos was transferred in the interests of the service?

What specific job is Georgios Zavvos currently doing?

How can the Commission guarantee that Mr Georgios Zavvos is no longer involved in the activities which, it is reported, resulted in his transfer (in the interests of the service)?

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(<sup>1</sup>) OJ C 117, 16.4.1998, p. 157.

**Answer given by Mr Van den Broek on behalf of the Commission**  
(1 April 1998)

The former head of the Commission's delegation in Bratislava has been appointed as an adviser in the Directorate general for external relations: Europe and the new independent States, common foreign and security policy and external missions and is currently working on issues relating to institution building.

The Commission unit on coordination of fraud prevention (UCLAF) investigation into Phare management in Slovakia is not yet terminated but has so far not produced evidence of fraud or corruption on the part of the former head of the delegation of the Commission in Bratislava.

The Commission will keep the Parliament informed.

(98/C 304/56)

**WRITTEN QUESTION E-0159/98**  
**by Katerina Daskalaki (UPE) to the Commission**  
(2 February 1998)

*Subject:* Bank lending rates and hotel businesses in Greece

Within the free market, the Union supports SMEs, which it regards as the mainstay of European economic development, and spends huge amounts on modernizing them. In Greece, SMEs are under threat from the monopolistic structure of the country's banking system, one feature of which is that the Greek banks charge businesses extremely high interest rates for borrowing (more than four times the rate of inflation). Greek SMEs, in particular hotels, are weighed down with enormous borrowing commitments which accumulate through the inordinate amount of interest charged by the Greek banks, unilaterally and for their own profit, leaving such businesses unable to compete in a free market.

Will the Commission ask the Greek Government to create fair competitive conditions in order to stem the drain on the resources of Greek SMEs caused by the high level of bank lending rates?

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

*(30 March 1998)*

The structure of the Greek national banking system is a matter for the Greek authorities and not for the Commission. The Commission expects a lowering of interest rates in due course, in line with what has already happened in the other Member States, which have already completed such a course of action.

The cost of borrowing also covers the risk, however, and banks normally consider that SMEs represent a higher risk than large-scale enterprises. The Commission will at an early opportunity raise this point at the Third Round Table of Banks and SMEs, which will be set up in the near future and whose role will essentially be to develop a better mutual understanding between the two parties in their professional relations.

The European Investment Bank (EIB) has furthermore contributed, by its issuing activities on the 'Marathon' market (six issues, for a total value of GRD 135 billion since the opening of this 'compartment' of the market by the EIB in 1994, representing a total of ECU 432.13 million, value as at 23.2.1998) and by its individual and global loans (ECU 2.770 million in the course of the past five years), with the aim of fostering competition and modernisation in the Greek banking sector.

In the course of the last five years, the EIB has granted global loans to some ten intermediaries in the Greek banking sector. The funds channelled in this way have been used to finance 265 projects. The EIB would be prepared to expand this activity if the intermediaries were able to demonstrate their capacity to relay these funds efficiently without delay to SMEs.

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(98/C 304/57)

**WRITTEN QUESTION E-0160/98**  
**by Mary Banotti (PPE) to the Council**

*(3 February 1998)*

*Subject:* Gaza European Hospital

Can the Council inform me of the cost of the total investment by the EU in the Gaza European Hospital?

Can the Council inform me when the International Management team will be arriving in the region?

When will the hospital be fully operational and what is the Council's policy in meeting the recurrent costs of the large scale infrastructure projects in developing countries?

**Answer**

*(8 June 1998)*

As the Honourable Member of Parliament is well aware, the implementation of actions financed in the framework of the MEDA regulation, as is the case with the one mentioned in this question, is the responsibility of the Commission.

Therefore, the Honourable Member of Parliament is advised to refer the present question to the Commission.

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(98/C 304/58)

**WRITTEN QUESTION E-0162/98**  
**by Anita Pollack (PSE) to the Commission**

*(2 February 1998)*

*Subject:* Combined bicycle and rail travel

In the interest of seeking to curb private car use, does the Commission have any plans to require train operators to offer bicycle access on trains and to abolish extra charges for this?

**Answer given by Mr Kinnock on behalf of the Commission***(12 March 1998)*

On grounds of subsidiarity and because the Commission wishes to promote a commercially minded approach among train operators, the Commission has no current plans to propose the imposition of requirements of the kind outlined by the Honourable Member.

As set out in the 'The Citizens' Network' green paper <sup>(1)</sup>, the Commission aims to encourage people to choose public transport, cycling or walking for more of their journeys. Making it easier to combine the use of bicycles and trains is an useful way of doing that, and the carriage of bicycles on trains has a role to play alongside measures to improve cycle storage at stations.

The Commission's view is that there are two appropriate ways to encourage the carriage of bicycles on trains. First, public authorities may include requirements to do this when they specify public services to be provided by operators. In line with the Community's general approach to public services, it is for authorities in Member States to define the services they wish to see provided. Requirements should be clearly defined, and operators compensated if fulfilling the requirement causes net costs.

Second, the Commission wishes to encourage train operators to carry bicycles because it could often be in their own commercial interests since, demand among cyclists for the ability to travel by rail with their bicycles can be substantial. Through its policies to promote the Citizens' Network, the Commission aims to help to make such arrangements more common. A specific example is its recent decision to provide grant-aid for the planning phase of the EuroVelo international cycle routes project, sponsored by the European Cyclists' Federation. One of the main objectives of this project is to promote cycle tourism and that should increase the demand for transport of cycles by train to key points on each cycle route, a factor which will be specifically taken into account in the planning of the network.

An obligatory European requirement for train operators to carry bicycles would impose high costs on operators if the design of the trains or heavy usage made carriage of bicycles impractical. A requirement to carry bicycles without charge, as suggested by the Honourable Member, could reduce the revenues earned by some operators. In achieving the objectives of the Citizens' Network, it is vital to promote a business-like approach among train operators and the external imposition of requirements of this kind without compensation, however desirable in their own right, would contradict to this approach.

The Commission is currently managing a research cooperation project on passenger accessibility of heavy rail systems (COST 335) with a view to developing European standards for the design and operation of trains, stations and information services. While the main focus of the project is the needs of people with reduced mobility, it is likely that many of the train design features examined will also benefit people with bicycles.

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<sup>(1)</sup> COM(95) 601 final.

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(98/C 304/59)

**WRITTEN QUESTION E-0163/98  
by Anita Pollack (PSE) to the Commission***(2 February 1998)*

*Subject:* Battery hens

Will the Commission set in train some research on the economic effects of phasing out battery egg production on those farms or companies that currently use these methods so that measures can be planned to ensure that they are helped to move to less intensive methods in the future?

**Answer given by Mr Fischler on behalf of the Commission***(13 March 1998)*

The Commission would refer the Honourable Member to the answer given to her written question E-115/98 <sup>(1)</sup>. The communication to the Parliament and the Council will indicate the economic effects of the measures proposed, including estimations on the consequences of phasing out the current battery cage systems.

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<sup>(1)</sup> See page 33.

(98/C 304/60)

**WRITTEN QUESTION E-0166/98**  
**by James Fitzsimons (UPE) to the Commission**  
(2 February 1998)

*Subject:* Legislation in EU Member States on bicycles

Will the Commission indicate what safety measures are applied to bicycles in each of the Member States to improve safety for their users and to other road users?

Will the Commission advise if insurance is required for bicycle users in any of the Member States and, if so, will it provide details?

Have any Member States introduced taxes on bicycles?

Can the Commission provide details on the number of bicycles involved in accidents in the Member States and the causes of these accidents?

**Answer given by Mr Kinnoek on behalf of the Commission**  
(12 March 1998)

In the highway codes of all Member States the cyclist is considered to be a road user on a par with drivers of motor vehicles. All road users are expected to use the road without endangering others.

The following Member States have specific rules for cyclists: Belgium, Denmark, Germany, Spain, France, Italy, the Netherlands, Austria, Finland, Sweden, the United Kingdom.

The following Member States have specific rules for drivers to ensure cyclists' safety: Belgium, Germany, Spain, France, Italy, Austria, Sweden, the United Kingdom.

The Commission is not aware of any Member State requiring insurance for bicycle users.

The Commission is not aware of any Member States taxing the riding of bicycles but of course, VAT is customarily levied on the purchase of bicycles.

The most recent available data is the 'Statistical Report on Road Accidents in 1992'. This was produced by the European Conference of Transport Ministers. It gives the numbers of people killed but not the causes of the accidents.

Because of this and similar deficiencies of useful data, the Commission is developing a comprehensive Europe wide database on accident statistics.

The Commission has published a report on 'Progress with the project and its future prospects — CARE — Community Database on Road Traffic Accidents' <sup>(1)</sup>.

<sup>(1)</sup> COM(97) 238 final.

(98/C 304/61)

**WRITTEN QUESTION E-0174/98**  
**by David Bowe (PSE) to the Commission**  
(5 February 1998)

*Subject:* Controls on imported foods

At present all foods of animal origin imported from third countries into the European Union are subject to strict controls. They can only enter the EU at a designated border inspection post; the importer is required to give 24 hours notice of arrival; the consignment must undergo the veterinary checks procedure, which includes certified levels of inspection; and the importer must pay the costs of the veterinary inspection before the consignment can obtain customs clearance. However, for foods of non-animal origin, there is no requirement for prior notification of import, with no certificated system of control and the costs of inspection fall on the enforcing authority.



Given that many foods of non-animal origin can pose a considerable risk to public health, for example many of them can contain mycotoxins, does the Commission intend to harmonize EU levels of inspection for foodstuffs of non-animal origin to the same level as that for foodstuffs of animal origin? If not, why not?

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

*(17 April 1998)*

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

(98/C 304/62)

**WRITTEN QUESTION E-0176/98**  
**by Mark Watts (PSE) to the Commission**  
*(5 February 1998)*

*Subject:* Disposal of sewage and waste water

Is the practice of discharging treated sewage into the sea environmentally sustainable?

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

*(6 March 1998)*

The aim of Council Directive 91/271/EEC of 21 May 1991 on the treatment of urban waste water <sup>(1)</sup> is to protect the environment, and in particular seawater, against impairment by discharges of such waste waters.

The provisions of the Directive, and in particular those concerning discharges into coastal waters are, by their nature, intended to provide effective long-term protection for the marine environment.

<sup>(1)</sup> OJ L 135, 30.5.1991.

(98/C 304/63)

**WRITTEN QUESTION E-0179/98**  
**by Mark Watts (PSE) to the Commission**  
*(5 February 1998)*

*Subject:* Disposal of sewage and waste water

In the context of the Thanet Objective 2 Programme, is the proposal to construct a large sewage plant on the clifftops of Foreness Point, on one of the last areas of public open space in the district and an acknowledged area of natural beauty, compatible with the policies to regenerate the economy by, inter alia, protecting and enhancing the environment, not least that along the coast? Can the Commission assure me that no EU money will fund such a project?

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

*(13 March 1998)*

It is understood that a sewage plant is planned for construction at Foreness Point and has received planning permission. However, although the plant will be located in the area covered by the Thanet objective 2 single programming document 1997-1999, it would not constitute an eligible project under that programme.

(98/C 304/64)

**WRITTEN QUESTION E-0181/98****by María Sornosa Martínez (GUE/NGL) to the Commission***(5 February 1998)*

*Subject:* Possible contravention of environment laws in the Marjal de Massamagrell

The continuing existence of the Marjal de Massamagrell is under serious threat on account of the drainage and urbanization work which is being carried out and which also affects the officially protected Marjal de Rafael y Vistabella.

In all probability the Marjal de Massamagrell is listed in the Valencia Community's catalogue of wetlands since it belongs to the same ecosystem as the Marjal de Rafael y Vistabella, which is recognized as an area of special protection in the PGOU (= general urban land use plan). Publication of the catalogue is being delayed for no apparent reason whilst, in the meantime, many of the wetlands included in it (and potentially eligible) for protection are being devastated.

In an earlier question which I recently submitted to the Commission I reported on the instability and the environmental risks which are being created as a result of the unjustified delay in the publication of the catalogue. I am concerned with this issue since it is turning into an environmental emergency which must be tackled as soon as possible.

The environmental negligence which is being displayed by the Valencia Regional Government is endangering the heritage of the region's wetlands and contravenes Directive 92/43/EEC <sup>(1)</sup> on the conservation of natural habitats. The coastline of the Valencia region, which has an abundance of wetlands, forms a single ecosystem, the unity of which must not be destroyed by urban development.

1. Could the Commission ask the Valencia Regional Government to publish its catalogue immediately, in view of the fact that it has already been drawn up and that the withholding thereof is having a serious effect on the environment?
2. What action can the Commission take to ensure that the superimposing of regional, national and European rules on top of European directives does not prevent the latter from being complied with?
3. Could the Commission delegate a team of experts to assess the importance of conserving all the wetlands along the Spanish Mediterranean coast as an ecological unit which deserves to be protected?

<sup>(1)</sup> OJ L 206, 22.7.1992, p.7.

**Answer given by Mrs Bjerregaard on behalf of the Commission***(12 March 1998)*

1. The Commission has no authority to ask the Valencia Regional Government to publish its list of wetlands, such publication being a purely internal matter to the autonomous community.

The site in question has not been designated a special protection area under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds <sup>(1)</sup>. Nor has it been scientifically inventoried as an important bird conservation area.

Spain has not proposed the site for inclusion in the Natura 2000 network under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora <sup>(2)</sup>. Nor does the Commission have information that the site hosts a natural habitat type or priority species which, on the basis of relevant and reliable scientific information, would make it essential for the maintenance of that priority natural habitat type or for the survival of that priority species. The site's natural interest thus appears to be national rather than Community.

Nonetheless, should the Commission receive information proving that the site is essential for the maintenance of a priority natural habitat type or the survival of a priority species, a procedure could be envisaged under Article 5 of Directive 92/43/EEC.

2. The Commission sees to it that European directives are properly implemented by the Member States. With regard to Directive 92/43/EEC, it has instituted infringement proceedings against Spain for failure to transmit the Spanish lists within the deadline. Following the delivery of a reasoned opinion in November 1997, Spain did transmit a list of sites. The Commission is currently examining the documents provided by the Spanish authorities to determine whether the proceedings need be pursued any further.

3. At special biogeographical meetings, the Commission works with the Member States and independent experts to evaluate the lists of sites proposed by the Member States for inclusion in the Natura 2000 network. Given the large number of sites proposed (several thousand), it is impossible for each of them to be examined in situ.

(<sup>1</sup>) OJ L 103, 25.4.1979.

(<sup>2</sup>) OJ L 206, 22.7.1992.

(98/C 304/65)

**WRITTEN QUESTION E-0185/98**  
**by Mark Watts (PSE) to the Commission**  
(5 February 1998)

*Subject:* Disability benefits in EU Member States

Can the Commission please indicate, on a country-by-country basis, the amount of money spent by each Member State on disability benefits?

(98/C 304/66)

**WRITTEN QUESTION E-0186/98**  
**by Mark Watts (PSE) to the Commission**  
(5 February 1998)

*Subject:* Disability benefits in EU Member States

Can the Commission please indicate, on a country-by-country basis, the amount of money spent by each Member State on disability benefits as a proportion of total government spending?

**Joint answer**  
**to Written Questions E-0185/98 and E-0186/98**  
**given by Mr Flynn on behalf of the Commission**  
(30 March 1998)

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

(98/C 304/67)

**WRITTEN QUESTION P-0193/98**  
**by Paul Lannoye (V) to the Commission**  
(28 January 1998)

*Subject:* Zoonoses

Council Directive 97/22/EC (<sup>1</sup>) amending Directive 92/117/EEC (<sup>2</sup>) concerning measures for protection against specified zoonoses and specified zoonotic agents adds Article 15a to the latter directive stipulating that the Commission must submit a report to the Council before 1 November 1997 on the measures to be implemented for the control and prevention of zoonoses.

Can the Commission inform me of the report's conclusions?

Which are the Member States which, by 1 January 1998, had still not implemented the minimum measures laid down for salmonella in Annex III, Section I (Article 10(1) of Directive 92/117/EEC and Article 1(4) of Directive 97/22/EC)?

How many cases of salmonella have been recorded each year in poultry breeding flocks in the different Member States since 1992? How many cases have been recorded in humans during the same period?

In addition, Directive 92/117/EEC lays down a whole series of compulsory measures relating to the four zoonoses defined in Annex I, point I. However, the specific plans (Articles 8 and 10 of Annexes II and III to Directive 92/117/EEC) only cover salmonella. Do the other three zoonoses not pose a problem? If not, why are they retained in Annex I, point I?

The WHO has reported an upsurge in infections caused by the campylobacter bacterium. Since this bacterium is resistant to many antibiotics, should campylobacteriosis not be included in Annex I, point I to Directive 92/117/EEC?

(<sup>1</sup>) OJ L 113, 30.4.1997, p. 9.

(<sup>2</sup>) OJ L 62, 15.3.1993, p. 38.

### **Answer given by Mr Fischler on behalf of the Commission**

*(25 February 1998)*

Article 15a of Council Directive 92/117/EEC, as amended by Council Directive 97/22/EC, 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 provides for the Commission to submit a report to the Council concerning the measures to be implemented for the control and prevention of zoonoses. Unfortunately the Commission has not been able to respect the time limit of 1 November 1997 to submit this report due to the priority problems emerging from bovine spongiform encephalopathy (BSE) and the subsequent fundamental restructuring of the Commission services. However, the Commission is now taking action to prepare the report. At this stage the Commission is not able to provide any conclusions.

According to Article 10, paragraph 1, of Directive 92/117/EEC Member States shall implement as from 1 January 1998 the minimum measures laid down for salmonella in Annex III, Section I. To this date the Commission has received notifications as provided in Article 2 of Council Directive 97/22/EC from Germany, Luxemburg, Austria, Sweden and United Kingdom. Infringement proceedings have been opened against those Member States which have not yet notified their national provisions. Salmonella control plans in accordance with Article 8, paragraph 2, of Directive 92/117/EEC have been approved for Denmark, Ireland, Finland and Sweden (Commission Decisions 94/507/EC, 96/389/EC, 96/390/EC and 96/502/EC, respectively). This approval is a prerequisite for financial assistance from the Community for the control of salmonella in poultry. So far financial assistance has been granted only for Denmark.

According to Article 5 of Directive 92/117/EEC Member States are obliged to report annually to the Commission the trends and sources of zoonotic infections. The Commission evaluates the information supplied by Member States and reports to the standing veterinary committee. This exercise was carried out for the first time for the year 1994 and since then on an annual basis. The Commission is currently evaluating the data referring to 1996 and will shortly report to the standing veterinary committee. The 1995 report is forwarded direct to the Honourable Member and to the Secretariat General of the Parliament.

Annex I, point I of Directive 92/117/EEC covers tuberculosis due to *Mycobacterium bovis*; brucellosis, salmonellosis and trichinosis. The Commission has over several decades developed measures to control or even eradicate bovine tuberculosis, bovine brucellosis and brucellosis in sheep and goats. Consequently these zoonoses have been eradicated in the Community or are the subject of advanced eradication and surveillance programmes. The measures are prescribed inter alia in the appropriate trade directives (e.g. Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine). Those Member States in which these zoonoses still exist may apply for financial assistance from the Community for eradication and monitoring programmes. The control and surveillance measures for trichinosis are laid down in the appropriate meat hygiene directives (e.g. Council Directive 64/433/EEC on health conditions for the production and the marketing of fresh meat). Since trichinosis is eradicated in most Member States the Commission is currently considering regionalisation based on scientific criteria in order to allow relief from the exhaustive sampling of pig meat in areas free from trichinosis. Provisions on hygiene in general and certain specific measures regarding salmonella have been laid down in various directives providing for the hygiene of products of animal origin (e.g. Council Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat). Due to the increased number of cases of human salmonellosis derived from poultry products certain specific measures aimed to control salmonella in poultry were introduced in Directive 92/117/EEC.

The Commission is fully aware of the importance of certain food-borne diseases (e.g. campylobacteriosis and enterohaemorrhagic E.coli infections). As is the case for salmonella these zoonotic agents are ubiquitous in the natural environment and can consequently be isolated at various levels from clinically healthy domestic animals and from wildlife. Also the possibility of human carriers and infection through other sources (vegetables, water, pets etc.) must be considered. However, the knowledge of their pathogenicity, virulence and epidemiology is very sparse and satisfactory routine testing methods are lacking. Expanded surveillance and research is needed to provide the epidemiological information and appropriate testing methods. Only when such tools are available can appropriate measures be implemented to identify potentially high-risk animals and to recommend, with confidence, actions for reducing the prevalence of these zoonotic agents in herds. Meanwhile the Commission is considering how abattoirs and processing plants can institute practices to reduce contamination and cross-contamination of food and to avoid recontamination of heat treated products (hazard analysis critical control point system — HACCP). The Commission intends also to introduce certain concrete measures to improve slaughter hygiene by preparing the appropriate proposals to amend the existing directives concerning meat hygiene.

(98/C 304/68)

**WRITTEN QUESTION P-0194/98**

**by Antoni Gutiérrez Díaz (GUE/NGL) to the Commission**

(28 January 1998)

*Subject:* Illegal construction activity with EU funding

In a concession of 19 February 1997, the Spanish Ministry of the Environment made over the use of a publicly-owned coastal site in the Catalan municipality of Llançà, in the area of Alt Empordà, to the Catalan regional government (Generalitat) for the purpose of construction work on the Grifeu promenade. This concession provided for compensation for the compulsory purchase of land and other private rights affected by the project.

The Directorate-General for Ports and Coasts of the Department of Planning Policy and Public Works of the Generalitat proceeded to carry out the construction work on the promenade, without receiving final approval of the plan from the municipality of Llançà and without the existence of the necessary planning project — despite both being necessary prior conditions for the work to take place.

Since then, the Court of First Instance No 8 of Girona (Gerona) has delivered Judgment No 247/97 of 12 December 1997, which states that the action of the Directorate-General for Ports and Coasts of the Department of Planning Policy and Public Works of the Generalitat was carried out in a 'de facto fashion', and therefore rules the occupation of the land illegal and orders the property concerned to be returned to its rightful owners.

The execution of this judgment will entail the demolition of the promenade construction and the associated buildings, which have already cost some Ptas 75 m. Of this sum, 50% was contributed by the Generalitat and 25% by the municipality of Llançà, while 25% came from EU funds — specifically, from the Community's INTERREG initiative.

Is the Community aware of this investment and of the fact that EU funds were used for a project which was carried out illegally and whose end-products will now have to be demolished following the court decision?

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

(26 February 1998)

The Commission will not fail to obtain information from the Spanish authorities on the outcome and consequences of the state of affairs referred to by the Honourable Member. Subject to verification, it suspects that, if this is the Interreg IIA programme, the project in question could be Project No 48 (road and beach access development stage 2 — Llança in Catalonia), which received 50% Community part-financing, i.e. a contribution of ECU 150 000.

If it receives official confirmation that the court decision is final and irreversible, the Commission will take all appropriate measures under the circumstances.

In particular, it will be forced to withdraw its part-financing owing to the failure of the project to materialise and, at the next monitoring committee meeting, propose a reallocation of the funds originally committed.

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(98/C 304/69)

**WRITTEN QUESTION P-0196/98**

**by Karin Riis-Jørgensen (ELDR) to the Commission**

*(30 January 1998)*

*Subject:* EU export of steel wire ropes to Poland

Since November 1996, the EC steel wire ropes industry has not been able to export to Poland because of non-tariff barriers. I am also aware that Poland has recently refused to lower import duties, as required by the European Union.

Tenders to supply the mining industry give preference to Polish firms. The administrative and financial burdens currently make all exports from the European Community impossible. What is more, the Polish certification system, which is applicable to EU imported wire ropes, impedes deliveries.

As the tariff barriers violate the undertakings given by Poland as part of the European Agreement, I would like to know what steps the Commission will undertake to ensure that these barriers are abolished in the near future.

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

*(25 February 1998)*

The problems concerning the access to the Polish market of Community exporters of steel wire ropes have been discussed with the Polish authorities on a number of occasions 1997, including at the highest levels. In particular, the responsible Vice-President of the Commission raised this issue during his visit to Poland in February 1997. However, given that no concrete reply was received from the Polish authorities and that according to Community industry discriminatory practices were still being noted at the expense of Community exporters, this matter was discussed again during the meeting of the Community Poland trade and industry subcommittee in December 1997.

In this meeting, the Polish authorities indicated that they would be prepared to look further into the matter if the Community provided examples of discrimination. The Commission has therefore invited the Community industry to provide it with such information with a view to seeking an early solution to the problem.

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(98/C 304/70)

**WRITTEN QUESTION E-0199/98**

**by Hilde Hawlicek (PSE) to the Commission**

*(11 February 1998)*

*Subject:* Books and the cultural heritage

In his speech to the Frankfurt book fair in October 1997, Commission President Jacques Santer said that he regarded books as 'part of our cultural heritage and as economic factors'. However, on 14 January 1998 Commissioner Karel van Miert instituted proceedings against book price agreements even before the Council of Ministers of Cultural Affairs had received the expert opinion it had requested on whether such agreements can be justified by Article 128 EC.

What protection does the Commission President believe the Commission is providing for 'books as part of the cultural heritage'?

Is the Commissioner also aware of the study carried out by Ulrich Everling, a former judge at the European Court of Justice, who concludes that book price agreements as practised in Germany and Austria should not be regarded as incompatible with the Common market pursuant to Article 85(1) EC Treaty, provided books

originally subject to price agreements are reimported from countries other than the Member States and are not subject to further price agreements provided they are not transactions for the purpose of evading the law? If this opinion is not accepted, the requirements for derogation pursuant to Article 85(3) EC Treaty are fulfilled on the basis of an assessment of competition law which takes account of the cultural aspect of book price agreements.

**Answer given by Mr Van Miert on behalf of the Commission**

*(24 March 1998)*

The Commission has consistently maintained that the Council's initiative in instructing the Commission to prepare a report pursuant to Article 152 of the EC Treaty should be considered independent of the competition proceedings concerning the German/Austrian price-fixing scheme for books ('Buchpreisbindung') provided that the proceedings in question are not impeded as a result. In this competition case, in which the publishers submitted the notification in the spring of 1993 and for which the Commission is solely competent, formal proceedings had to be instituted after the Commission had made a careful examination of the publishers' arguments and come to the provisional conclusion that exemption was not justified.

The report was submitted by the parties to the proceedings. It concludes that Article 85(1) is no longer applicable to the German/Austrian price-fixing scheme for books because Article 128(4) had been inserted into the EC Treaty by the Treaty on European Union. This contradicts the settled case law of the Court of Justice as the report's author acknowledges (he states that his opinion goes beyond previous case law and decision-making practice). In 1995, quite some time after Article 128(4) had been inserted, the Court of Justice based itself on the self-evident fact that Article 85(1) was applicable to the cross-border price-fixing scheme involving the United Kingdom and Ireland. The possible advantages of any price-fixing agreement are always initially examined under Article 85(3).

It is unclear from the Honourable Member's question why she assumes that the conditions for exemption were met. As stated above, the Commission reached its provisional conclusion that the conditions for exemption had not been met after a careful examination of all the arguments put forward and on the basis of statistically sound data.

(98/C 304/71)

**WRITTEN QUESTION E-0202/98**

**by Gerhard Hager (NI) to the Commission**

*(11 February 1998)*

*Subject:* Budget line on the family

Can the Commission state what measures have been financed under budget line B3-4108: Measures in support of the family and what the appropriate legal bases are under primary legislation?

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

*(3 April 1998)*

In 1997, the Commission financed a number of measures under budget line B3-4108: 'Measures in support of the family'. The commitments (almost ECU 2.5 million) went to cover the cost of financing analysis and research into the family and family policies, exchange of experience and information among Member States on subjects connected with the family, particularly ways of reconciling family and working life; child protection measures and population studies.

The budget was implemented in conformity with the Commission communication of 6 July 1994 concerning the legal bases <sup>(1)</sup>

<sup>(1)</sup> Doc. SEC (94) 1106 final.

(98/C 304/72)

**WRITTEN QUESTION E-0205/98****by Rainer Wieland (PPE) to the Commission***(11 February 1998)*

*Subject:* Financing mother-tongue teaching abroad — mother-tongue teaching in the consular district of Stuttgart (Germany)

In the consular district of Stuttgart (Germany) the Italian government intends to transfer the teaching of 9 600 Italian children from the Italian Cultural Institute to private organizations (Esslinger Zeitung of 4 December 1997; letter from Mr Virga (Stuttgart) to the Minister of Culture, Youth and Sport of the Land of Baden-Württemberg).

What appropriations are used to fund the mother-tongue teaching of Union citizens living in other countries?

If this teaching is funded by Union appropriations, what is the amount involved and what are the rules for granting and spending the funds?

If this teaching is only partially funded by Union money, is transferring the way the teaching is organized (and the way in which it is performed) to a private body such as an association legally acceptable?

Is this transfer in line with the Commission's political thinking?

**Answer given by Mrs Cresson on behalf of the Commission***(24 March 1998)*

The Commission acknowledges the concern expressed by the Honourable Member about the teaching of Italian in the region of Stuttgart, but it has no competence to question the legitimacy of this decision.

According to Article 126 of the EC Treaty, Member States have exclusive responsibility for the content of teaching and the organisation of educational systems and their cultural and linguistic diversity.

Moreover, Council Directive 77/486/CEE of 25 July 1977 on the education of the children of migrant workers<sup>(1)</sup>, envisages, in Article 3, that Member States shall, in accordance with their national circumstances and legal systems, and in cooperation with States of origin, take appropriate measures to promote, in coordination with normal education, teaching of mother tongue and culture.

<sup>(1)</sup> OJ L 199, 6.8.1977.

(98/C 304/73)

**WRITTEN QUESTION E-0207/98****by Konstantinos Hatzidakis (PPE) to the Commission***(11 February 1998)*

*Subject:* Discrimination against the Greek agricultural trade union confederation SY.DA.SE

Is the Commissioner responsible for agricultural policy aware that the Greek agricultural trade union confederation, the 'Confederation of Democratic Agricultural Cooperatives of Greece' (SY.DA.SE), which, according to reliable sources, represents some 40% of Greek farmers is not represented in the COPA, even though other Greek farmers' confederations, such as PASEGES and the GESASE, are? I am sure that the Commissioner will agree that this situation is contrary to the principles of democracy, pluralism and representation which constitute fundamental principles of the European Union.



In view of the above, will the Commissioner say whether he intends to take action to put an end to this unacceptable situation and ensure that the 40% or so of Greek farmers who are SY.DA.SE members are represented in the COPA?

Does the Commission also intend to take action to ensure that SY.DA.SE representatives sit on the agricultural consultative committees and the Economic and Social Committee?

Finally, will the Commission say which Greek non-governmental organizations have been funded under the EU budget (formerly budget heading 512 and currently B2/5122 during the years 1994, 1995, 1996 and 1997, and what level of funding has been provided?

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

*(16 March 1998)*

The Honourable Member should note that the Committee of Agricultural Organisations in the European Community (COPA) is completely independent of the Commission; it has its own articles of association and its own governing bodies. The Commission cannot therefore comment on the admission of any organisation to COPA, or its refusal to admit an organisation.

The members of the consultative committees are appointed on the basis of a proposal from the European farming organisations, not from the national ones.

The Honourable Member is reminded that the Council appoints the members of the Economic and Social Committee (second paragraph of Article 194 of the EC Treaty), not the Commission.

The Commission however maintains regular contacts with any farming organisations that so wish.

For information, the Honourable Member will find below a breakdown of the grants made since 1994 to Greek non-governmental organisations under budget headings B2-514 and B2-5122:

1994	GESASE	24 000 ecus
	SYDASE	10 000 ecus
1995	Ktinotrofiki	12 000 ecus
	Institute of Cooperation	10 000 ecus
	Coop. Greek livestock breeders	8 200 ecus
	Passeges	29 800 ecus
	SYDASE	15 000 ecus
1996	University of Athens	9 114 ecus
	Passeges	30 000 ecus
1997	SYDASE	12 000 ecus
	GESASE	28 000 ecus
	Passeges	15 000 ecus
	GESASE (visit)	10 000 ecus
	SYDASE (visit)	12 000 ecus

For 1998, however, the Commission would draw the Honourable Member's attention to the fact that Parliament committed 98% of the appropriations to the major European organisations in the commentary on budget heading B2-5122, leaving only ECU 100 000 to fund organisations pursuing aims in problem sectors and in the countries of central and eastern Europe.

(98/C 304/74)

**WRITTEN QUESTION E-0208/98**

**by Katerina Daskalaki (UPE) to the Commission**

*(11 February 1998)*

*Subject:* Problems facing the olive oil market

The olive oil market is facing serious problems owing to overproduction, both in the Community and worldwide, which has resulted in marketing difficulties and a fall in prices.

Given the risk that the recent decision to stock 30 000 tonnes of Greek olive oil on a private basis may not have the desired results — since it is due to be carried out by producer groups which are not sufficiently organized to implement such a measure —, what action does the Commission intend to take to boost the market and keep prices at levels acceptable to producers and consumers alike? Does the Commission intend to bring forward the beginning of Community intervention which constitutes a safety valve for safeguarding farmers' incomes?

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

*(5 March 1998)*

The Commission is following the difficult situation on the market for olive oil closely. To relieve the market following the drop in prices, it has already proposed the grant of private storage aid for olive oil under Regulation (EC) No 94/98 of 14 January 1998 on olive oil storage contracts for the 1997/98 marketing year<sup>(1)</sup>. Of the 180 000 tonnes covered by this measure, 30 000 tonnes were authorised for Greece. There appear to be difficulties in applying the measure in Greece owing to the small number of producers' organisations entitled to conclude storage contracts. The Commission is therefore seeking a legal means of helping the Greek authorities to solve these problems and apply the measure.

As for bringing forward the opening of intervention buying-in, the Commission will first evaluate the results of implementing the private storage measures in the various Member States before considering other market relief measures.

<sup>(1)</sup> OJ L 9, 15.1.1998.

(98/C 304/75)

**WRITTEN QUESTION E-0213/98**

**by Bryan Cassidy (PPE) to the Commission**

*(11 February 1998)*

*Subject:* International Group of P&I Clubs

I refer to Written Questions E-0164/96, E-0165/96 and E-0166/96 and the answer given by Mr Van Miert on 26 February 1996<sup>(1)</sup>. Following the Commission's findings on the merits of a complaint lodged by the Greek Maritime Cooperation Committee, London, against the International Group of P&I Clubs (IG P&I Clubs) on the issue of renewing the exemption of the IG P&I Clubs from EC competition rules, the parties to the dispute made further submissions.

However, although a considerable period of time has elapsed, the Commission has not yet delivered its final verdict.

Can the Commission explain the reasons for this delay?

<sup>(1)</sup> OJ C 122, 25.4.1996, p. 32.

**Answer given by Mr Van Miert on behalf of the Commission**

*(24 March 1998)*

Following the complaint lodged by the Greek Shipping Cooperation Committee against some aspects of the agreements concluded within the International Group of P&I Clubs (IG), the Commission launched a wide investigation on the P&I insurance market. This investigation led to a statement of objections being addressed to the IG on June 1997. In reaction to the statement of objections, the IG adopted some amendments to its arrangements in July 1997 which were ratified by the clubs later that year. In particular, it reduced the level of cover offered from around 18 300 MECU to 3 900 MECU and granted freedom to its members to offer higher levels. The Commission believes that these amendments should alleviate the concerns that the Honourable Member expressed in Written Questions E-0164/96, E-0165/96 and E-0166/96. The IG submitted further proposals to amend their arrangements in November 1997 which are currently under examination.

(98/C 304/76)

**WRITTEN QUESTION E-0214/98****by Allan Macartney (ARE) to the Commission***(11 February 1998)**Subject:* Replacement of dry-cleaning machines and compensation

Is the Commission aware whether any steps have been taken to mitigate the costs for those dry-cleaners who have had to replace their 113 fluid machines? 113 machines are being/have been phased out, and it appears that the practice is to use distilled fluid until this runs out and then either to convert existing machines or buy new ones.

The costs involved, both for converting or replacing, are substantial, particularly for small businesses. It would therefore seem equitable to have some sort of compensation or grant allowance scheme in place to prevent small dry-cleaning businesses from facing financial ruin. As this conversion is required at the behest of the EC, could the Commission confirm, with due haste, whether compensation has been or will be made available?

**Answer given by Mrs Bjerregaard on behalf of the Commission***(24 March 1998)*

The Commission is not aware of any compensation or allowance schemes intended to help dry cleaners with the costs of conversion or replacement of dry cleaning machines which use chlorofluorocarbon (CFC) 113.

CFC 113 is an ozone-depleting substance. It is therefore subject to phasing out under the Montreal Protocol on substances that deplete the ozone layer. The Montreal Protocol has now been signed by over 165 parties, each of which is thereby committed to phase out the production and consumption of all ozone-depleting substances. Under the Montreal Protocol, developed countries had to phase out their production and consumption of CFCs by 1 January 1996, except for a few essential uses such as asthma inhalers. Under Regulation (EC) No 3093/94 on substances that deplete the ozone layer <sup>(1)</sup>, phasing out was one year earlier in the Community.

Hence it is not the Commission which is requiring the conversion of dry cleaning machines using CFC 113. Rather the parties to the Montreal Protocol, including the Community and all its Member States, have collectively decided, as part of their commitment to ozone layer protection, that CFCs should no longer be produced and placed on the market for this use.

The decision to phase out the production of CFCs was first taken in 1990 at the second meeting of the parties to the Montreal Protocol. The date was subsequently advanced at the fourth meeting in 1992, in view of accelerated ozone depletion and the growing availability of alternatives. For dry cleaning, the Protocol's technical committee notes that the most widely used dry cleaning solvent, perchloroethylene, has been successfully used for over 30 years and represents a likely alternative to CFC 113.

Despite the availability of alternatives, there is nothing in the Montreal Protocol nor in Regulation (EC) No 3093/94 which prevents dry cleaners continuing to use recycled or stockpiled CFCs produced before the phaseout. By this means, many users throughout the Community have been able to plan their move out of CFCs in a way which avoids technical and economic difficulties, including financial ruin.

<sup>(1)</sup> OJ L 333, 22.12.1994.

(98/C 304/77)

**WRITTEN QUESTION E-0221/98****by John Iversen (PSE) to the Commission***(11 February 1998)**Subject:* Junk medicine

A recent investigation described in the journal of the Danish Nursing Council's periodical 'Sygeplejesken' has revealed that two-thirds of the medicines donated to former Yugoslavia were out-of-date or unusable. The investigation carried out by the European Organization for Health and Development concludes that medicines supplied in aid did more harm than good.

On the pretext of humanitarian aid, European companies have dumped large quantities of useless medicines. In donating their unwanted medicines as emergency aid they obtained tax advantages, free publicity and in particular, avoided the expense of destroying what were for the most part time-expired medicinal products.

1. Has the Commission satisfied itself that unusable and out-of-date medicinal products did not find their way into the emergency supplies sent to former Yugoslavia by the EU's own emergency organization, ECHO, and is the Commission satisfied that ECHO is not engaged in such practices at present?
2. How does the Commission intend to ensure that European companies comply with WHO guidelines on emergency aid in future? Is any European legislation being drawn up?

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

*(1 April 1998)*

Various sources, including the World health organisation (WHO), have identified inappropriate drugs supplied globally to former Yugoslavia largely because they were small and non-professional consignments of unsorted medicines or half used drugs collected from private homes and charities or large donations of useless or unusable medicines, mainly from army stocks, which were either out of date or irrelevant (leprosy, etc).

The Commission, for its part, has consistently required its implementing partners to follow the WHO inter-agency guidelines for drug donations. Globally the WHO estimates that only 5% of drugs from all sources provided according to these guidelines were inappropriate.

Additionally, the Commission in close co-operation with WHO and through its implementing partner, 'Pharmaciens sans Frontières', has taken the initiative for a comprehensive programme of destruction of inappropriate drugs. The Commission has, therefore made significant efforts to solve the problem of inappropriate donations made by others.

(98/C 304/78)

**WRITTEN QUESTION E-0224/98**

**by Christine Crawley (PSE) to the Commission**

*(13 February 1998)*

*Subject:* The impact of changing work patterns

Would the Commission provide information on the extent to which it is discussing the implications of changing work patterns?

Is it satisfied that coordination within Commission departments on the issues of changing work patterns such as education and training, the effects on social insurance and the ageing of the population, is conducive to a consistent Commission overview of the future of work patterns for our citizens?

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

*(9 March 1998)*

With the adoption of the green paper 'Partnership for a New Organisation of Work' <sup>(1)</sup>, the Commission initiated a debate on the implications of changing work patterns. The green paper has been widely distributed and a series of conferences and round tables held in Member States bringing together people in labour market organisations and from research, education and training institutes. This wide-ranging European debate will be concluded at a European conference to be held on 28-30 April 1998 in Glasgow, jointly organised by the United Kingdom Presidency and the Commission.

The importance and challenge of co-ordination across the relevant policy areas is fully appreciated by the Commission and the necessary inter-service collaboration has been put in place, to facilitate a coherent overview and approach.

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(<sup>1</sup>) COM(97) 128 final.

(98/C 304/79)

**WRITTEN QUESTION P-0229/98**  
**by Hiltrud Breyer (V) to the Commission**  
(5 February 1998)

*Subject:* Baby-walkers

Despite the fact that articles used by infants are not supposed to put them in additional danger, baby-walkers tend to cause serious accidents. Babies in them can reach speeds of up to 10 km/h. All the tests carried out have shown that these devices do not assist movements connected with the normal development of a baby's walking ability.

1. Does the Commission see a need for action, in view of the fact that baby-walkers do not provide any benefits, but actually constitute a grave danger which has already led to numerous accidents?
2. Is the Commission aware that none of the baby-walkers tested by the consumer organizations complies with the draft European safety standard (pr en 1273) or meets product information requirements?
3. Does the Commission agree that dangerous and completely nonsensical products, especially for babies, should not be approved for sale?
4. How does the Commission feel about a total ban on baby-walkers?

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

(9 March 1998)

The Commission shares the concerns expressed by the Honourable Member. Indeed, the reported facts form part of a study which has been made possible through co-financing provided by the Commission.

Directive 92/59/EEC on general product safety (<sup>1</sup>) is intended, among other things, to guarantee the safety of consumers, and in particular of children. To that effect, it requires the Member States to adopt the measures necessary in order to ensure that only safe products are placed on the Community market (Article 2b).

It is therefore firstly the responsibility of the Member States to take action in the face of products which represent a health or safety risk for consumers through the adoption of the necessary measures (including the possible withdrawal of the product from the market), providing that these measures comply with Community law and in particular with Articles 30 et seq of the EC Treaty.

In the present case, the Commission, after having obtained the agreement of the Member States, has already given the European Committee for Standardisation (CEN) a mandate to develop a standard which takes into consideration the various hazards presented by baby-walkers, including those revealed by the study mentioned above.

Finally, in order to be sure that the consumer's point of view is taken into account in the process of European standardisation, the Commission supports ANEC, the European association created to co-ordinate and represent consumer interests within the European (and international) standardisation organisations.

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(<sup>1</sup>) OJ L 228, 11.8.1992.

(98/C 304/80)

**WRITTEN QUESTION E-0230/98****by Panayotis Lambrias (PPE) to the Commission***(13 February 1998)*

*Subject:* Under-performance and downgrading of the National School for Public Administration in Greece

According to allegations made by the students' association of the National School for Public Administration (ESDD) in Greece, the ESDD is under-performing and is being downgraded. Given that the ESDD is funded by the European Union and that funding covers the construction of a building (75%) and its operational costs (90% from the Kleisthenis Programme), will the Commission say what measures it intends to take to ensure that the ESDD functions efficiently and that the funds which the European Union has allocated — and continues to allocate — for this purpose are well used?

**Answer given by Mr Flynn on behalf of the Commission***(2 April 1998)*

The National school for public administration is indeed supported by the structural funds through the operational programme 'Modernisation of the public service' (Kleisthenis). More specifically, for the second Community structural funds (CSF) programming period 1994-1999, 8.3 MECU have been allocated by the European social fund (ESF) for the introductory training of public officials, whereas the European regional development fund (ERDF) has committed 0.55 MECU for the development of databases and network infrastructures for the above school. No funds have been allocated towards buildings for this school.

Through its participation in the programme's monitoring committee, the Commission aims to influence the quality of training offered by the National school for public administration. It is worth mentioning that the monitoring committee has decided to launch studies for the modernisation and up-grading of the school, as well as the evaluation of the training offered to civil servants. On the basis of the conclusions of the studies, measures should be planned to improve the operation of the school and the quality of services it gives. The execution of the studies has however been seriously delayed.

As the Honourable Member knows, the implementation of operations supported by the structural funds lies with the national authorities. The Commission will continue its efforts as regards the up-grading of the National school for public administration, and, in the framework of the mid-term review exercise which is under way, will pay particular attention to the quality of action already agreed.

(98/C 304/81)

**WRITTEN QUESTION E-0231/98****by Mihail Papayannakis (GUE/NGL) to the Commission***(13 February 1998)*

*Subject:* Dam on the River Arachthos

It is planned to build a hydroelectric dam on the River Arachthos in the region of Aghios Nikolaos in the municipality of Daphnotis. This dam will create a reservoir of five km<sup>2</sup>.

According to allegations by ecological associations and local inhabitants, this project is not needed to meet energy requirements, since more economical alternatives exist (natural gas-fired combined cycle plants). Given that: the dam and reservoir will raise the groundwater level, causing greater subsidence and creating the potential for major disasters; the reservoir will cover two local monuments of historical and cultural interest, the Bridge of Plaka and the customs building; the special environmental impact assessment commissioned by the Epirus region is opposed to the project and proposes that the river bed be declared a nature protection area and that all projects be ruled out;

will the Commission say:

1. Is it aware of these allegations?
2. Does an environmental impact assessment exist for this project, and have the alternative solutions been studied?
3. Is there a comprehensive proposal for the protection of the region which is already burdened by other similar projects?

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

(18 March 1998)

1. The Commission is not aware of the planned hydroelectric dam on the river Arachthos in Epirus as this project is not submitted for Community financing.
2. According to preliminary information an environmental impact assessment according to Council Directive 85/337/EEC of the 27 June 1985 on the assessment of the effects of certain public and private projects on the environment <sup>(1)</sup> is being carried out. An environmental impact study has been completed by the promoter and will shortly be submitted to the competent authorities of the ministry of Environment for authorisation, which under the Greek law has the form of a ministerial decision with terms and conditions to be met. The authorities assess all elements including alternative solutions when applicable, before issuing the authorisation. Furthermore, the estuary of the river Arachthos is included in a special protection area ('Amvrakikos kolpos'), classified pursuant to Directive 79/409/EEC of 2 April 1979, on the conservation of wild birds <sup>(2)</sup> and the Commission will therefore draw the attention of the Hellenic authorities to the need for an appropriate assessment of the likely ecological impact of the dam on that site.
3. The Commission is not aware of a comprehensive proposal for the protection of the region with respect to the existence of similar projects.

<sup>(1)</sup> OJ L 175, 5.7.1985.

<sup>(2)</sup> OJ L 103, 25.4.1979.

(98/C 304/82)

**WRITTEN QUESTION E-0244/98**

**by Karla Peijs (PPE) to the Council**

(17 February 1998)

*Subject:* Closure of European Business Information Centres

1. What are the reasons behind the Council's decision to close the European Business Information Centres (EBICs) in South and South-East Asia despite their success?
2. Is the Council aware of the consequences that this decision will have for:
  - a) participation of Asian SMEs in future Europartnerships,
  - b) the local Asian economies,
  - c) Asia-Invest, Asia Interprise and Asia Partnership,or does it believe that they will be unaffected by the closures?
3. How does the Council reconcile closure of the EBICs with promotion of the European Union's joint trading interests in Asia, as endorsed by the Member States in Essen in December 1994?

**Answer**

(28 May 1998)

The European Commission has made proposals to continue financing of the three European Business Information Centres (EBICs) operating in Bangkok, Kuala Lumpur and Bombay for five years. These proposals are under consideration in the Asia/Latin America Committee (composed of Member States under the chairmanship of the Commission) according to the procedures set out in Council Regulation No 443/92.

The Council has not therefore been required to take a decision on the proposals.

(98/C 304/83)

**WRITTEN QUESTION E-0248/98****by Allan Macartney (ARE) to the Commission***(13 February 1998)**Subject:* Child welfare in the European Union

What progress has the Commission made in promoting and monitoring the implementation of policies on child welfare in Member States consistent with those set out in the UN Convention on the Rights of the Child? What additional resources have been allocated at European level to assist Member States to meet their obligations under that Convention?

**Answer given by Mr Flynn on behalf of the Commission***(3 April 1998)*

Through budget line B3-4108, measures in favour of families and children, the Commission has co-funded limited activities since 1989 in the area of child welfare and the rights of the child. In recent years the allocation to projects of that nature has been increasing. Among these are seminars on the new instruments for child protection such as the ombudsmen for children, on how to have children formulate their voice, an interdisciplinary course on children's rights for people working with children or in governments or about how to create a more children friendly society.

The allocation for budget line B3-4108 is 4 MECU this year. Apart from social and demographic studies which account for around 10% of the budget, this amount is equally shared between actions for families and actions for children. Some of the latter are directly connected to measures linked to the rights of the child and the United Nations (UN) convention.

In the education sector, and further to the Council conclusions of 22 September 1997 on safety at school <sup>(1)</sup>, the Commission launched in 1997 an initiative aimed at reinforcing co-operation at the European level on issues related to violence in schools and safety at school. Within this context, an amount of 558 300 ECU within budget line B3-1000 (general measures of co-operation in education) was committed to support projects implementing prevention schemes using multidimensional approach whereby different parties (teachers, pupils, parents, local authorities, police, justice) are associated in the search for concrete solutions. This initiative is co-ordinated by a group of experts designated by the Member States and chaired by the Commission. Furthermore, one of the questions to be examined is the role of school in preventing child abuse, within schools and outside.

<sup>(1)</sup> OJ C 303, 4.10.1997.

(98/C 304/84)

**WRITTEN QUESTION E-0250/98****by Richard Howitt (PSE) to the Commission***(13 February 1998)**Subject:* The absence of a common European Noise Directive

Given the Community's concern for the health and well-being of the citizens of Europe, and given the clear aims of the Environmental Directives, why have these aims not been 'streamlined' into a Directive on Noise Pollution?

Will the Commission acknowledge that this is long overdue and that it should be undertaken as a matter of some urgency?

**Answer given by Mrs Bjerregaard on behalf of the Commission***(18 March 1998)*

The Commission is already working to produce effective measures on noise, as announced in its 1996 green paper on future noise policy <sup>(1)</sup>.



18 February 1998 the Commission adopted a proposal for a European Parliament and Council directive on the approximation of the laws of the Member States relating to the noise emission by equipment used outdoors <sup>(1)</sup>. Early in 1999 the Commission expects to adopt a proposal for a framework directive on environmental noise. This will require harmonisation of aspects such as perception of effects, mathematical computation, monitoring and measurements, the mapping of noise, and abatement plans.

A major conference is planned for May 1998, in Copenhagen at which the Parliament has been invited to be represented. Draft terms of reference of working groups have already been widely circulated.

<sup>(1)</sup> COM(96) 540 final.

<sup>(2)</sup> COM(98) 46.

(98/C 304/85)

**On WRITTEN QUESTION E-0251/98**  
**by Marco Cellai (NI) to the Commission**  
(13 February 1998)

*Subject:* Taxation of companies' net assets

In compliance with the principle that capital contributions or the raising of capital may not be taxed more than once in the European Community so as not to create barriers to the free movement of capital, Article 1 of Directive 69/335/EEC <sup>(1)</sup> of 17 July 1969 requires harmonization of taxation of contributions of capital to capital companies. The directive stipulates that Member States may not apply taxes on the raising of capital by such companies apart from capital duty, the rate of which, following the amendment introduced by Article 1 of Directive 73/80/EEC <sup>(2)</sup> of 18 April 1973, may not exceed 1% (Article 10 of Directive 69/335/EEC).

Under Italian regulations, capital duty (the only tax allowed by the Community legislation referred to above) is represented by the registration tax on capital contributions other than contributions of property rights: this tax is charged at the rate of 1%. The tax on the net assets of companies thus comes on top of this registration tax and has been applied at the rate of an additional 0.75% to the equity capital at the financial year end, year after year despite the fact that it is neither exceptional or temporary in nature.

The tax thus has an equivalent effect equivalent to that of the ordinary capital duty and as such is in breach of the provisions of Article 10 of Directive 69/335/EEC of 17 July 1969.

The approach consistently adopted under national and Community case law on non-compliance of this kind would require the regulations on the tax on the net assets of companies to be repealed immediately and with retroactive effect, without any need for intervention by the legislator. On these grounds, many Italian companies have applied to the Ministry of Finance for the refund of amounts wrongly paid in respect of the tax on net assets of companies together with accrued interest.

Does the Commission not consider that it should remind the Italian Government of its duty to amend the relevant legislation and introduce new provisions without delay?

<sup>(1)</sup> OJ L 249, 3.10.1969, p. 25.

<sup>(2)</sup> OJ L 103, 18.4.1973, p. 13.

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

(8 April 1998)

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

(98/C 304/86)

**WRITTEN QUESTION P-0252/98****by Peter Skinner (PSE) to the Commission***(5 February 1998)**Subject:* Agriculture

Can the Commission confirm if it has conducted its review on the quarantine situation in the Member States, as required under Article 10 of Directive 92/65/EEC <sup>(1)</sup>, and if it will publish its results?

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<sup>(1)</sup> OJ L 268, 14.9.1992, p.54.

**Answer given by Mr Fischler on behalf of the Commission***(4 March 1998)*

The rabies quarantine situation was reviewed and updated by the scientific veterinary committee and a report was issued in September 1997. A copy is sent direct to the Honourable Member and to Parliament's Secretariat.

It was concluded in this report that an alternative system to quarantine for rabies, for dogs and cats, was a viable option which offered an equivalent guarantee of safety. In brief, the alternative suggested system involves vaccination, microchips and blood testing. The Commission will make suitable proposals at an appropriate time.

(98/C 304/87)

**WRITTEN QUESTION P-0253/98****by Karla Peijs (PPE) to the Commission***(5 February 1998)**Subject:* Obligation to accept two currencies for the same transaction

1. Is there a statutory obligation for businesses to accept two different currencies (the old national currency and the euro) for the same transaction in the period between 1 January and 1 July 2002? If so, in what legislative act is this obligation laid down?
2. Would it not be more acceptable to drop this obligation to accept two different currencies if there were a large number of exchange points for the old national currency in commercial banks, for example?
3. Will the Commission make any recommendations on this matter?

**Answer given by Mr de Silguy on behalf of the Commission***(2 March 1998)*

The obligation for businesses to accept a payment is a question about legal tender, which is a privilege of banknotes and, with some restrictions, of coins. Today in all Member States no one can be forced to accept a payment by cheque or electronic means, even in the national currency. This will remain the case with the euro.

Euro notes and coins will be introduced in all participating Member States on 1 January 2002. According to article 10 and 11 of the draft regulation on the introduction of the euro <sup>(1)</sup>, these euro notes and coins will be legal tender in all participating Member States and therefore must in principle be accepted by retailers for payment.

According to article 15 of the draft Council regulation, banknotes and coins denominated in national currency units retain their legal tender status for up to six months after the end of the transitional period, i.e. until 30 June 2002 at the latest. This period may be shortened by national law. In fact Member States are free to reduce the period of dual legal tender to nil. Moreover, a Member State may between 1 January and 1 July 2002, lay down rules for the use of the banknotes and coins denominated in its national currency unit and take any measures necessary to facilitate their withdrawal. During this six month period, it will therefore in the first instance depend on national provisions which notes and coins retailers will be obliged to accept for payments.

Since December 1995, when the European Council decided on the reference scenario for the introduction of the euro, most Member States have indeed indicated that they will have a period of dual circulation substantially shorter than six months, helping to reduce the burden on retailers, and avoiding confusion for consumers. First rounds of discussions on the optimal length and general organisation of phase C, with the aim of minimising cost and inconvenience, have taken place in all Member States except Denmark.

The Commission has not changed its view that the dual circulation period should be as short as technically possible. It does not at this stage intend to issue a formal recommendation, but will invite Member States to speed up their decision process, in order to give currency users sufficient time to prepare the transition.

(<sup>1</sup>) OJ C 369, 7.12.1996.

(98/C 304/88)

**WRITTEN QUESTION E-0258/98**  
**by Hiltrud Breyer (V) to the Commission**  
(13 February 1998)

*Subject:* Occupational and general disability

All the EU Member States are naturally interested in maintaining their gross national product. This can only be achieved if adequate precautions are taken in the field of health, consumer and labour protection.

Will the Commission say:

1. Are occupational and general disability increasing in the individual Member States?
2. If so, what steps does it intend to take to check this trend?

**Answer given by Mr Flynn on behalf of the Commission**  
(17 April 1998)

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform her of the outcome as soon as possible.

(98/C 304/89)

**WRITTEN QUESTION E-0259/98**  
**by Hiltrud Breyer (V) to the Commission**  
(13 February 1998)

*Subject:* Cot death

1. EPA-USA claims that cot death is linked to contaminated dust particles in the domestic environment. Does the Commission have any information about this or does it plan to support research projects in this area?
2. Has there been an increase in the incidence of cot death in the EU Member States?
3. If so, in which states and regions? Are these primarily industrial sites or rural areas?

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

(17 March 1998)

1. The Commission is not aware of any studies linking sudden infant death to dust particles found in the indoor environment of homes. As part of its activities in the field of biomedical and health research the Commission financed a project entitled 'ECAS, European concerted action on sudden infant death', the aim of which was to identify methods of prevention. The final report for the project is being completed at present. In addition, in the Environment and Climate research programme, there is a major research effort underway on air quality ranging from sources and behaviour of pollutants to their impact on human health, including both morbidity and mortality endpoints.

2. and 3. The Commission has no data on the incidence of sudden infant death in Member States.

(98/C 304/90)

**WRITTEN QUESTION E-0263/98**

**by Yiannis Roubatis (PSE) to the Council**

(17 February 1998)

*Subject:* The systematic and provocative policy of increasing tension pursued by the Turkish Government

The policy of systematically increasing tension pursued by the Turkish Government in relation to Greece is jeopardizing the peace in a vital part of the European Union. For the second time over the last few months Turkish planes have attempted to buzz a plane carrying the Greek Foreign Minister. Within Turkey this policy by Ankara is encouraging extremist criminal elements which two days ago burned down an Orthodox church in Istanbul and murdered the sacristan.

Does the Council intend:

1. to make it clear to the relevant Turkish authorities that this behaviour sets an even greater distance between Turkey and the European Union and makes it impossible to include it among the countries which will be attending the European Conference?
2. to take measures to protect Orthodox churches in Turkey and the rights of citizens to freedom of expression in religious matters?

**Answer**

(18 May 1998)

As regards relations between the EU and Turkey, the Luxembourg European Council on 12 and 13 December 1997, while confirming Turkey's eligibility for accession to the European Union, gave a reminder, in line with the Council's position stated at the meeting of the Association Council with Turkey held on 29 April 1997, that strengthening Turkey's links with the European Union also depended on that country's pursuit of the political and economic reforms on which it had embarked, including the alignment of human rights standards and practices on those in force in the European Union; respect for and protection of minorities; the establishment of satisfactory and stable relations between Greece and Turkey; the settlement of disputes, in particular by legal process, including the International Court of Justice; and support for negotiations under the aegis of the UN on a political settlement in Cyprus on the basis of the relevant UN Security Council Resolutions.

The Luxembourg European Council also invited Turkey to participate in the European Conference whose opening session was held in London on 12 March 1998. Turkey is well aware that the members of the Conference must share a common commitment to peace, security and good neighbourliness, respect for other countries' sovereignty, the principles upon which the European Union is founded, the integrity and inviolability of external borders and the principles of international law as well as a commitment to the settlement of territorial disputes by peaceful means, in particular through the jurisdiction of the International Court of Justice.

As regards the incidents referred to by the Honourable Member, the Council observed that, under the Treaty of Peace signed at Lausanne in July 1923, the Turkish Government has undertaken to grant full protection to the churches, synagogues, cemeteries and other religious establishments of non-Moslem minorities. The situation of democracy and human rights in Turkey, which include freedom of expression in religious matters, remains high on the Council's agenda. These issues are raised at virtually every meeting with the Turkish authorities.

(98/C 304/91)

**WRITTEN QUESTION E-0264/98****by Yiannis Roubatis (PSE) to the Commission***(13 February 1998)*

*Subject:* The systematic and provocative policy of increasing tension pursued by the Turkish Government

The policy of systematically increasing tension pursued by the Turkish Government in relation to Greece is jeopardizing the peace in a vital part of the European Union. For the second time over the last few months Turkish planes have attempted to buzz a plane carrying the Greek Foreign Minister. Within Turkey this policy by Ankara is encouraging extremist criminal elements which two days ago burned down an Orthodox church in Istanbul and murdered the sacristan.

Does the Commission intend:

1. to make it clear to the relevant Turkish authorities that this behaviour sets an even greater distance between Turkey and the European Union and makes it impossible to include it among the countries which will be attending the European Conference?
2. to take measures to protect Orthodox churches in Turkey and the rights of citizens to freedom of expression in religious matters?

**Answer given by Mr Van den Broek on behalf of the Commission***(10 March 1998)*

In its contacts with the Turkish authorities the Commission underscores the importance of improving relations between Greece and Turkey as part of ongoing relations between the Community and Turkey. It subscribes fully to the conclusions of the Luxembourg European Council of December 1997 according to which strengthened links between Turkey and the Community hinge on respect for and protection of minorities and on the establishment of satisfactory and stable relations between Greece and Turkey. Despite Ankara's recent decision to suspend political dialogue with the Community, the Commission will continue to intimate the Community's concerns to its Turkish opposite numbers.

The Commission deplores the serious incident affecting the Greek orthodox church of St Therapontos in Istanbul in January. An investigation has been started by the Turkish authorities. It would appear that a criminal act took place involving the theft of valuable objects.

As regards the attack in December 1997 on the orthodox patriarch of Istanbul and the security measures taken as a result, the Honourable Member should refer to the Commission's answer to written question E-4004/97 by Mr Kaklamanis <sup>(1)</sup>.

<sup>(1)</sup> OJ C 197, 22.6.1998, p. 53.

(98/C 304/92)

**WRITTEN QUESTION E-0265/98****by Yiannis Roubatis (PSE) to the Council***(17 February 1998)*

*Subject:* The Tudjman regime's tactics in Croatia

According to a report in the International Herald Tribune, the Tudjman regime in Croatia is prosecuting the Croatian Helsinki Committee and the independent newspaper Feral Tribune, and it is seeking to impose controls on and abolish Croatian and foreign institutions which do not meet with its approval, subsidiaries of foreign undertakings, humanitarian and other non-governmental organizations which are struggling for the independence of the mass media, democracy and human rights in Croatia.

The reason given by the Tudjman regime for this prosecution is that all the organisations are introducing a dangerous new ideology into Croatia.

Will the Council say:

1. Is it aware of these tactics by the Tudjman regime?
2. Does it intend to finance and to support by every means the institutions in Croatia which are being prosecuted?
3. Does it intend to call on the Croatian President to cease prosecuting bodies which are supporting the independence of the mass media, human rights and democracy in Croatia?

**Answer**

*(8 June 1998)*

The Council is closely following events in Croatia and is concerned about the fact that democratic rules are still not being observed in many areas, including freedom of the media.

The Union is already providing assistance to promote democracy and the development of independent media, including the 'Feral Tribune' newspaper.

The Union's relations with Croatia are governed by the 'regional approach' adopted in February 1996 and by the general conditions set out in the Council's conclusions of 29 April 1997. These conditions include respect for democratic principles and the rule of law. The Council will continue to take every opportunity to express its concern that Croatia should act in accordance with recognized international standards. At the meeting which it held in London in March 1998 the Ministerial Troika of the European Union explained in detail to the Minister for Foreign Affairs, Mr Granic, what the Union expects of Croatia, in particular with regard to the media. In its conclusions of 27 April 1998 the General Affairs Council also expressed the concern felt by the European Union at the situation of the media in Croatia.

(98/C 304/93)

**WRITTEN QUESTION E-0269/98**

**by Yiannis Roubatis (PSE) to the Commission**

*(13 February 1998)*

*Subject:* Destruction of the archaeological site of Vouthrotou

According to UNESCO's World Heritage Committee, the archaeological site of Vouthrotou in southern Albania is one of the most important world heritage sites which is threatened with destruction. In particular, the archaeological site of Vouthrotou in the Examiliou peninsula, south of Aghia Saranda, is directly threatened because of pillaging in the region and the museum during the recent disturbances.

Does the Commission intend to support the Albanian State and the archaeological services of the town of Ioannina (Epirus, Greece) to save the archaeological site of Vouthrotou and other Byzantine monuments and archaeological treasures which are under direct threat in southern Albania?

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

*(6 April 1998)*

The Commission would like to refer the Honourable Member to its replies given on the same subject in oral question H-350/97 by Mr Alexandros Alavanos during question time at Parliament's May I 1997 part-session <sup>(1)</sup> and Written Question E-1439/97 by Mrs Katerina Daskalaki <sup>(2)</sup>.

<sup>(1)</sup> Debates of the Parliament (May I 1997).

<sup>(2)</sup> OJ C 21, 22.1.1998.

(98/C 304/94)

**WRITTEN QUESTION P-0272/98****by Danielle Darras (PSE) to the Commission***(5 February 1998)*

*Subject:* Abolition of sales of duty-free products within the Community as from 1 July 1999

Can the Commission say whether it is thinking of carrying out an impact study as soon as possible to assess the economic and social consequences of abolishing duty-free sales?

As an elected member for Nord-Pas de Calais, I would point out to the Commission that that region is directly affected by the problem, since ferry traffic will be one of the worst-hit areas. The fact is that duty-free sales account for close to 60% of the turnover of some shipping lines (e.g. Sea France).

Furthermore, the Commission will doubtless be aware that about half of trippers who spend one or two days in France do so because their tickets are inexpensive. Abolishing duty-free sales will entail price rises of some 25 to 30% and a fall in traffic, however.

**Answer given by Mr Monti on behalf of the Commission***(9 March 1998)*

The decision to abolish intra-Community tax-free sales, taken by the Council in 1991 in the context of the establishment of the single market, allows such sales to continue until 30 June 1999, enabling all the economic sectors concerned to adjust gradually to the new situation over a transitional period of more than seven years.

In the Commission's view, the Council took this decision because tax-free sales constitute an anomaly in the single market. Such sales give rise to distortions of competition in the field of transport and relative to ordinary retail sales. Moreover, they confer an unjustified advantage on regular flyers and ferry passengers, who are subsidised at the taxpayer's expense. Furthermore, since rail transport and other services are being developed further, such anomalies will have an increasingly negative impact on these transport sectors. The Commission does not intend to call the Council's decision into question or to conduct an impact study to assess its economic and social consequences.

(98/C 304/95)

**WRITTEN QUESTION P-0275/98****by Gary Titley (PSE) to the Commission***(5 February 1998)*

*Subject:* Satellite jamming and the EC Trade Barrier Regulation

From 1 to 23 July 1997, the transmissions of MED-TV on the EUTELSAT satellite provider, were continuously jammed. The station broadcasts in Kurdish from London under licence from the UK Independent Television Commission.

In November 1997, I tabled a question to the Commission asking if it could confirm that the jamming of MED-TV violated the European Community's Trade Barrier Regulation. I was informed that further information would be required to enable the Commission to carry out the necessary evaluation.

Does the Commission intend to investigate this potential infringement of the EC's Trade Barrier Regulation?

If not, why not?

Could the Commission provide information as to how long such an evaluation would take?

**Answer given by Mr Oreja on behalf of the Commission***(13 March 1998)*

As stated in the previous reply to the Honourable Member's written question E-3670/97 <sup>(1)</sup> and to written question E-3449/97 by Mr de Vries <sup>(2)</sup>, the Television without frontiers Directive 97/36/EC of 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 <sup>(3)</sup> provides that Member States shall ensure freedom of reception on their territory of television broadcasts from other Member States (Article 2a(1)).

This obligation is based on one of the four fundamental freedoms laid down in the EC Treaty (the freedom to provide services — Article 59).

In respect of the particular circumstances of the case, the Commission stated that it required further information to enable an evaluation to be carried out, in respect of conformity with Community law. The Commission, in its role of guardian of the Treaties is required to evaluate possible breaches of Community law. The timing of such an evaluation would depend on the complexity of the facts involved, on the assumption that the necessary information was available.

<sup>(1)</sup> OJ C 174, 8.6.1998, p. 95.

<sup>(2)</sup> OJ C 174, 8.6.1998, p. 60.

<sup>(3)</sup> OJ L 202, 30.7.1997.

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(98/C 304/96)

**WRITTEN QUESTION E-0278/98****by Panayotis Lambrias (PPE) to the Commission***(13 February 1998)*

*Subject:* New LEADER programme

According to recent statements by Commissioner Fischler, it is planned to extend to LEADER programme to include the whole of European agriculture. Recognising that the agricultural policy of the Union is in a transitional period, will the Commission say:

1. Does it intend to take measures to ensure that there is no reduction in what has already been achieved in Objective 1 and 5b regions and that essential financial support, in line with the present needs, continues with the new LEADER programme?
2. Does it intend substantially to increase the funds for the new LEADER programme in keeping with the increased area covered and the need for more intensive support for the less-developed regions of the European Union?

**Answer given by Mr Fischler on behalf of the Commission***(24 March 1998)*

1. For the regions currently eligible under Objectives 1 and 5(b) which will cease to be eligible under the selection criteria to be used in the new period, the Commission is proposing transitional financial support through regional programmes to be drawn up in agreement with the Member State concerned.

The new rural development Initiative, which the Honourable Member describes as 'new Leader', could provide further support for those regions in accordance with the guidelines on its objectives and scope which the Commission will lay down.

2. The Commission is proposing that 5% of the resources of the Structural Funds should be allocated to the three Community Initiatives, one of which will be the Initiative for rural development, but it has not yet divided that amount among the Initiatives. The concentration of appropriations on three Community Initiatives instead of the existing 14 will improve implementation in the sectors selected.
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(98/C 304/97)

**WRITTEN QUESTION E-0283/98**  
**by Mark Watts (PSE) to the Commission**  
(17 February 1998)

*Subject:* Compliance with the ISM Code (Regulation 3051/95)

How many qualified inspectors are responsible for ensuring compliance with ISM Code Regulation 3051/95 <sup>(1)</sup> in each Member State?

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<sup>(1)</sup> OJ L 320, 30.12.1995, p. 14.

(98/C 304/98)

**WRITTEN QUESTION E-0284/98**  
**by Mark Watts (PSE) to the Commission**  
(17 February 1998)

*Subject:* ISM Code (Council Regulation 3051/95)

Is the ISM Code (Regulation No 3051/95) <sup>(1)</sup> being fully implemented and enforced in all Member States?

If not, why not, and will the Commission please list all complaints received and other cases of non-compliance under investigation?

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<sup>(1)</sup> OJ L 320, 30.12.1995, p. 14.

**Joint answer**  
**to Written Questions E-0283/98 and E-0284/98**  
**given by Mr Kinnoek on behalf of the Commission**

(25 March 1998)

Since Council Regulation No (EC) 3051/95 of 8 December 1995 on the safety management of roll-on/roll-off passenger ferries does not provide for Member States to supply to the Commission information about the number of inspectors responsible for ensuring compliance with the Regulation in each Member State, the Commission is not in a position to provide a detailed reply to the Honourable Member's question.

The Commission does have information relating to the documents of compliance and the safety certificates issued for companies and ferries operating regular ro-ro passenger transport services to or from ports of the Member States as at 1 July 1997. On the basis of that information it appears that Council Regulation No (EC) 3051/95 is being implemented and enforced by the Member States. That assessment is substantiated by the outcome of the bilateral (on-location) consultations being carried out by the Commission with the Member State administrations. These consultations have not yet been completed and it should be borne in mind that the monitoring of the implementation and enforcement of the Regulation is an ongoing process, which includes, according to Article 8 of the Regulation, a review by the Commission of the implementation of the Regulation and the proposal of appropriate measures by the year 1999.

(98/C 304/99)

**WRITTEN QUESTION E-0285/98**  
**by Glenys Kinnoek (PSE) to the Commission**  
(17 February 1998)

*Subject:* Transport of racing pigeons

Could the Commission state which legal restrictions, if any, apply to the transport of pigeons to race points in the Member States? Do the restrictions apply on both weekends and weekdays?

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

(13 March 1998)

Directive 91/628/EEC on the protection of animals during transport <sup>(1)</sup>, amended by Chapter II of the Annex to Directive 95/29/EEC <sup>(2)</sup>, deals with the transport requirements for domestic birds including racing pigeons.

This legislation applies on both weekends and week days.

<sup>(1)</sup> OJ L 340, 11.12.1991.

<sup>(2)</sup> OJ L 148, 30.6.1995.

(98/C 304/100)

**WRITTEN QUESTION E-0287/98****by Mirja Rynnänen (ELDR) to the Commission**

(17 February 1998)

*Subject:* Status of the Student unions' umbrella organization ESIB as an expert on education matters in the EU

In preparing its future operations (including new training and retraining programmes) the Commission is seeking to work together both with the Member States' authorities and (among others) with national organizations representing the operators' target groups. In the Member States university students are represented by a national union of students which in most cases represents the whole student body and whose status is based on national legislation. The umbrella organization for these national student unions is ESIB (The National Unions of Students in Europe, formerly the European Student Information Bureau). ESIB represents 27 national unions and over 6 million European university students. In view of their status and representativeness at national level, the ESIB and, through it, its member NUSs, should be accorded a special role in the preparation of education policy and programmes.

The Commission has invited student organizations to its institutional fora and hearings and has asked for opinions from various student organizations. However, at the same time the student unions' umbrella organization ESIB, which has been accorded an official status at national level, has been neglected.

1. What status is the Commission giving in its preparation work to the student unions' umbrella organization ESIB, which is comprehensively representative and enjoys official status at national level?
2. What is the Commission doing to ensure that ESIB is regularly consulted in the preparation of the EU's decisions?

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

(8 April 1998)

In the preparation of the Community's future actions in the area of education, the Commission always considers carefully the point of view of those concerned.

In this spirit, the Commission adopted in November 1997 the communication 'Towards a Europe of knowledge' <sup>(1)</sup> setting out the guidelines for its future actions for the period 2000-2006 and aiming to stimulate discussions at all levels involving organisations representing teachers, students, universities, and social partners. These discussions will help the Commission in elaborating its proposals for the new generation of Community programmes in the areas of education, training and youth.

Aware of the important role student associations can play in the implementation of Community programmes in the education field, the Commission has during the first ten years of the Erasmus experience encouraged the creation of sectorial students associations (bringing together students of a given study subject area across Europe) and the cooperation of European associations with universities in activities such as welcoming Erasmus students from other Member States.

Moreover, according to Article 5 of Decision No 819/95/EC of the Parliament and of the Council of 14 March 1995 establishing the Community action programme Socrates <sup>(1)</sup>, 'the Commission ... consults the social partners and the competent associations in the field of education at European level and informs the programme committee of their opinions'. All non governmental organisations (NGOs) with a European dimension dealing with education, including the European students information bureau (ESIB), took part in the last consultation (9-10 February 1998).

The Commission intends to continue reinforcing the students participation in the programmes as well as the dialogue with student associations. Nevertheless, at present the Commission does not envisage any formal status to any NGO involved in the field of education nor to any student organisation. It will continue to consult all relevant associations on a equal basis according to Article 5 of the above mentioned Decision.

Given the leading role of the ESIB, its comments on present and future Community programmes would always be welcomed by the Commission.

(1) COM(97)563 final.

(2) OJ L 87, 20.4.1995.

(98/C 304/101)

**WRITTEN QUESTION E-0288/98**

**by Blaise Aldo (UPE) to the Commission**

*(17 February 1998)*

*Subject:* Court of Auditors' report

In its Special Report No. 5/97 (OJ C 159, 26 May 1997) the Court of Auditors pointed out that it was important to reevaluate the aid for the supply of cereals to remote regions by amending the method of calculation: 'A remedy for the supply disadvantages of the POSEI regions might be an annual subsidy calculated to compensate for the additional transport costs between the regions and the mainland Union territory'.

Could the Commission say which guidelines and decisions it has adopted in this matter, given that for two years it has been receiving demands for a review of the method used to calculate this aid?

(98/C 304/102)

**WRITTEN QUESTION E-0289/98**

**by Blaise Aldo (UPE) to the Commission**

*(17 February 1998)*

*Subject:* Transport costs between different islands

Can the Commission say why the Community aid arrangements for supplying cereals to remote regions fail to take into account the cost of transporting these products between the various islands, either within one region, like the Azores, the Canary islands or Guadeloupe, or within the same geographical zone, such as the French Antilles?

(98/C 304/103)

**WRITTEN QUESTION E-0324/98**

**by Bernard Castagnède (ARE) to the Commission**

*(17 February 1998)*

*Subject:* Supplies of cereals to the remotest regions

For two years representations have been made to the Commission over the substantial reduction in aid for the supply of cereals in particular. What does it intend to do to restore an adequate level of aid to meet the aims set down in the POSEICAN, POSEIDOM and POSEIMA programmes, and in particular the supply of low-price commodities to those regions?

(98/C 304/104)

**WRITTEN QUESTION E-0400/98**  
**by Dominique Souchet (I-EDN) to the Commission**  
(24 February 1998)

*Subject:* Community aid for the supply of the most remote regions: livestock farming

There has been a sharp decrease in Community aid for the supply of cereals to the most remote regions over the last two years. This has led to a significant increase in the cost of animal feed and placed the whole livestock production chain in a very precarious situation.

Would the Commission explain how it is possible, under one and the same POSEIDOM programme, to encourage and provide financial support for the expansion and development of the livestock production system while simultaneously increasing production costs by reducing the subsidies for cereals intended for processing into animal feed?

**Joint answer to Written Questions**  
**E-0288/98, E-0289/98, E-0324/98 and E-0400/98**  
**given by Mr Santer on behalf of the Commission**  
(17 March 1998)

The Honourable Members are requested to refer to the Commission's answer to written question P-327/98 from Mr Souchet <sup>(1)</sup>.

<sup>(1)</sup> See page 78.

(98/C 304/105)

**WRITTEN QUESTION P-0290/98**  
**by Jan Bertens (ELDR) to the Commission**  
(5 February 1998)

*Subject:* Diplomatic representation of the EU in Malaysia

Is the Commission aware of the fact:

1. That the external trade between Malaysia and the EU is of roughly the same volume as the trade between Mexico, Russia or Brazil and the EU?
2. That Malaysia, from a political point of view, is a core country in South-East Asia?
3. That a large part of the remaining tropical forests are situated in Malaysia and that there are major problems in preserving these forests?
4. That all 15 Member States of the EU have an embassy in Malaysia, which proves that they value the country's importance, and that the Commission, under the Treaty of Maastricht, has a coordinating role to play between these embassies?
5. Is the Commission not of the opinion that Malaysia is at least as important for the EU as countries like Cape Verde, Sri Lanka and Fiji, where the EU has permanent representations?
6. Is it true that the Group of Ambassadors in Malaysia has submitted a written request to the EU that it open a delegation in Malaysia?
7. Can the Commission explain, in the light of the answers to the above six questions, why the EU has no delegation in Malaysia?

**Answer given by Mr Van den Broek on behalf of the Commission**  
(27 February 1998)

1. The Commission is well aware of the fact that Malaysia is an important trading partner with the Community.
2. The Commission is equally aware of the fact that Malaysia is playing an important political role in south-east Asia and acknowledges that Malaysia is a key player in the cooperation between the Association of South-East Asian Nations (ASEAN) countries and in the region as a whole.

3. The Commission is well aware of the fact that a significant part of the remaining tropical forest is situated in Malaysia and that preserving these forests, in particular in Sarawak and Sabah provinces, represents a major challenge. The Community is active in this field through projects financed on the tropical forests budget line.
4. The Commission is fully aware of the important role it has to play in Malaysia in coordination with Community Member States. The head of delegation of the Commission delegation in Bangkok is also accredited to the government of Malaysia and plays a full part in the meetings convened by the Member States in Kuala Lumpur.
5. The Commission is conscious of the importance of a country like Malaysia. In countries such as Cap Vert, Sri Lanka or Fiji, for many years the Commission has managed important aid development programmes which needed close and permanent supervision.
6. It is true that the group of ambassadors of the Member States in Malaysia expressed the wish that the Commission would open a delegation.
7. In any case, the Commission is presently examining its priorities in the evolution of the network of its external representation which could result in the opening of new delegations and transforming or closing existing delegations within the strict framework fixed by the budgetary authorities. The possible opening of a delegation in Malaysia will be considered in this context.

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(98/C 304/106)

**WRITTEN QUESTION E-0300/98**

**by Leonie van Bladel (UPE) to the Council**

*(17 February 1998)*

*Subject:* Clarification of the situation as regards Turkey's accession to the EU

1. Can the Council President guarantee that Turkey's accession to the EU will not be made subordinate to the Cyprus issue and that mutual relations between the EU and Turkey will not be dependent on that issue?
2. Is the Council President prepared to do his utmost to ensure that the financial embargo on Turkey, which is preventing that country from receiving the European Union funds allocated to it, is lifted?
3. Is the Council President prepared to spell out to Turkey what its chances are of becoming a full Member State of the European Union, provided that that country demonstrates its willingness to comply with the criteria laid down for its accession?
4. Is the Council President aware that Turkey's application for accession should be treated on the basis of the same criteria as those applied to other countries wishing to accede to the European Union, with particular regard to fact that some applicant countries are in breach of the criteria laid down in respect of the conditions in prisons and the treatment of suspects held in custody, as well as those laid down with regard to respect for human rights and respect for the rule of law which apply in the Member States of the EU?

**Answer**

*(18 May 1998)*

The European Union's approach towards Turkey was established by the European Council at its meeting in Luxembourg on 12 and 13 December 1997. At that meeting the European Council confirmed Turkey's eligibility for accession to the European Union. Turkey would be judged on the same criteria as the other applicant States. Turkey's participation in the European Conference would enable the Member States of the European Union and Turkey to step up their dialogue and cooperation in areas of common interest. The Council hopes that Turkey will reconsider its decision not to take part in the European Conference, the opening session of which was held on 12 March 1998, and is making every effort to that end.

The European Council said that strengthening Turkey's links with the European Union also depended on that country's pursuit of the political and economic reforms on which it had embarked, including the alignment of human rights standards and practices on those in force in the European Union; respect for and protection of minorities; the establishment of satisfactory and stable relations between Greece and Turkey; on the settlement of disputes, in particular by legal process, including the International Court of Justice; and support for negotiations under the aegis of the UN on a political settlement in Cyprus on the basis of the relevant Security Council Resolutions.

The European Council took the view that it was important for a strategy to be drawn up to prepare Turkey for accession by bringing it closer to the European Union in every field. This strategy should consist in the development of the possibilities afforded by the Ankara Agreement, intensification of the Customs Union, implementation of financial cooperation, approximation of laws and adoption of the Union 'acquis', and participation, to be decided case by case, in certain programmes and in certain agencies by analogy with the arrangements for the other applicant countries. The strategy was to be reviewed by the Association Council – in particular on the basis of Article 28 of the Association Agreement – in the light of the Copenhagen criteria and the Council's position of 29 April 1997. On the subject of financial cooperation, the Presidency is making every effort to unblock the Financial Regulation for Turkey and to facilitate full implementation of the bilateral indicative programme for Turkey in the framework of MEDA.

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(98/C 304/107)

**WRITTEN QUESTION P-0307/98**

**by Luis Campoy Zueco (PPE) to the Commission**

*(5 February 1998)*

*Subject: Aid for music*

DG X has recently launched a support programme for culture which includes a section devoted to music. This initiative is to be welcomed. Can the Commission say whether there is any other cultural aid programme which might serve as a framework for grants for musical projects?

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

*(17 March 1998)*

The Commission agrees with the Honourable Member that promoting musical creation and bringing it to the people are and must remain indispensable features of Community cultural action. The cultural framework programme 2000-2005 will pay special attention to music as specified in the conclusions of the Council of 18 December 1997 on music in Europe <sup>(1)</sup>. Moreover, the Commission would recall that among recent work by the European institutions relating to music, Parliament held a hearing on 18 June 1997. On that occasion the Commission handed out, by way of information, a list showing how the Community had supported music and in addition to current Community programmes, a large number of Community programmes which in one way or another had supported music. It should be emphasised that these other programmes do not give priority to culture. This list showed that most Community funds for music came from the Structural Funds. By way of guidance, the European Regional Development Fund (ERDF) granted roughly ECU 38.33 million between 1989 and 1997. The Community allocated ECU 13.22 million to cultural events between 1991 and 1996. Under the Kaleidoscope programme (Decision No 719/96/EC); <sup>(2)</sup> funds have been given each year to cooperation projects in music. In addition, in 1998, the call for proposals entitled 'Community support for cultural development projects' <sup>(3)</sup> provides in Action I that music will be given special emphasis. This information on the entire cultural sector can also be found in the 'First report on the consideration of cultural aspects in European Community action' <sup>(4)</sup>.

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<sup>(1)</sup> OJ C 1, 3.1.1998.

<sup>(2)</sup> OJ L 99, 20.4.1996.

<sup>(3)</sup> OJ C 6, 10.1.1998.

<sup>(4)</sup> COM(96) 160 final.

(98/C 304/108)

**WRITTEN QUESTION P-0309/98**  
**by Doeke Eisma (ELDR) to the Commission**  
(10 February 1998)

*Subject:* Taxation of aircraft fuel

At the Transport Council of 11 March 1997 the Commission was asked to examine the implications of the possible introduction of measures on the taxation of aircraft fuel.

When can the findings of the study be expected?

**Answer given by Mr Monti on behalf of the Commission**  
(10 March 1998)

In May 1997, the Ecofin Council, in response to the Commission's report <sup>(1)</sup> under Article 8(6) of Directive 92/81/EEC of 19 October 1992 on the harmonization of the structures of excise duties on mineral oils <sup>(2)</sup>, adopted a resolution requesting the Commission to provide further information on all aspects of the introduction of taxation of aircraft fuel. To meet this request, the Commission has launched a study to examine the various effects of the introduction of taxation within the Community. The consortium carrying out this study is due to produce its final report during the late summer of 1998.

<sup>(1)</sup> COM(96) 549 final.

<sup>(2)</sup> OJ L 316, 31.10.1992.

(98/C 304/109)

**WRITTEN QUESTION P-0313/98**  
**by Luis Campoy Zueco (PPE) to the Commission**  
(10 February 1998)

*Subject:* URBAN programme

Will the Commission give details of the Spanish projects selected for the URBAN programme in 1997 and say whether any of them concern the region of Navarra?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission**  
(4 March 1998)

As part of the extension of the URBAN initiative, the Spanish national authorities have presented the draft URBAN II operational programme for 1997-99 to the Commission for approval. It covers Córdoba, Avilés-Corvera, Santander, Albacete, León, Castellón, Pontevedra, Telde, Murcia, Zaragoza, Santa Coloma de Grammenet and Palma de Mallorca.

None of these projects concerns the region of Navarra.

(98/C 304/110)

**WRITTEN QUESTION E-0316/98**  
**by Wilmya Zimmermann (PSE) to the Commission**  
(17 February 1998)

*Subject:* Common European holiday on 9 May

The Commission has made it clear, for example in its 'citizens' Europe' programme, that a greater effort is required to persuade the citizens of the European Union to identify with it.

The introduction of the common currency will be an important step in this direction, but a common public holiday could also be a great help. The European flag and hymn would be backed up by a unifying symbol which would be of benefit to the entire citizenry of Europe.

9 May would be a very appropriate day (the day following the anniversary of the end of the Second World War, and the day on which in 1950 Robert Schuman made his declaration which led to the foundation of the Coal and Steel Community).

1. Has the Commission drawn up any proposals to this effect?
2. What is its view of the proposal that the European public holiday be introduced by common action in the Member States on 9 May 2000?

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

*(14 April 1998)*

Together with Parliament and through its representations and offices in the Member States, the Commission supports and encourages events organised to mark 9 May.

In 1997 the Commission supported 4 500 actions and events; in some cases it made a financial contribution.

This year 9 May will again be marked in all the Member States by a variety of means — exhibitions, distribution of material to schools, speeches, competitions, advertisements on public transport, cultural events.

The Commission is making a special effort to stimulate and encourage initiatives associating young people and their teachers with the commemoration of 9 May, especially in schools.

Some Member States will link Schuman Day activities with the euro by organising public exhibitions, lectures, debates, etc.

Despite its belief in the importance of commemorating Schuman Day, the Commission cannot propose 9 May as a public holiday at this would be outside its remit.

(98/C 304/111)

**WRITTEN QUESTION E-0317/98**

**by Nikitas Kaklamanis (UPE) to the Council**

*(17 February 1998)*

*Subject:* Commission proposals for third countries' nationals

In July 1997 Mrs Gradin, Member of the Commission, submitted draft proposals on a draft convention for rules of admission for third countries' nationals.

In Europe there are 18 million persons out of work, and the Commissioner's proposals represent the minimum that needs to be done to free European citizens from the constant fear of unemployment. However, these proposals have not yet been adopted, even though they have been forwarded to the Council of Ministers for scrutiny and immediate decision-taking.

Will the Council give the reasons for this delay and say when it intends to adopt a position on this matter which concerns all European citizens?

**Answer**

*(28 May 1998)*

The Honourable Member refers to the Commission's proposal for a Council Act establishing the Convention on rules for the admission of third-country nationals to the Member States <sup>(1)</sup>. The Council received this proposal on 29 September 1997. It is currently being examined by the Council's subordinate bodies.

The Commission takes a comprehensive approach to the subject of migration, and proposes wide-ranging solutions entailing substantial changes to the existing national provisions which vary considerably from Member State to Member State and which in some cases were adopted only recently. For these reasons, it is expected that work on the proposal will require lengthy discussions.



It has also to be pointed out that, in accordance with Article K.6(2) of the Treaty on European Union, the Luxembourg Presidency of the Council has submitted the proposal to the European Parliament for its views.

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(<sup>1</sup>) OJ C 337, 7.11.1997, p. 9.

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(98/C 304/112)

**WRITTEN QUESTION E-0322/98**  
**by Riitta Myller (PSE) to the Commission**  
(17 February 1998)

*Subject:* The EU's new public health programme

A new public health programme for the EU is in preparation. The need for this programme is indisputable and it needs to come about as soon as possible.

I should like to ask the Commissioner responsible whether the aim is to retain the current disease-centred approach, or whether a new strategy is being developed taking a wider, holistic approach which promotes general health. Among other things, such an approach would be in the interests of equality and of avoiding social marginalization, and would permit demographic changes to be taken into account.

When will the new public health programme be adopted, will its criteria and the direction taken by the European Union's health policy be debated openly with the Member States and how will the feedback from the Member States be taken into account?

**Answer given by Mr Flynn on behalf of the Commission**  
(13 March 1998)

The Commission fully agrees with the Honourable Member that a new public health policy has to be developed in order to respond to a number of important developments, such as emerging threats to health from new and resurgent diseases and increasing pressure on health systems, the enlargement of the Community, and the new public health provisions in the Treaty of Amsterdam. Moreover, as most of the current public health programmes expire around the year 2000, a new policy will need to be in place by then.

Detailed policy proposals cannot, however, be presented until after the new EC Treaty has been ratified, since it includes significant changes to the existing legal competence on public health. In the meantime the Commission intends to put forward shortly a preparatory communication which will set out the possible lines of a new policy. The new policy would be broad and flexible enough to accommodate side by side actions directed at particular diseases and initiatives in relation to the socio-economic determinants of health, such as the important areas of health inequalities, social exclusion and demographic developments, mentioned by the Honourable Member.

This forthcoming communication should stimulate a wide-ranging debate on the future of Community public health policy. The Commission will take full account of the reactions to the ideas presented in the communication in drawing up its detailed policy proposals.

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(98/C 304/113)

**WRITTEN QUESTION P-0326/98**  
**by David Hallam (PSE) to the Commission**  
(10 February 1998)

*Subject:* Discrimination against persons on the grounds of height

In setting minimum standards of space for passengers in cars, airlines etc., does the Commission agree that the European Union should reconsider endorsement of the CENs use of historical anthropometric data, where it may not take account of current or future needs?

As the populations of Europe vary significantly in average height, does the Commission agree that the EU should seek to enforce ranges of appropriate standards, rather than single unsatisfactory ones?

Would the Commission consider that the CEN should be advised to seek the cooperation of groups representing tall and short people when setting standards?

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

*(2 March 1998)*

The Commission would refer the Honourable Member to its answer to his written question P-1916/97 <sup>(1)</sup>.

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<sup>(1)</sup> OJ C 21, 22.1.1998.

(98/C 304/114)

**WRITTEN QUESTION P-0327/98**

**by Dominique Souchet (I-EDN) to the Commission**

*(10 February 1998)*

*Subject:* Community aid for cereal supplies to the most remote regions/impact on employment

In the last two years there has been a sharp fall in Community aid for the supply of cereals to the most remote regions. This is weakening the position of the production sectors dependent on these products (flour mills, animal feed processors) and poses an additional threat to jobs in the Community regions which are already among the most severely affected by unemployment and underemployment.

Could the Commission state what measures it intends to take to reinstate this aid and thus save large numbers of jobs?

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

*(17 March 1998)*

The Commission is aware of the operational difficulties with the measures laid down by Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments <sup>(1)</sup>, by Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products <sup>(2)</sup>, and by Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products. <sup>(2)</sup> The effect of the reform of the common agricultural policy (CAP) and of the conclusion of the Uruguay round is that Community prices are gradually coming into line with world prices and that of aid granted to products originating in the Community supplied to the most remote regions as part of the specific measures is being reduced. The Commission is aware that the difficulties inherent in the operation of this system are prejudicial to the economies of the most remote regions. It is thus examining the method of calculation laid down by current legislation in order to find a solution which would reduce the structural disadvantages arising from the geographical remoteness of these regions and thus encourage development of the productive sectors.

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<sup>(1)</sup> OJ L 356, 24.12.1991.

<sup>(2)</sup> OJ L 173, 27.6.1992.

(98/C 304/115)

**WRITTEN QUESTION E-0335/98****by Graham Mather (PPE) to the Commission***(17 February 1998)**Subject:* Business impact assessment

On 24 April 1997, the European Parliament passed a report on strengthening the business impact assessment system (A4-0413/96). During the April II part-session (1997), Commissioner Papoutsis commented: 'I agree with the general idea of the report and with the European Parliament's resolution ... I would like to assure you of my determination to support a strengthening of the business impact assessment system' (PE 222.596).

Point One of the report called on the Commission 'to examine how it could develop an appropriate and rational approach for impact assessments ... and to submit an appropriate report for consideration by the Council and the European Parliament'.

What steps has the Commission taken in this direction; will a formal report be produced and, if so, when does the Commission envisage that it will be published?

(98/C 304/116)

**WRITTEN QUESTION E-0336/98****by Graham Mather (PPE) to the Commission***(17 February 1998)**Subject:* Business impact assessment

On 24 April 1997, the European Parliament passed a report on strengthening the business impact assessment system (A4-0413/96). During the April II part-session (1997), Commissioner Papoutsis commented: 'I agree with the general idea of the report and with the European Parliament's resolution ... I would like to assure you of my determination to support a strengthening of the business impact assessment system.' (PE 222.596).

Point Three called on the Commission to 'give the impact system an official and legal standing within the framework of Community legislation'.

Is the Commission's on-going review of its business impact assessment procedures orientated towards this eventual goal, and what timescales are envisaged?

(98/C 304/117)

**WRITTEN QUESTION E-0337/98****by Graham Mather (PPE) to the Commission***(17 February 1998)**Subject:* Business impact assessment

On 24 April 1997, the European Parliament passed a report on strengthening the business impact assessment system (A4-0413/96). During the April II part-session (1997), Commissioner Papoutsis commented: 'I agree with the general idea of the report and with the European Parliament's resolution ... I would like to assure you of my determination to support a strengthening of the business impact assessment system.' (PE 222.596).

Point Five proposed that 'the impact assessment should appear at the end of every Community legislative proposal expected to have a significant impact on business', and that this should be published in the Official Journal.

Has the Commission given further consideration to this specific point; what is the Commission's position on it; what is the reasoning behind this position; and will this be referred to in a Commission report on this matter?

(98/C 304/118)

**WRITTEN QUESTION E-0338/98****by Graham Mather (PPE) to the Commission***(17 February 1998)**Subject:* Business impact assessment

On 24 April 1997, the European Parliament passed a report on strengthening the business impact assessment system (A4-0413/96). During the April II part-session (1997), Commissioner Papoutsis commented: 'I agree with the general idea of the report and with the European Parliament's resolution ... I would like to assure you of my determination to support a strengthening of the business impact assessment system.' (PE 222.596).

In May 1997, OECD ministers endorsed the recommendations in the OECD Report on Regulatory Reform. These included that governments integrate Regulatory Impact Assessment (RIA) into the development, review and reform of regulations. It also identified ten elements of 'best practice' in this area: maximize political commitment to RIA; allocate responsibilities for RIA programme elements carefully; train regulators; use a consistent but flexible analytical method; develop and implement data collection strategies; target RIA efforts; integrate RIA into the policy-making process, starting as early as possible; communicate the results; involve the public extensively; apply RIA to existing and new regulation.

Has the Commission taken account of the OECD best practice recommendations in its own on-going review; and what is the Commission's assessment of its own performance in each of the ten areas identified?

(98/C 304/119)

**WRITTEN QUESTION E-0339/98****by Graham Mather (PPE) to the Commission***(17 February 1998)**Subject:* Business impact assessment

On 24 April 1997, the European Parliament passed a report on strengthening the business impact assessment system (A4-0413/96). During the April II part-session (1997), Commissioner Papoutsis commented: 'I agree with the general idea of the report and with the European Parliament's resolution ... I would like to assure you of my determination to support a strengthening of the business impact assessment system.' (PE 222.596).

One problem that has frequently been cited in relation to implementing best practice of business impact assessment in the Member States is that very little is written on this subject, and particularly about the experiences of best practice countries, in many EU languages.

Has the Commission investigated the extent to which the language barrier is a hindrance to extending best practice in this area; and does the Commission feel that action is necessary in this area?

**Joint answer to Written Questions  
E-0335/98, E-0336/98, E-0337/98, E-0338/98 and E-0339/98  
given by Mr Papoutsis on behalf of the Commission**

*(21 April 1998)*

The Commission is committed to improving and strengthening its business impact assessment system (BIAS) as part of its consideration of legislative proposals. These internal Commission working procedures along with comprehensive consultation with outside interests are part of the open and transparent Commission policy as established by the guidelines on legislative policy announced by the Commission in January 1996.

While it does not envisage producing a report for consideration by the Council and the Parliament, the Commission has recently published a report on the history and the development of the business impact assessment system along with a comprehensive collection of business impact assessments completed over the last few years. A copy of this report is being sent direct to the Honourable Member and to the Parliament's secretariat. The Commission considers that an appropriate amount of analysis needs to be undertaken concerning the regulatory impact of legislative proposals. If there is likely to be a significant impact on business then this

regulatory impact analysis can include cost/benefit or cost/effectiveness analyses, depending on the complexity of the proposal. This does not, in the Commission's view, require the business impact assessment system to be given any legal framework in Community legislation.

A business impact assessment appears as part of the documentation accompanying every legislative proposal which is likely to have a significant impact on business. This is published as part of the document (Com) which is submitted to the Council, the Parliament and the Economic and social committee. These documents are distributed by the Office of official publications. They are therefore available to outside interests, and scrutiny of their content is welcome. In its forthcoming review of its internal working procedures the Commission will consider whether the business impact assessments should be published in the Official journal. Business impact assessments would then be available in all official languages.

The Commission has indeed taken account of the Organisation for economic co-operation and development (OECD) report on regulatory reform, having taken part in the discussions with Member States at the OECD leading up to this report. Both this forum and the co-ordinating role that the Commission plays with the Member States on improving and simplifying the business environment includes the exchange of information about regulatory impact analysis. It is important that the impact on business of legislative and administrative proposals is considered both Community wide, and also at Member State and local authority levels.

The Commission considers that it has improved its performance in the majority of the ten elements of best practice in the OECD report, particularly in respect of early and more extensive consultation procedures, improved and comprehensive regulatory impact analysis, and better openness and transparency in terms of communicating the results and involving outside interests. There is however room for further improvement.

Both the OECD and the Commission have some information about the best practice in the Member States on their regulatory impact assessment systems. The Commission will continue its efforts co-ordinating with the Member States to exchange experience of best practice on business impact assessment systems. Commission Recommendation 97/344/EC of 22 April 1997 on improving and simplifying the business environment for business start-ups<sup>(1)</sup> addressed to Member States and published in all languages made a specific reference in Article 3 for Member States to consider introducing a systematic evaluation procedure to assess the impact on business of regulatory proposals. Annex II gives information about the business impact assessment systems established in Member States.

Notwithstanding the improvements made, the Commission remains determined to continue to make further improvements to the business impact assessment system. The Parliament's April 1997 report, the continuing contacts with Member States and the European business organisations provide ideas and information for the Commission's internal working procedures. Following these discussions the Commission will consider issuing new and more detailed internal guidelines about how to complete a business impact assessment, and how to undertake the necessary consultation with all the interested parties.

<sup>(1)</sup> OJ L 145, 5.6.1997.

(98/C 304/120)

**WRITTEN QUESTION E-0340/98**

**by Luis Campoy Zueco (PPE) to the Commission**

*(17 February 1998)*

*Subject: Objective 2*

Could the Commission indicate what criteria will apply to the new Objective 2 and which Spanish regions it will cover?

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

*(25 March 1998)*

The Commission would refer the Honourable Member to its answer to Written Question P-0329/98 by Mrs Todini<sup>(1)</sup>.

<sup>(1)</sup> OJ C 223, 17.7.1998, p. 167.

(98/C 304/121)

**WRITTEN QUESTION E-0343/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)**Subject:* Crisis on the olive-oil market

The crisis on the Italian olive-oil market, and the fact that final demand for packaged oil has fallen by 7.2% in the last year, has prompted Assitol Oliva and Federolio to shed part of their work-force. The trend does not seem to be halting and is thus causing increasing anxiety.

1. Does the Commission not consider such action ill-timed, given that the new 'olive-oil' COM has not yet been approved at Community level and employees should consequently not be dismissed before new rules have been laid down?
2. In view of the emergency, does it not believe that the maximum guaranteed production volume should be raised and national production ceilings imposed?
3. Will it establish a genuine labelling system to preserve the quality of extra virgin olive-oil and afford certainty on that point, since this might help more than any other measure to ensure that Italian oil, which has a protected designation of origin, can compete on European and world markets?

**Answer given by Mr Fischler on behalf of the Commission***(11 March 1998)*

The Commission is aware of the reduction in the quantities of olive oil packed in Italy and enjoying consumption aid, due particularly to the current relatively low level of this aid (ECU 12 per 100 kilograms).

This situation is being looked at in the context of work which should result in a proposal for reform of the current market organisation for olive oil. As part of this work, the Commission is considering whether to abolish consumption aid, a possibility which Parliament appears to view favourably.

It is therefore not surprising that the two principal associations of Italian packers to which the Honourable Member refers should have to adapt their structures to the new situation, in particular by reducing the staff working on the submission and checking of applications for aid by their associates.

As part of the preparatory work on the reform of the market organisation for olive oil, the Commission is looking carefully at the suggestions made by the Honourable Member, including an increase in the maximum guaranteed quantity and the fixing of maximum quantities for each producer Member State and the introduction of new marketing standards to protect extra-virgin olive oils more effectively.

(98/C 304/122)

**WRITTEN QUESTION E-0344/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)**Subject:* Framework for Community action in the field of water policy

The Commission has drawn up a proposal for a Council Directive establishing a framework for Community action in the field of water policy (COM(97)0049 — 97/0067(SYN))<sup>(1)</sup>. Will the Commission insert a new article providing for involvement of the public and water management companies with a view to:

1. pointing out the need and laying down a requirement to set up advisory bodies to assist the authorities concerned, which would have the tasks of assessing catchment area plans, supervising their implementation, and pursuing additional information and social awareness campaigns;
2. compiling compulsory public registers for each catchment area, covering water quality and discharge monitoring, supervision of concessions, and any other data that might be useful for the purpose of implementing the standards specified in the framework Directive?

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20.

(98/C 304/123)

**WRITTEN QUESTION E-0345/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)*

*Subject:* Framework for Community action in the field of water policy

The Commission has drawn up a proposal for a Council Directive establishing a framework for Community action in the field of water policy (COM(97)0049 – 97/0067(SYN)) <sup>(1)</sup>. With reference to Article 12, will the Commission provide wholly clear definitions as regards the substance of the tariffing systems for the various water users, which will have to be laid down by the Member States, given that the present wording of the proposal fails to define key concepts such as recovery of costs, calculation of prices, and so forth?

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20.

(98/C 304/124)

**WRITTEN QUESTION E-0346/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)*

*Subject:* Framework for Community action in the field of water policy

The Commission has drawn up a proposal for a Council Directive establishing a framework for Community action in the field of water policy (COM(97)0049 – 97/0067(SYN)) <sup>(1)</sup>. With reference to Articles 13 and 21, will the Directive lay down uniform methods to be used to determine the environmental quality standards required to control water pollution at all levels (Community, national, and so forth)?

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20.

(98/C 304/125)

**WRITTEN QUESTION E-0347/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)*

*Subject:* Framework for Community action in the field of water policy

The Commission has drawn up a proposal for a Council Directive establishing a framework for Community action in the field of water policy (COM(97)0049 – 97/0067(SYN)) <sup>(1)</sup>. To help determine the possible ways of achieving the aims of transnational water plans involving non-Union countries, will the Commission organize or intensify:

1. official international conferences to discuss objectives and policies to be pursued above Community level;
2. measures to deal with more specific pollution problems by strengthening voluntary agreements concluded outside the Community framework with sectors of industry, official bodies, users, and so forth?

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20.

(98/C 304/126)

**WRITTEN QUESTION E-0348/98****by Amedeo Amadeo (NI) to the Commission***(17 February 1998)*

*Subject:* Framework for Community action in the field of water policy

The Commission has drawn up a proposal for a Council Directive establishing a framework for Community action in the field of water policy (COM(97)0049 – 97/0067(SYN)) <sup>(1)</sup>. With reference to Article 6, will the Commission lay down a requirement that hydraulic structures and economic activities using or affecting bodies of water must be subject to environmental impact assessment?

<sup>(1)</sup> OJ C 184, 17.6.1997, p. 20.

**Joint answer to Written Questions  
E-0344/98, E-0345/98, E-0346/98, E-0347/98 and E-0348/98  
given by Mrs Bjerregaard on behalf of the Commission**

(18 March 1998)

The Parliament has scheduled its discussions on the Commission's proposal for a Council directive establishing a framework for Community action in the field of water policy <sup>(1)</sup> for the March 1998 and April 1998 meetings of the environment committee. The Commission will address the questions raised by the Honourable Member during those meetings.

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<sup>(1)</sup> COM(97)47.  
COM(97)614.  
COM(98)76.

(98/C 304/127)

**WRITTEN QUESTION P-0352/98  
by Ernesto Caccavale (UPE) to the Commission**

(6 February 1998)

*Subject:* Nature of eligible expenditure for training activities financed by ESF contributions

Local development agencies, set up as consortia and/or associations of institutions, SMEs, universities, and professional organizations, are today playing an increasingly important role in promoting or implementing spatial development operations, not least because they can pool applications and identify objectives and are able to bring about synergy by making efficient use of resources.

Among their spatial development operations, pride of place has to be given to training activities.

From the legal and operational point of view, the consortia and/or associations in question are different and separate from their partners and/or members, since they have their own VAT registration numbers, are managed separately and keep separate accounts for their specific purposes, and have their own departments.

The 'datasheet No 4' published in conjunction with Commission Decision 97/322/EC <sup>(1)</sup> gives 'Details on the principle of real cost'. Circular No 130/95, issued by the Italian Ministry of Labour on 25 October 1995, relates to the concept of 'delegation of training activities'. In the light of the foregoing, and with a view to avoiding excessive red tape and maintaining the standard of project activities, will the Commission answer the following questions:

1. Do local development agencies have to be regarded as the most suitable bodies to implement and manage development operations, including training activities?
2. When an agency intends to implement a training project, should an appropriately qualified partner and/or member be made responsible for one or more stages of the projected activities — so as to achieve the desirable and necessary synergy — rather than assigning the task to bodies not belonging to the consortium and/or association?
3. Given that development agencies intending to carry out a training project must not seek to make a profit, is it considered acceptable, in the case described in point 2, that partners and/or members should charge market prices for their services when they have not exceeded the approved budget or the limits laid down?
4. Are development agencies, and no other bodies, consequently entitled to recover not more than the costs incurred by partners and/or members in rendering the services in question?
5. Is the Commission aiming to support the activities and projects sponsored by local development agencies?

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<sup>(1)</sup> OJ L 146, 5.6.1997, p. 11.

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

(10 March 1998)

1. The Commission does not give preference to any particular body, since it is not involved *ex ante* in the selection and evaluation procedure. The Commission confines itself to laying down — in a general manner, and in partnership with the Member State — the criteria and guidelines which the final beneficiaries must observe in implementing actions that are co-funded by the European Social Fund (ESF).



2. When the actions are not directly mounted (partly or totally) by the final beneficiary but are sub-contracted to a lower level, the public or private body that awards the contract remains the final beneficiary and is therefore fully accountable for all expenditure associated with the actions. Moreover, the body to which an action has been subcontracted may under no circumstances subcontract the action in turn (partly or totally).
3. and 4. Under no circumstances may the development bodies mentioned by the Honourable Member or any other training bodies be profit-making associations. Moreover, only expenditure directly linked to preparing and implementing a project is eligible for co-funding, and the expenditure incurred must correspond to the payments made, duly substantiated on the basis of invoices or accounting vouchers of equivalent probative value.
5. Questions concerning the selection, implementation and monitoring of specific projects are a matter for the national authorities.

(98/C 304/128)

**WRITTEN QUESTION E-0358/98**  
**by Herbert Bösch (PSE) to the Commission**  
(17 February 1998)

*Subject:* Budget heading A-7001 (agency staff)

In the 1998 budget, under heading A-7001, ECU 12 200 m are earmarked for agency staff. On average agencies provide relatively poor working conditions and inadequate social protection for their workers.

1. In which areas are agency staff employed?
2. How many people in each area?
3. With which agencies have temporary work contracts been concluded?
4. Who is responsible for the social rights and welfare of these workers?

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

(2 April 1998)

1. Agency staff employed by the Commission (Brussels and Luxembourg) work mainly in the administrative field: secretaries, multilingual typists and shorthand typists, book-keepers, clerical officers, computer staff, switchboard operators, data entry operators, conference operators, proof readers. A small number also work in the health service (nurses, laboratory technicians) or the educational sector (nursery teachers or child supervisors). The last sector covers technical staff (drivers, messengers, store-keepers and cooks).
2. The Commission employs at all times about 700 agency staff in Brussels and Luxembourg (of which 75% are multilingual secretarial staff, 20% are involved in administrative duties and 5% in other occupations).
3. Following the latest invitations to tender (No 97/15/IX.C.1, published on 24 July 1997 in respect of the Brussels departments and No 14/97/IX PIM, published on 8 August 1997, in respect of the Luxembourg departments), the Commission signed standard-form contracts for the next three years (1998, 1999 and 2000) with the possibility of renewal, with the following agencies:

Brussels	Luxembourg
– Vedior Gregg	– Manpower
– Interlabor	– Lux-Conseil International
– Unique Intérim	– Rowlands
	– Adecco

4. The contracting firms are responsible for payment and cover of occupational entitlements and social security contributions of the staff supplied to the Commission. The Commission, the agencies and the staff are required to comply with national legislation and, in particular, the Law of 24 July 1987 on temporary work and the supply of staff to clients (published on 20 August 1987 in the *Moniteur Belge*) and the Law of 19 May 1994 laying down the rules governing temporary work and the temporary loaning of staff (published on 31 May 1994 in the *Mémorial du Luxembourg*). These two Member States have some of the most comprehensive regulations on the matter in Europe.

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(98/C 304/129)

**WRITTEN QUESTION E-0359/98**

**by Alexandros Alavanos (GUE/NGL) to the Commission**

*(24 February 1998)*

*Subject:* Extension of deadline for tabling proposals regarding the programme for the return of refugees to Bosnia

At the workshop held in Brussels on 23 January 1998 concerning the 1998 programme for the return of refugees Bosnia Herzegovina, the Commission asked Member States to submit proposals by 19 February 1998.

Since the proposal will include measures for the rebuilding or repair of homes, local water and power supply networks, etc. together with the relevant social and financial measures would the Commission consider extending this deadline since a considerable amount of preparation and research will be necessary if sound proposals are to be made in this connection.

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

*(18 March 1998)*

The Commission is not investigating the possibility of an extension of the deadline for submission of projects for its assistance programme in favour of the return of refugees and displaced persons to Bosnia and Herzegovina.

The information document of 600 pages forwarded to the participants of the workshop on the above mentioned programme (held on 23 January 1998 in Brussels) contained material for the preparation of projects as well as sample projects. More guidance was given in follow-up seminars. For those who already have experience in reconstruction and return programmes the deadline should not pose a problem.

Given the need to start reconstruction by the beginning of the construction period in early April 1998, the Commission cannot allow a longer preparation time. The remaining weeks until April are needed for the selection of the most appropriate projects and the conclusion of the contracts as well as the unavoidable administrative procedures to obtain the approval of Member States (and the Commission) to the programme.

Nevertheless, additional funds for the follow-up to possible political breakthroughs are set aside as requested by the office of the United Nations high representative.

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(98/C 304/130)

**WRITTEN QUESTION E-0363/98**

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

*(24 February 1998)*

*Subject:* The Aguamarga salt-marshes in Alicante

In a written question to the Commission of 3 December 1997, I raised the issue of the major threat to the Aguamarga wetlands in Alicante posed by urban growth, from which these marshes have always suffered.

The Kelme group are currently drawing up plans for building a sports centre, an artificial lake and 500 houses in the Aguamarga marshlands.

The area is included on Valencian Community's Inventory of Wetlands, and in order for the plan to be approved, the General Building Plan would have to be amended and at least a quarter of the sites would have to be reclassified as low-density building land.

Ecological groups and the opposition parties are totally opposed to this project's going ahead, but the party in government is inclined to support it, and the scheme may become a reality.

Given that these salt-marshes are a natural area of major cultural, scientific and recreational value,

1. Can the Commission intervene in order to preserve them in their current state?
2. Can the Commission reconsider the questions I raised in my previous written question on this subject?

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

*(13 March 1998)*

This site has not been designated as a special protection area (SPA) for birds under Directive 79/409/EEC on the conservation of wild birds <sup>(1)</sup>, nor has it been scientifically classified as an important area for bird conservation.

This site has not been proposed by Spain for inclusion in the Natura 2000 network, pursuant to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora <sup>(2)</sup>. Nor is the Commission aware that it contains a priority species or type of natural habitat which, on the basis of relevant and reliable scientific information, would make it essential to the maintenance of this type of priority habitat or to the survival of this priority species. This site thus appears to be of greater natural interest to Spain than to the Community. Consequently, the Commission has no particular reason to intervene in place of the Spanish authorities.

The Commission's position has not changed since it answered the Honourable Member's written question No E-4039/97 <sup>(3)</sup>. In January 1998, Spain sent the Commission the list of sites proposed for inclusion in the Natura 2000 network for the Mediterranean biogeographical region. The Aguamarga wetland is not included in that list.

<sup>(1)</sup> OJ L 103, 25.4.1979.

<sup>(2)</sup> OJ L 206, 22.7.1992.

<sup>(3)</sup> OJ C 196, 22.6.1998, p. 66.

(98/C 304/131)

**WRITTEN QUESTION E-0366/98**

**by Stefano De Luca (ELDR) to the Commission**

*(24 February 1998)*

*Subject:* Community aid for the restoration of the Petruzzelli Theatre

On 27 October 1991, the Petruzzelli Theatre in Bari, which was built between 1898 and 1903 and is the only privately owned theatre in Europe, was severely damaged by a terrible fire.

In 1996 another famous Italian theatre, 'La Fenice' in Venice, was completely destroyed.

However, while extensive Community assistance was provided for the rebuilding of 'La Fenice', the Petruzzelli has received only ECU 80 000 for the partial restoration of its foyer.

1. Does the Commission consider that this curious discrepancy is a result of the fact that, unlike other European theatres, the Petruzzelli Theatre is privately owned?
2. Does the Commission not consider that, in view of the historical and artistic value of the Petruzzelli Theatre in Bari, Community funds should be provided to enable the restoration work to be completed, since the theatre's owners, the Messeni Nemegna family, do not have the finance needed themselves?

**Answer given by Mr Oreja on behalf of the Commission***(8 April 1998)*

The Commission would refer the Honourable Member to its answer to written question E-4189/97 by Mr Viceconte and by Mr Parodi <sup>(1)</sup>.

<sup>(1)</sup> OJ C 196, 22.6.1998, p. 96.

(98/C 304/132)

**WRITTEN QUESTION E-0371/98****by Nuala Ahern (V) to the Commission***(24 February 1998)*

*Subject:* Radioactive waste and Article 18 of Directive 92/3/Euratom

Will the Commission indicate the respective dates on which Member States submitted data on the shipments of radioactive wastes to the Commission as required under Article 18 of Directive 92/3/Euratom <sup>(1)</sup> on shipments of radioactive waste between Member States? When does the Commission expect to publish its second bi-annual report on nuclear waste shipments?

<sup>(1)</sup> OJ L 35, 12.2.1992, p. 24.

**Answer given by Mrs Bjerregaard on behalf of the Commission***(13 March 1998)*

The Commission published in 1995 <sup>(1)</sup> its first report on the application in the Member States of Directive 92/3/Euratom on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community.

The second report, covering the period 1994-1995 is presently being prepared. The Commission expects that the preparation of the report will be completed in a meeting of the advisory committee established by Article 19 of the Directive in June 1998.

The dates at which the Member States communicated to the Commission the information referred to in Article 18 of the Directive covering the period 1994-1995 are:

Belgium	15 March 1996
Denmark	1 April 1996
Germany	23 January 1996
Greece	
Spain	23 June 1997
France	30 October 1996
Ireland	19 August 1996
Italy	27 November 1996
Luxembourg	12 November 1996
Netherlands	25 November 1996
Austria	3 October 1996
Portugal	31 October 1996
Finland	31 October 1996
Sweden	30 October 1996
United Kingdom	29 October 1996

<sup>(1)</sup> COM(95) 192 final.

(98/C 304/133)

**WRITTEN QUESTION E-0372/98****by Nuala Ahern (V) to the Council***(19 February 1998)*

*Subject:* Shipment of high-level radioactive waste from the COGEMA plant at La Hague

What representations has the Presidency received regarding safety concerns about the shipment of high-level radioactive waste from the COGEMA plant at La Hague, via the port of Cherbourg to Japan through the Panama Canal, which is scheduled to begin in January 1998?

**Answer***(18 May 1998)*

1. The Council has no knowledge of specific representations regarding safety concerns about the shipment of radioactive waste from the nuclear plant at La Hague.
2. The Council would like to remind the Honourable Member of Parliament that safety concerns about the shipment of radioactive waste are dealt with by various acts of Community legislation.
3. Directive 96/29/Euratom, of 13 May 1996, laying down the basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation <sup>(1)</sup>, provides a binding legal framework for health protection by laying down strict rules on maximum permitted levels of radiation for the whole population.
4. Directive 92/3/Euratom, of 3 February 1992, on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community <sup>(2)</sup>, deals specifically with the movement of radioactive waste by establishing a strict supervision system.
5. In addition to that, the Member State concerned shall apply the regulations concerning the transport of nuclear materials adopted in the framework of the International Atomic Energy Agency.

<sup>(1)</sup> OJ L 159, 29.6.1996, p. 1.

<sup>(2)</sup> OJ L 35, 12.2.1992, p. 24.

(98/C 304/134)

**WRITTEN QUESTION E-0373/98****by Nuala Ahern (V) to the Council***(19 February 1998)*

*Subject:* Proposed action on threats posed by the Sellafield plant

What steps is the British Presidency planning to take to respond positively to the concerns raised in the debate, following the statement by the President-in-Office to Parliament on 14 January 1998, about the environmental, health and safety and other threats posed by the Sellafield plant? What consultations does the Presidency plan with the Irish Government over Sellafield during its term of office?

**Answer***(18 May 1998)*

1. The Council is fully aware of the importance of environmental, health and safety issues concerning nuclear plants.
2. In this respect, the Council would like to remind the Honourable Member of Parliament that Chapter III of the Euratom Treaty provides the legal framework for the protection of health and safety throughout the Community. In this context, Article 37 deals specifically with relations with other Member States.

3. A Council directive, which takes into account the latest scientific and technological data, was also adopted in 1996, namely Directive 96/29/Euratom, of 13 May 1996, laying down the basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation <sup>(1)</sup>.

4. Nuclear plants situated in the territory of Member States, including the specific nuclear plant referred to in the question, are therefore subject to Community legislation aiming at ensuring their operation at the lowest risk possible. The implementation of these provisions is of the competence of the Member State concerned.

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<sup>(1)</sup> OJ L 159, 29.6.1996, p. 1.

(98/C 304/135)

**WRITTEN QUESTION P-0391/98**

**by Leoluca Orlando (V) to the Commission**

*(16 February 1998)*

*Subject:* Failure of the Italian authorities to incorporate Directive 93/42/EEC

Five years after the adoption of Directive 93/42/EEC <sup>(1)</sup> which lays down the professional profile and ways of practising as a dental technician, Italy has still not incorporated it, thus creating a legislative void that condemns Italian dental technicians to a situation of serious hardship by maintaining in force provisions that are now obsolete and lacking in terms of health protection, technological and business organization standards.

Does the Commission intend to make representations to the Italian authorities so that they become aware of the delay in incorporating Directive 93/42/EEC and of the stage reached in drafting legislation to incorporate it?

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<sup>(1)</sup> OJ L 169, 12.7.1993, p. 1.

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

*(9 March 1998)*

Italy transposed Directive 93/42/EEC on medical devices by means of the 'decreto legislativo' of 24 February 1997 two and a half years after the deadline set for transposing that directive.

The Commission is examining the conformity of that Italian transposition.

Any matters connected with any hardship suffered as a result of that delay in transposition should be addressed to the national authorities.

(98/C 304/136)

**WRITTEN QUESTION E-0393/98**

**by Daniela Raschhofer (NI) to the Commission**

*(24 February 1998)*

*Subject:* Taking mountain regions into account in connection with the reform of the Structural Funds

Mountain areas, and in particular the Alps, are amongst the most sensitive regions of the EU. The economic, structural, social and cultural problems of these regions have already been highlighted in connection with the reform of the Structural Funds, and attention has been drawn to the need for a coordinated regional development policy with lasting positive effects.

Are there plans for mountain regions to be covered by a specific Objective after the reform of the Structural Funds?

If so, what should be the criteria for awarding aid and who should receive such funding?

What other measures to assist mountain regions are planned to take account of the special features of these regions?

Are studies under way to establish what effects a continuing drift from rural areas will have on the ecological and economic situation of mountain regions?

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

*(31 March 1998)*

The Commission is aware of the importance of mountain regions and of the special problems referred to by the Honourable Member. This is shown by the special aid provided for such regions under the common agricultural policy and rural development policy. The Commission proposals for the future rural development policy do not include the creation of a specific objective for mountain regions, or the Alps in particular. However, the rural development programmes will permit increased, decentralised support for the various aspects of agriculture and for mountain regions and will enable measures to be better tailored to and targeted on the specific needs of the sector in the different regions of the Community. Given the special characteristics of mountain areas, these should particularly benefit.

As regards the Honourable Member's question about specific studies into the impact of the continuing drift from rural areas on the economic and ecological situation of mountain areas, no such study is available at Community level. The Commission has, however, launched a study into the environment and hill farming which also look at the socio-economic situation of these regions.

(98/C 304/137)

**WRITTEN QUESTION E-0395/98**

**by Daniela Raschhofer (NI) to the Commission**

*(24 February 1998)*

*Subject:* Effects of Agenda 2000 on the existing Community of Fifteen

When Agenda 2000 was published, there was extensive discussion of the pros and cons of the Union's enlargement to the East for its prospective members. Not enough consideration was given to the impact of enlargement on the existing fifteen Member States.

Do any studies exist concerning the impact of enlargement to the East on the existing Community of Fifteen?

If so, where can these be found and who carried out the research?

Have any studies been conducted concerning Austria's special position as the country with the longest common frontier with the candidates for accession?

Have studies been made of the impact of enlargement to the East on the employment situation in the Community of the Fifteen and in Austria, particularly its frontier regions, and if so, where can the findings of any such research be consulted?

Have studies been made of the impact of enlargement on salaries and wage rates in the Community of the Fifteen and in Austria, particularly its frontier regions, and if so, where can the findings of any such research be consulted?

Have studies been made of the impact of enlargement on population movements in the Community of the Fifteen and in Austria, particularly its frontier regions, and if so, where can the findings of any such research be consulted?

Have studies been made to ascertain how many citizens of the acceding States will seek work in the Community of the Fifteen and in Austria, particularly its frontier regions, and how many of them wish to settle there, and if so, where can the findings of any such research be consulted?

Have studies been made to ascertain the impact of enlargement to the East on the various branches of the economy in the Community of the Fifteen and in Austria, particularly its frontier regions, and if so, where can the findings of any such research be consulted?

Have studies been made to ascertain the effects of enlargement to the East on the internal security of the Community and Austria, particularly its frontier regions, and if so, where can the findings of any such research be consulted?

If no research has been conducted into these various topics, why has none been commissioned?

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

*(19 March 1998)*

When preparing its Agenda 2000<sup>(1)</sup> proposals, and in the current preparatory work for enlargement, the Commission has carefully evaluated a large number of studies investigating the various likely effects of enlargement on the Community. This includes the research undertaken by such well-reputed Austrian institutes as WIFO, WIIW and IHS, which concur on the long term beneficial effects on the Austrian economy subsequent to the accession of countries in which reform is well advanced.

The Commission's analysis of the impact of enlargement on the Community and its policies has been published and submitted to Parliament and the Council as an integral part of Agenda 2000 (Volume II).

The effects on regional structures, the labour market and various sectors mentioned by the Honourable Member have been addressed in detail in the Commission's above-mentioned communication.

As regards the effects on Austria's border areas, the Honourable Member is referred to the answer given by the Commission to written question P-293/98 by Mr Swoboda<sup>(2)</sup>.

<sup>(1)</sup> COM(97) 2000 final.

<sup>(2)</sup> OJ C 223, 17.7.1998, p. 159.

(98/C 304/138)

**WRITTEN QUESTION E-0396/98**

**by Daniela Raschhofer (NI) to the Commission**

*(24 February 1998)*

*Subject:* Assistance for frontier regions

Austria, as the country with the longest common frontier with the countries applying for Community membership, will have to cope directly with the new circumstances created by Europe's enlargement to the East. That is one reason why there is increasingly vocal support in Austria for demands for special assistance to compensate the frontier regions for the problems they are expected to face.

Has Austria officially requested the European Union for special assistance for its frontier regions?

What are the Commission's views and position on this subject?

What form does the Commission consider any such assistance to the frontier regions might take?

What level of funding would be envisaged?

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

*(18 March 1998)*

The Austrian authorities have presented a paper to the Commission proposing a special programme for assistance to regions of the Community bordering the Central and Eastern European countries (CEECs).



Regions bordering the CEECs may feel the impact of the opening of markets and of enlargement more quickly and intensively than other regions, but they will also benefit from their closeness to new markets providing new opportunities. The importance of these new markets for Community producers is evidenced by the rapid growth in trade between the Community and the CEECs and the increasing surplus of the Community's trade balance with them. While wages in CEECs are significantly below Austrian levels, this is not reflected directly in the cost of products, since the productivity of Austrian workers may be expected to be higher. Furthermore, the impact of enlargement, in particular in sensitive areas, will be softened through transitional arrangements.

Many of the border regions are already assisted by the structural funds. The new German Länder and Burgenland are at present, and are likely to remain, objective 1 regions. Most of the other border regions in Germany, Austria and Italy currently receive assistance under objective 5b. Given that under the new objective 2, it is foreseen that the Member States will be able to present national criteria for the selection of a significant share of their assisted areas, they can include border areas if they consider them to face specific problems.

Furthermore, the Commission proposes to maintain the Community initiative Interreg which, together with the PHARE-cross border cooperation (CBC) programme, is an appropriate instrument for addressing the problems of the border regions with the CEECs. The specific design of Interreg for the new programming period has not been decided, but it will leave sufficient flexibility to meet the needs of the border regions, as the Member States may propose the regions to be covered and the projects to be supported.

Thus, while border regions will be particularly affected by enlargement of the Community, the structural policy instruments proposed in 'Agenda 2000' <sup>(1)</sup> provide sufficient scope and flexibility to address these issues.

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<sup>(1)</sup> COM(97) 2000.

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(98/C 304/139)

**WRITTEN QUESTION E-0397/98**

**by Nikitas Kaklamanis (UPE) to the Commission**

*(24 February 1998)*

*Subject:* Laundering of Illegal Funds in Northern Cyprus

Northern Cyprus which is occupied by Turkey has become a financial centre for international crime. Reports have appeared in the European press to the effect that the occupied territory of Cyprus has become a paradise for illegal trafficking in drugs, chemical wastes, weapons and illegal immigrants. In the last 1/2 years alone 18 new casinos have been opened in Northern Cyprus. Over the last three or four years 36 offshore banks and 29 bank agencies have been established there. These establishments were used to launder funds from illegal trafficking from heroin, weapons, chemical wastes and illegal immigrants towards Europe.

What action does the Commission intend to take on the information which has recently come to light with a view to remedying this situation which is in fact under the control of a country, Turkey, associated with the EU under a customs agreement?

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

*(6 April 1998)*

The Commission does not have specific information on the alleged illicit activities to which the Honourable Member refers.

The Commission recalls its support for progress towards a just and viable solution to the Cyprus problem and towards Community accession and trusts that this will help create conditions in which such issues can be addressed effectively.

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(98/C 304/140)

**WRITTEN QUESTION E-0401/98**  
**by Gianni Tamino (V) to the Commission**  
(24 February 1998)

*Subject:* Consorzio Venezia Nuovo (New Venice Consortium)

Under Article 3 of Italian law No. 798/84, in the case of expenditure, projects and measures to safeguard Venice and its lagoon, the Ministry of Public Works is authorized to award a global contract covering both the planning and works to companies and/or consortia by negotiated tender, even in derogation from the regulations in force. The concession for the planning and execution of all the works provided for by the law in question has been awarded to the Consorzio Nuovo Venezia (New Venice Consortium). This global concession has, over the years, partly as a result for further laws and decrees, become a de facto monopoly for works of all kinds including regional, environmental and urban maintenance work, which could be and in fact was carried out for years by companies under normal tender procedures. This monopoly concession has been maintained even since adoption of the specific Italian law on Venice (206/95) which prohibits the global concession except in the case of legal obligations deriving from previous legislation and its effects, and since the adoption of a number of Community directives on public procurement procedures and even after the enactment of Italian legislation transposing the relevant Community directives until 1997. So as not to apply or circumvent these Community provisions, the agreements and riders to the original agreements have probably been construed as being part of the earlier agreements and hence the new agreements have been regarded as enforceable and deriving from the initial agreements or other subsequent agreements preceding the entry into force of the Community legislation (for example the 9th and 10th concessions of 1996 and the 11th, 12th and 13th concessions of 1997).

Does the Commission consider that this procedure involving concessions and subsequent agreements containing no time limits, and which might thus be manipulated so that they continue indefinitely, is compatible with the letter and the spirit of the Community directives, as set out, for instance, in the Green paper on public procurement of 27 November 1996?

Is it also lawful to give the same consortium responsibility for both the planning and execution of the works?

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

(27 April 1998)

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

(98/C 304/141)

**WRITTEN QUESTION E-0402/98**  
**by Honório Novo (GUE/NGL) to the Commission**  
(24 February 1998)

*Subject:* Helms-Burton Act and EU appeal to the WTO

If the Commission wishes to appeal against the World Trade Organization (WTO) panel's decision relating to the extraterritoriality of the Helms-Burton Act on strengthening the embargo on Cuba, it must do so by 13 April 1998.

Will the Commission state whether it intends to lodge an appeal with the WTO against the decision by the appointed deadline?

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

(13 March 1998)

The Commission would refer the Honourable Member to the replies it gave to Oral Questions H-106/98 by Mr Bontempi, H-107/98 by Mr Marset Campos, H-108 by Mr Manisco, H-115/98 by Mr Newens and H-117/98 by Mr Carnero Gonzalez during question time at Parliament's February 1998 part session <sup>(1)</sup>.

<sup>(1)</sup> Debates of the Parliament (February 1998).

(98/C 304/142)

**WRITTEN QUESTION E-0403/98**  
**by Lis Jensen (I-EDN) to the Commission**  
(24 February 1998)

*Subject:* Number of Council recommendations since 1986

If statistics exist on the number of recommendations put forward by the Council, how many have there been since 1986, and to what extent have they been implemented by the Member States?

**Answer given by Mr Santer on behalf of the Commission**  
(24 March 1998)

Between 1986 and 1997, the Council adopted 37 recommendations addressed to the Member States.

The Commission has no statistics on their implementation by the Member States.

(98/C 304/143)

**WRITTEN QUESTION E-0409/98**  
**by Carmen Fraga Estévez (PPE) to the Commission**  
(24 February 1998)

*Subject:* Coordination for aid for the development of the fisheries sectors of the ACP States

The European Union shows extremely great interest in the development of the ACP States' fisheries sectors. Whilst projects in this area are administered by DG VIII, it is DG XIV that is responsible for fisheries policy. Increasingly, many of the development projects in third countries are implemented under the protocols to the commercial fisheries agreements.

In view of this, and taking account of the joint answer given by Commissioner Pinheiro on 23 April 1997 to written questions nos E-0923/87 to E-0934/97 <sup>(1)</sup>, will the Commission say whether there is any real coordination between the two Directorates-General involved as regards examination of development projects in the fisheries sector and, if there is, how they organize such coordination so as to avoid inconsistencies which could lead to Community development funds being wasted?

What exactly are the respective roles of DG VIII and DG XIV in the decisions taken in the EU concerning the establishment of fisheries programmes for the ACP States?

<sup>(1)</sup> OJ C 319, 18.10.1997, p. 197.

**Answer given by Mr Pinheiro on behalf of the Commission**  
(11 March 1998)

As the Honourable Member points out, within the Commission it is Directorate-General XIV which is responsible for the common fisheries policy, including its external aspects, and Directorate-General VIII which is responsible for development policy, in particular for countries with which the Community has fisheries agreements.

The Commission has on a number of occasions pointed to the need to improve the coherence of fisheries agreements and development policy, i.e. to ensure, pursuant to Articles 130u and 130v of the EC Treaty that the conclusion and implementation of fisheries agreements are not inconsistent with the strategies set out in national and regional fisheries development cooperation programmes, to which the Community contributes where necessary. This concern for coherence and complementarity was underlined by the Council meeting on development held on 5 June 1997 (resolution on coherence), by the Council meeting on fisheries held on 30 October 1997 and by Parliament itself in its resolution on international fisheries agreements of 15 May 1997 (A4-0149/97).

An inter-departmental working party on fisheries and development was set up in October 1997 to improve coordination in this field between the Commission departments concerned. It meets regularly and brings together representatives from Directorates-General XIV and VIII with the aim not only of avoiding inconsistencies but also bringing about synergy of Community fisheries and development policies by the communication of information between those Directorates-General and in-depth exchanges of views on relevant issues in the fisheries sector. Having regard to these mechanisms and the legal bases of the Community's various policy instruments, each Directorate-General administers those of which it is in charge.

One example is the practical collaboration between Directorates-General XII, XIV and VIII in organising three conferences on the fisheries research initiative between the African, Caribbean and Pacific (ACP) countries and the Community which will be held in connection with Expo '98 both to promote a coordinated approach to research by European scientists and scientists from the developing countries (including the exploration of new concepts for the future of the industry) and to create interfaces between scientists and decision makers.

(98/C 304/144)

**WRITTEN QUESTION E-0413/98**

**by Jan Andersson (PSE) to the Commission**

*(24 February 1998)*

*Subject:* EU support for drugs policy organizations

It has come to my notice that EU financial support was given in both 1996 and 1997 to organizations such as European Cities on Drug Policy (ECDP), whose aims include the legalization of drugs, the opening of coffee shops and the legalized prescription of heroin. Yet European Cities Against Drugs (ECAD), an association of 180 European towns and cities opposing liberal drugs policies, received no support whatsoever.

Will the Commission state which organizations active in the drugs policy field have received support, why their applications were approved and why no support has been given to ECAD? Will it also explain the drugs policy strategy on which the allocation of funding and the granting of support to organizations which make it difficult for Member States to abide by the relevant UN conventions are based?

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

*(3 April 1998)*

The Community action plan to combat drugs (1995-1999) <sup>(1)</sup> constitutes the reference framework for activities conducted in this field by the Community and its Member States and has no bias in favour of all legalisation approach towards illegal drugs.

The Commission emphasises that the objectives of the Community action programme for the prevention of drug dependence incorporate the prevention of associated risks. The activities proposed in this field by the 'European Cities on Drug Policy' network were examined in accordance with the arrangements, criteria and procedures for selecting and financing projects, and were supported after consultation of the committee established by the Decision No 102/97/EC of the European Parliament and of the Council of 16 December 1996 adopting a programme of Community action on the prevention of drug dependence within the framework for action in the field of public health (1996-2000) <sup>(2)</sup> setting up the programme, in view of their tie-in with certain priority measures under the programme.

The Commission invites all organisations active in the field of drug demand reduction to submit projects of Community interest, which are examined on the basis of their contribution to the objectives and priorities of the programme.

The Commission would inform the Honourable Member that no application for financial support has been received from the 'Europe Cities Against Drugs' network.

The Commission does not consider that the projects currently receiving support are contrary to the United Nations conventions. It wishes to point out that legislation on drug use is exclusively the responsibility of the Member States.

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(<sup>1</sup>) COM(94)234 final.

(<sup>2</sup>) OJ L 19, 22.1.1997.

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(98/C 304/145)

**WRITTEN QUESTION P-0414/98**  
**by John Cushnahan (PPE) to the Council**  
(17 February 1998)

*Subject:* Beef blockade

Further to my previous Question (H-1020/97) (<sup>1</sup>) and the subsequent Council response I would formally request the Council in the interest of transparency to actually answer the question that I tabled which was: 'on what date was this request made?'

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(<sup>1</sup>) Debates of the European Parliament (January 1998).

**Answer**

(8 June 1998)

At the meeting of the Special Committee on Agriculture on 8 and 9 December 1997, Ireland had asked if it could take up at ministerial level the issue of trade being obstructed in English ports. As already indicated in the oral reply to which the Honourable Member refers, this issue was accordingly examined by the Council at its meeting on 15 and 16 December 1997. The Commission acknowledged at that meeting that the United Kingdom was taking the necessary measures so that products could move freely without hinderance.

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(98/C 304/146)

**WRITTEN QUESTION E-0416/98**  
**by Freddy Blak (PSE) to the Council**  
(25 February 1998)

*Subject:* SAFE Directive

Does the Presidency plan to have the SAFE Directive, which has been shelved for so long, adopted while it is in office?

**Answer**

(18 May 1998)

In 1995 the Commission sent the Council a proposal for a Decision adopting a Community programme to improve safety, hygiene and health at work (SAFE programme). The proposal was amended in March 1997 and work continued throughout the year in the Council's subsidiary bodies, but it became clear that at this stage there was no prospect of reaching the unanimity required to adopt the Decision (the legal basis for which is Article 235 of the TEC).

In the absence of any new factors, the United Kingdom Presidency has no plans to place the matter on the agenda for the Council (Labour and Social Affairs) during its term of office.

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(98/C 304/147)

**WRITTEN QUESTION E-0418/98**  
**by Paul Rübzig (PPE) to the Commission**  
(24 February 1998)

*Subject:* Permanent EU representation in the ASEAN countries

A delegation from Parliament has formed a comprehensive picture of the financial crisis in Asia following a visit to Malaysia and Indonesia.

Despite all the activities by the EU and its Member States, not least through the initiatives of the European Monetary Institute, and the possible effects of this crisis on Europe, there is a need for a more positive official EU commitment — in the form of tangible action, as well as through the media. It would be particularly useful to establish permanent representations of the European Union, e.g. in Kuala Lumpur and Singapore. This wish was repeated in Parliament's debate in plenary in late January.

Does the Commission agree that a greater media presence and additional representation in the ASEAN countries would have a positive effect on EU activities and the EU's capacity to influence events in the region as a whole?

Is the Commission planning any concrete measures to establish delegations in the ASEAN region?

Can the Commission give an indication of a date for this, if a timetable has been drawn up?

**Answer given by Mr Van den Broek on behalf of the Commission**  
(17 March 1998)

The Commission would refer the Honourable Member to its answer to written question P-290/98 by Mr Bertens <sup>(1)</sup>.

<sup>(1)</sup> See page 72.

(98/C 304/148)

**WRITTEN QUESTION E-0422/98**  
**by Graham Watson (ELDR) to the Commission**  
(24 February 1998)

*Subject:* The Millenium Bug

What studies has the Commission undertaken on the impact of the millenium bug on the EU institutions?

(98/C 304/149)

**WRITTEN QUESTION E-0425/98**  
**by Graham Watson (ELDR) to the Commission**  
(24 February 1998)

*Subject:* The Millenium Bug

How much does the Commission estimate it will cost to ensure millenium bug compliance for all EU institutions?

**Joint answer**  
**to Written Questions E- 0422/98 and E-0425/98**  
**Answer given by Mr Liikanen on behalf of the Commission**  
(3 April 1998)

The Commission is concerned about the vulnerability of enterprises, infrastructures, and public administrations to the year 2000 computer problem as well as about the possible consequences for consumers. The Commission adopted a communication <sup>(1)</sup>, in order to raise awareness and set out steps to address year 2000 issues. To complement the activities being undertaken by the private sector and the Member States, the Commission

has begun implementing a number of activities on this issue, in close co-ordination with activities concerning the information technology (IT) impact of the euro.

An inter-service task force has been established by the Commission to address the impact on internal systems of both the year 2000 and the changeover to the Euro, and work is in progress. Given the importance of the issue, the task force will be steered by a working group chaired at the highest level in the Commission.

To assist general awareness and mobilisation, extensive consultations were organised with the public and private sectors in 1997, in order to identify the main priorities for action and the roles for enterprises, associations, administrations, and the Community itself.

The Commission will encourage the exchange of information and experience on year 2000 initiatives undertaken by Member States and European associations, with a view to identifying how synergy can be established to reduce duplication of efforts and increase the overall impact.

The Commission will co-ordinate its action with the European and international organisations that are responsible for regulating or supervising infrastructural sectors with significant cross-border effects (finance, telecommunications, energy, transport) in order to exchange information about the respective activities and identify where co-operation may be required.

The Commission maintains a world wide web site on the year 2000 computer problem and the IT impact of the euro (<http://www.ispo.cec.be/y2keuro>). This site provides access to information about activities in different economic sectors and Member States, points to sources of advice on specific aspects of the problem, and links to other sites as well as to all documents and reports produced by the Commission on the subject.

The Commission will discuss the year 2000 and its implications through all the relevant contacts available in industry and Member States. In particular, attention will be paid to the impact on and preparation of infrastructure sectors, the impact on consumers and small and medium-sized enterprises (SME), and the potential impact on the functioning of the internal market, including the economic and monetary union.

The Commission will, together with Member States, monitor progress, exchange information, and benchmark best practice while reporting regularly to the Council on the progress towards year 2000 readiness and its related issues.

The Commission will examine, in the context of its policies such as those on industry, SME, consumers, and training, whether a further contribution could be made towards helping raise awareness and address year 2000 related problems.

Within the Commission itself, the so-called 'millennium bug' is handled by the Informatics Directorate for the central aspects and by each directorate general for their information systems. Since mid 1996 awareness of the year 2000 problem has been promoted continuously by the Informatics directorate inside the Commission. At the beginning of 1997 working groups were established to support analysis and solutions to identified problems. The project scope was established in 1997 and necessary resources were allocated. 1998 will be the year to fix and solve possible problems and 1999 will be the critical year to test and implement the solutions. The project year 2000 inside the Commission is following the phased approach, applied widely in the private and public sectors including risk management measures.

As for co-operation at an inter-institutional level, a contact group between the informatics services of the different institutions was set up at the end of 1997. This group follows the same approach as that within the Commission itself and the timing of the different steps is planned to enable an adequate resolution of this problem for all institutions. Developments are regularly reviewed within the inter-institutional informatics committee and appropriate measures will be taken, if and when necessary, to cope with specific problems.

Coming to the cost of this whole exercise, one has to bear in mind that the millennium bug is not only seen as a technical risk for computers and information systems, but also treated as an opportunity to re-engineer IT related domains. It has already given rise to changes (in the modernisation of the infrastructure, the renewal of information systems or the move to software packages) which were only slightly anticipated in comparison with the previously established schedule. It is furthermore difficult to distinguish between IT investments required by compliance, maintenance or modernisation activities. Although the year 2000 problem and the introduction of the euro cannot be compared as to the ways of solving them, it is, for example, common practice for the modernisation of an information system to render it year 2000 and euro compliant to be done at the same

time by the same people. It would therefore be very difficult and not very cost-effective to try to dissociate the costs of both transformations. As a matter of fact, the adaptation of information systems to the year 2000 already started within the Commission in 1996, and continued during 1997 and 1998. It was mainly incorporated in the global cost of maintenance and modernisation of applications' budgets. Its cost cannot be identified precisely.

(<sup>1</sup>) COM(1998) 102.

(98/C 304/150)

**WRITTEN QUESTION E-0427/98**

**by Esko Seppänen (GUE/NGL) to the Commission**

*(24 February 1998)*

*Subject:* Expenditure on EU staff pensions

Future expenditure on EU staff pensions is not covered by the EU budget. Yet Member States will be required to meet this expenditure in the future. What is the Commission's estimate of the volume of expenditure on pensions which is not covered, and how can it be taken into account more satisfactorily in future budgets?

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

*(2 April 1998)*

The Commission would draw the Honourable Member's attention to Article 83 of the Staff Regulations of officials of the European Communities. This Article specifies that the Member States collectively guarantee payment of pensions, which is charged to the budget of the Communities. In addition, officials and other servants contribute one third of the cost of financing the scheme (at present the contribution is 8.25% of the basic salary). The amounts deducted constitute revenue for the budget.

On the question of the actuarial cost of pensions for the Community budget, which is a financial obligation, the Court of Auditors has asked the Commission to include this cost in the Communities' balance sheet in future.

This exercise, which is to be applied with effect from 1997 (balance sheet at 31 December 1997) is particularly difficult and complex since it has never been carried out before. It requires information from each of the institutions and agencies belonging to the Community pension scheme and it calls for specific expert knowledge. The Commission has therefore asked a specialist firm to quantify this cost in the wider context of an actuarial study also covering the whole issue of the pensions scheme and, in particular, its long-term balance. Since the results of this study will not be known until the end of September 1998, the Commission has undertaken to enter an indicative estimate of the amount of this actuarial debt in the balance sheet at 31 December 1997.

The Honourable Member will therefore find the information requested in the revenue and expenditure account and the balance sheet relating to budget operations in 1997 when it is published. It is currently being prepared.

(98/C 304/151)

**WRITTEN QUESTION E-0428/98**

**by Spalato Belleré (NI) to the Commission**

*(24 February 1998)*

*Subject:* Commission's representations and other offices

In many countries in the world and at international organizations, the European Union is represented by the Commission, which in its turn appoints senior officials as ambassadors to represent the European Union.



The relations between the European Union and these nations are predominantly political or economic and commercial, in addition to particular areas covered by specific multiannual cooperation and aid programmes.

In this context the task of the ambassador is essential and of fundamental importance to relations between the Union and those countries.

Can the Commission disclose the procedures and criteria for making diplomatic appointments of this nature?

What body or arrangements exist to check and monitor the activities of these representations and other offices and, more generally, the way in which the system of diplomatic appointments is operated and administered?

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

*(17 March 1998)*

Heads of Commission Delegations are selected in accordance with the Commission's rules on the appointment of officials to management posts. Proposals for such appointments are also submitted to the 'Antici Group' (Council) for Member State opinions. If there are no objections, a request for approval is made to the Government of the country where the new Head of Delegation is to be posted. Only when this has been granted, and the Head of State of the country concerned has been presented with the credentials of the new Head of Delegation can the latter fully assume his/her powers and responsibilities.

Many Commission departments monitor the work of those appointed, including the Directorate responsible for the management of external missions, which supervises the smooth running of the Delegations and EU Offices abroad, the Directorates-General responsible for the area concerned, Financial Control and the Delegations Inspection Service. Furthermore there are external checks by the Court of Auditors and, under the Treaty, the Commission is accountable to Parliament for its administration.

(98/C 304/152)

**WRITTEN QUESTION E-0429/98**

**by Spalato Belleré (NI) to the Commission**

*(24 February 1998)*

*Subject: Cuba*

Can the Commission say whether there are any relations between the European Union and the Peoples' Republic of Cuba, whether political or commercial or in the form of development programmes?

In addition, does the Commission have any data or statistics or definite monitoring system with regard to the human rights situation, and especially to infringements of fundamental rights and the conditions under which political prisoners are detained in Cuba?

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

*(26 March 1998)*

The European Union and Cuba have normal diplomatic relations. A Cuban ambassador resident in Brussels is accredited to the Union and the Commission's Head of Delegation in Mexico is accredited to the Cuban government.

The two parties also conduct normal trade relations without any particular restriction. Cuba is a beneficiary of the Community's generalised scheme of preferences for developing countries.

Political and cooperation ties between the EU and Cuba are governed by the common position approved on 2 December 1996 and extended on 26 June and 8 December 1997. It sets out the key elements of the Union's stance vis-à-vis Cuba, namely:

- promotion of the process leading to a multiparty democracy, observance of human rights and fundamental freedoms and a lasting improvement in the Cuban people's living standards;
- opposition to change by coercive measures;

- the Union (Member States plus Commission) is willing on certain terms to grant Cuba humanitarian aid and economic cooperation aimed at supporting reforms and opening up areas of freedom;
- a link between the Cuban regime's progress towards democracy and intensification of cooperation ties between the Union and Cuba, including, where appropriate, the conclusion of a cooperation agreement.

In line with the common position the Community grants assistance to Cuba worth around ECU 15 million a year, the bulk of which is earmarked for humanitarian aid, food aid and microprojects run by European NGOs, with the rest going to measures to support economic reform and boost a European cultural presence in Cuba.

The Commission is keeping a close eye on the human rights situation in Cuba. This task will be taken on more and more by the 'human rights' working party which Member States represented in Cuba set up in 1997.

(98/C 304/153)

**WRITTEN QUESTION E-0430/98**

**by Leonie van Bladel (UPE) to the Council**

*(25 February 1998)*

*Subject:* Anti-Semitic radio station in Poland

1. Has the Council heard of the Polish radio station known as 'Maria', which is very popular with Poles?
2. Is the Council aware that that radio station is making fierce anti-Semitic statements while it is on air?
3. Does the Council feel that radio broadcasts of this type incite people to xenophobia?
4. Is the Council prepared, during the forthcoming accession negotiations with Poland, to investigate whether there is any provision in Polish law making xenophobia a criminal offence?
5. If not, is the Council prepared to enter into consultations with the Polish Government to discuss the introduction of such a provision?

**Answer**

*(28 May 1998)*

Accession negotiations with Poland began on 31 March 1998. The Union's position is that accession entails full acceptance and implementation of the 'acquis'. This applies in particular to the provisions concerning action to combat racism and xenophobia and other related measures. The most important of these provisions are listed below.

- i) Joint Action of 15 July 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning action to combat racism and xenophobia (OJ No L 185, 24.7.1996, p. 5).

Title I A (a): In the interests of combating racism and xenophobia, each Member State shall undertake, in accordance with the procedure laid down in Title II, to ensure effective judicial cooperation in respect of offences based on the following types of behaviour, and, if necessary for the purpose of that cooperation, either to take steps to see that such behaviour is punishable as a criminal offence or, failing that, and pending the adoption of any necessary provisions, to derogate from the principle of double criminality for such behaviour:

- a) public incitement to discrimination, violence or racial hatred in respect of a group of persons or a member of such a group defined by reference to colour, race, religion or national or ethnic origin.

- ii) Council Directive 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 (OJ No L 298, 17.10.1989, p. 23)
- Article 12: Television advertising shall not include any discrimination on grounds of race, sex or nationality.
- Article 22: Member States shall ensure that broadcasts do not contain any incitement to hatred on grounds of race, sex, religion or nationality.
- iii) Council Regulation of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia (OJ No L 151, 10.6.1997, p. 1).

(98/C 304/154)

**WRITTEN QUESTION E-0434/98**

**by Leonie van Bladel (UPE) to the Commission**

*(24 February 1998)*

*Subject:* Freedom of the press in Bosnia, Serbia and Croatia

In Bosnia campaigns are waged from time to time, at the instigation of various authorities, against independent journalists.

In Serbia the state media are continually used for the propaganda of the ruling party, in which opposing opinions are contradicted without any chance for both sides of the issue to be put, local TV and radio stations are increasingly coming under the control of the ruling political parties in the various local areas, while the press is frequently affected by 'paper shortages'.

In Croatia, most of the media, both national and local, are under the direct or indirect control of the ruling HDZ party and are used for propaganda purposes, again without any attempt at a balance between the two sides. The independent media are intimidated with civil actions, brought by prominent HDZ members, often members of the government, invariably claiming large sums of money for 'libel'.

Can the Commission state what means are at its disposal to help improve the media situation in these countries, which of these means it is currently using, and in which areas new instruments need to be developed?

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

*(13 March 1998)*

The Commission shares the Honourable Member's view of the situation of the media in Bosnia-Herzegovina, Croatia and the Federal Republic of Yugoslavia and is convinced like him that the freedom of the press is crucial to the democratisation process. Therefore, since 1994 it has been running a programme of aid to the independent media in the countries of former Yugoslavia.

The programme is managed by the Commission and extends to all countries of former Yugoslavia except Slovenia. Both the press and audio-visual media received subsidies during 1997: newspapers, radio, television and news agencies.

Projects aided by the Commission relate in particular to means of producing information or programmes, the training of journalists, improvement of the means of distribution and dissemination, and legal protection of the media.

Last year 77 projects were approved, totalling ECU 11.24 million. The Commission means to spend about as much in 1998 as in 1997 on its policy of aid for independent media in former Yugoslavia.

To suit the situation in the countries concerned, the Commission plans to hive off the management of modestly sized projects to its delegations with the aim of making the implementation of programmes relating to the independent media faster and more flexible.

(98/C 304/155)

**WRITTEN QUESTION E-0435/98****by Leonie van Bladel (UPE) to the Commission***(24 February 1998)*

*Subject:* Supporting European security policy by rebuilding the Yugoslav economy

Does the Commission agree that preserving peace and stability in the Balkans is in the security interests of Europe, that the Federal Republic of Yugoslavia has a role, of one kind or another, to play in this process, and that — even though the country is not democratically governed — the leadership of the Federal Republic of Yugoslavia cannot fulfil this role unless it has adequate support from its own people?

Does not the Commission think that the international community's prolonging of the financial and economic isolation which has been imposed on Yugoslavia for some time now, combined with the country's inadequate domestic economic policy, amounts to a policy of impoverishment, for which most people in the country blame the international community, and that there is therefore a lack of broadly based support for the policy which Europe wishes to pursue, and that the authorities, for internal political reasons, have only limited room to manoeuvre?

In the light of the above, is the Commission prepared to urge authorities such as the World Bank and the IMF to provide the Federal Republic of Yugoslavia with the necessary investment capital and, where needed, the know-how to invest this capital rationally, or, if these institutions are unwilling or unable to help, to promote the recovery of the Yugoslav economy by other means, so that the people will begin to trust the objectives of the international community and perhaps subsequently also come to trust political views based on the European way of thinking?

**Answer given by Mr Van den Broek on behalf of the Commission***(24 March 1998)*

The ongoing crisis in Kosovo, and the fear of regional spillover, clearly demonstrate the important role to be played by the Federal Republic of Yugoslavia (FRY) regarding the stability of the Balkans. Unfortunately, it also demonstrates the unwillingness of the authorities in Belgrade to assume their responsibilities in this regard.

The deteriorating state of the Serbian economy cannot be blamed on the international community or on 'continuing effects' of previous sanctions but is, rather, the result of the failure of the authorities in Belgrade to implement the necessary economic reform measures and to comply with the relevant political and economic conditions which are attached to financial support from either the international financial institutions or the Community. It also demonstrates that the FRY leadership hardly feels the need of support from its own people.

The Commission remains ready to propose the reinstatement of the autonomous trade preferences, or the inclusion of FRY in the PHARE programme as soon as the relevant political and economic conditions are met. These conditions, which also apply to the other countries covered by the regional approach, include respect for the fundamental principles of democracy and human rights, internationally recognised standards which are not negotiable. Compliance with these conditions is, moreover, in the interests of the Serb population, whose needs are not currently being given due regard by their political leadership.

(98/C 304/156)

**WRITTEN QUESTION P-0437/98****by Mark Watts (PSE) to the Commission***(16 February 1998)*

*Subject:* Duty-free concessions

As the Commission has stated many times that tax-free and duty-free sales within the EU will be abolished as planned in mid-1999, would it confirm the date by which it will present the draft directive required to establish the alternative VAT and excise duty schemes which will need to be implemented in all Member States to ensure that the various ferry and airline routes serving non-EU destinations will be able to operate smoothly after abolition?

**Answer given by Mr Monti on behalf of the Commission***(10 March 1998)*

The Commission would like to point out that the special scheme for intra-Community duty-free sales derogates from the normal rules of taxation. With the expiry of the transitional period, sales at airports and on board aircraft and ferries will become subject to taxation according to VAT and excise rules in the normal way.

For VAT, this means that goods sold on board aircraft and ferries will be taxed in the Member State of departure and goods sold at airports in the Member State will be taxed where the airport is situated. As to excise duties, goods will as a general rule be subject to taxation in the Member State of consumption.

It should be emphasised that, when the Council decided to abolish intra-Community duty-free sales, it did not contemplate that the taxation rules needed to be adapted.

(98/C 304/157)

**WRITTEN QUESTION E-0439/98  
by Niels Sindal (PSE) to the Commission***(24 February 1998)**Subject: State aid*

What are the Commission's views about authorizing French state aid to get the Japanese car company Toyota to invest in France?

**Answer given by Mr Van Miert on behalf of the Commission***(13 March 1998)*

The French authorities have not yet notified the Commission of their plans to grant aid to encourage Toyota to invest in Valenciennes. When they do so, the Commission will take a decision on the basis of the Community framework on state aid to the motor vehicle industry.

The objective of the framework is to establish transparency in aid flows and to apply strict discipline to the granting of aid in order to ensure as far as possible that competition is not distorted within the industry. The framework takes account of regional development imperatives and of the substantial overcapacity that exists within the motor vehicle industry in Europe.

A summary of the motor vehicle framework for 1998-2000 has been sent direct to the Honourable Member and to Parliament's Secretariat.

(98/C 304/158)

**WRITTEN QUESTION E-0440/98  
by Alexandros Alavanos (GUE/NGL) to the Commission***(24 February 1998)**Subject: Aegean island floods*

The recent downpours which claimed several lives on the Aegean islands of Lesbos, Santorini etc. also caused extensive damage to their road networks (both provincial and rural), industrial plants, shops and offices, houses, farms and infrastructure. In response to the major problems created by the floods, will the Commission say:

1. whether it will make emergency aid available from the Community budget appropriations earmarked for natural disasters, and
2. what the possibilities are of funding from the Community Support Framework to make good the damage and erect flood protection systems?

(98/C 304/159)

**WRITTEN QUESTION E-0441/98****by Anna Karamanou (PSE) to the Commission***(27 February 1998)**Subject:* Bad weather in Greece and the tragic consequences on Lesbos and Samos

In the light of the devastation caused by the bad weather on the islands of Lesbos and Samos on 2 February 1998, the loss of human life — two children and a woman — the total destruction of crops, the drowning of dozens of animals, the incalculable material damage and economic consequences, what measures will the Commission take to make Community resources available to assist the regions affected?

**Joint answer  
to Written Questions E-0440/98 and E-0441/98  
given by Mr Santer on behalf of the Commission**

*(27 March 1998)*

The Commission deplors the damage caused by the recent bad weather to the islands of Samos and Lesbos in Greece, but it must emphasise that the role of the Structural Funds is not to provide assistance in the event of a natural disaster. The Funds' objectives and scope are defined in the Council regulations adopted in December 1988 and revised in July 1993 and concern the financing of investment and infrastructure in underdeveloped regions, regions in industrial decline and rural regions. Only indirect support can therefore be given, where the regional authorities decided that the areas damaged by the bad weather should enjoy priority access to aid to infrastructure and investment for economic development.

With regard to emergency aid to disaster victims, the Commission recalls that this form of symbolic intervention is no longer possible due to the deletion of the item (B4-3400) from the current year's budget.

As far as the European Agriculture Guidance and Guarantee Fund (EAGGF) Guidance Section is concerned more particularly, Regulation (EEC) No 4256/88 <sup>(1)</sup> provides for restoring and prevention measures in case of natural disasters. However, due to the advanced stage of implementation of the relevant operational programmes, EAGGF amounts are almost totally allocated to concrete projects and actions, so there is practically no margin of available unallocated credits. Nevertheless, given the emergency of the situation created by the natural disasters and to the extent that the responsible authorities address a request to the Commission redirecting the priorities within the programmes, the Commission should not be opposed to examine positively this request, provided that the eligibility rules and other implementation provisions of the structural funds are respected. However, it should be clear that a possible EAGGF intervention, if any, would be quite exceptional and limited.

<sup>(1)</sup> OJ L 374, 31.12.1988.

(98/C 304/160)

**WRITTEN QUESTION E-0443/98****by Eryl McNally (PSE) to the Commission***(27 February 1998)**Subject:* EU-Israel Association Agreement

I should like to draw the Commission's attention to the EU-Israel Association Agreement of November 1995. Is the Commission aware of concerns expressed that Israel is not, in fact, respecting the terms and conditions of the Agreement? In particular, is the Commission aware of:

- Israel's apparent breach of country-of-origin rules involving the re-exportation of Brazilian orange juice into the EU,
- the mislabelling of orange juice from illegal settlements in Gaza,
- an investigation by HM Customs & Excise into the true origin of a wide range of Israeli exports to the UK, such as textile waste and telecommunications equipment?

Given that such conduct has adverse economic consequences and harms the Middle East peace process, what does the Commission propose to do to ensure that all parties comply with the EU-Israel Association Agreement?

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

*(2 April 1998)*

In 1994 the Commission requested the administrative co-operation of the Israeli customs, provided by the 1975 co-operation agreement between the Community and Israel, in order to clarify cases of alleged exports of non-originating Israeli orange juice into the Community at preferential rates. In accordance with the practice in these cases, the Commission asked the Israeli authorities to verify the authenticity of EUR-1 export certificates issued by Israel for exports of orange juice in the period under investigation.

The Israeli customs however, raising a number of legal, administrative and technical obstacles, declared themselves unable to proceed to the requested verification. The issue was raised at the December 1995 meeting of the Community-Israel customs co-operation committee that had been called in order to find a solution. However, no agreement was reached on that occasion. The lack of co-operation by the Israeli customs and the arguments raised against the repeated Commission's requests to verify EUR-1 export certificates led the Commission to question the overall ability of the Israeli authorities to implement the provisions of the Protocol on rules of origin.

Pending settlement of this issue, the Commission, with a view to protecting the financial interests of Community importers of Israeli goods, published a notice<sup>(1)</sup> warning importers of its reservations concerning the effectiveness of the implementation by Israel of the preferential trade arrangements.

This matter was further discussed at the twelfth meeting of the Community-Israel co-operation committee, called at the initiative of the Commission, which took place on 28 November 1997. On that occasion, Israel undertook to put into effect a number of operational steps in order to meet the long-standing requests of the Community.

The Commission is satisfied with the more cooperative attitude shown by the Israeli authorities in fulfilling the commitments undertaken on that occasion. A first batch of results of verification of EUR-1 certificates issued in 1995 has already been transmitted to the Commission within the agreed deadline, together with the relevant Israeli domestic legislation on the matter. A further batch concerning the verification of EUR-1 certificates issued in 1996 and 1997 should be transmitted shortly.

The Commission is prepared to re-examine its position and to withdraw the notice to the Community importers when the commitments made by Israel at the meeting of the cooperation committee in November 1997 are fulfilled.

<sup>(1)</sup> OJ C 338, 8.11.1997.

(98/C 304/161)

**WRITTEN QUESTION E-0446/98**

**by Concepció Ferrer (PPE) to the Commission**

*(27 February 1998)*

*Subject:* Interreg II programme

The aim of the Interreg II programme on cross-border cooperation is to implement effective mechanisms to facilitate cooperation between frontier regions. With regard to each of the four measures concerning Spain under the Interreg II programme, will the Commission say what projects have been approved for the period 1994-1999, what funds have been granted, where the projects are located and what percentage of the total cost of each of the projects has been funded?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(31 March 1998)*

As with the Structural Funds in general, the Interreg II <sup>(1)</sup> Community Initiative is implemented in accordance with the principle of subsidiarity. The Commission therefore approved multiannual operational programmes, while the selection and approval of projects is left to the national, regional or local authorities, as appropriate.

Under Interreg II, the Commission has allocated ECU 484.7 million (in 1994 prices) to Spain for Interreg IIA (development of the border areas and cross-border cooperation), ECU 80 million (in 1995 prices) for Interreg IIB (construction of interconnectors between the Portuguese and Spanish gas grids) and ECU 116.1 million (in 1996 prices) for Interreg IIC (regional planning), including approximately ECU 10 million for transnational cooperation projects and ECU 106 million to alleviate drought.

Spain is currently involved in several cross-border or transnational operational programmes (OPs) in receipt of the above Community funding, namely:

- OP for Spain-France, total volume: approximately ECU 140 million; total Community contribution: ECU 1.6 million;
- OP for Spain-Portugal, total volume: approximately ECU 755 million; total Community contribution: ECU 52.0 million;
- OP for Spanish regions bordering Morocco, total volume: approximately ECU 185 million; total Community contribution: ECU 100.0 million;
- OP for the Mediterranean and the French and Italian Alps, total volume: approximately ECU 23 million; total Community contribution: ECU 13.3 million;
- OP for South-West Europe, total volume: approximately ECU 10 million; total Community contribution: ECU 5.2 million.

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<sup>(1)</sup> OJ C 180, 1.7.1994.

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(98/C 304/162)

**WRITTEN QUESTION E-0448/98****by Gerardo Bianco (PPE), Michl Ebner (PPE) and Pierluigi Castagnetti (PPE) to the Council***(27 February 1998)*

*Subject:* Cavalese (Trento) tragedy

On 3 February 1998 an American military plane cut the cables of the Mount Cermis, Cavalese, cable car, causing the death of 20 people of six different nationalities. The plane was on a low-level training flight and is suspected of violating the safety rules for such military operations

Does the Presidency intend to intervene vis-à-vis all commands of air forces operating over European territory and take all the steps needed to ensure compliance with the safety standards laid down by flight regulations?

**Answer***(4 June 1998)*

The Honourable Members are certainly well aware of the great importance the Council attaches to matters regarding aviation safety.

With the aim of improving standards, the European Community is now about to apply for membership of Eurocontrol with a view to establishing and implementing a mechanism for the multilateral development and harmonisation of safety regulations in air traffic management. At the same time, the European Community is studying the possibility of creating an European Aviation Safety Authority.

Regarding lessons to be drawn from the particular accident referred to by the Honourable Members, the Council has not received any proposal from the Commission.

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(98/C 304/163)

**WRITTEN QUESTION E-0452/98****by Luigi Florio (PPE), Claudio Azzolini (PPE), Giacomo Santini (PPE),  
Alessandro Danesin (PPE), Livio Filippi (PPE) and Alessandro Fontana (PPE) to the Commission***(27 February 1998)**Subject:* Milk quotas in Italy and sums withheld by buyers

The management of milk quotas in Italy is notoriously chaotic. The committee of inquiry appointed last year by the Italian Government has so far discovered that much of the responsibility for the disastrous management is attributable to the public administration. Among the things requested by the Cobas milk representatives received in Brussels on 29 January 1998 by Commissioner Fischler's chef de cabinet, Corrado Pirzio Biroli, and the Deputy Director of DG VI, Franco Milano, was that in order to prevent the probable ruin of many farms the huge amounts sometimes withheld by buyers should be entrusted to producers pending clarification of the real reasons for the surplus production. Does the Commission consider this procedure to be acceptable given that there is no reason to believe that buyers offer better guarantees of solvability than producers and that Regulation 3950/92 <sup>(1)</sup> is not particularly clear?

<sup>(1)</sup> OJ L 405, 31.12.1992, p. 1.

**Answer given by Mr Fischler on behalf of the Commission***(25 March 1998)*

The Commission cannot accept the proposal from the milk committee representatives that levy amounts payable which are withheld by purchasers be entrusted to producers. According to Article 2(2) of Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector, the purchaser, who is liable for the levy, must pay the competent body in the Member State the amount due which he withholds from the price paid for the milk to the producers who owe the levy, failing which, he must collect it by any appropriate means. The purchaser consequently represents the key element in the withholding of the levy and the payment of the amount due to the competent body in the Member State

The purchaser furthermore is the key figure also for notifying figures on milk collections to the authority which must verify compliance by the purchaser with the requirements of Article 3 of Commission Regulation (EEC) No 536/93 of 9 March 1993 laying down detailed rules on the application of the additional levy on milk and milk products <sup>(1)</sup>. Failure by the purchaser to fulfil those requirements may mean that he may be subject to penalties.

The Commission attaches particular importance to compliance with the deadline for the transmission of the figures for the quantities collected and with that for the payment of the levy. Delays by purchasers in carrying out one or other of these tasks would prevent the arrangements from being fully effective. It should be borne in mind that the choice of the purchaser as the point of reference both in relation to the Commission and to the Member State is due to the number of purchasers which is considerably smaller than the number of producers.

<sup>(1)</sup> OJ L 57, 10.3.1993.

(98/C 304/164)

**WRITTEN QUESTION P-0461/98****by Ilona Graenitz (PSE) to the Commission***(16 February 1998)**Subject:* Food controls

1. Is DG XXIV aware that there is currently a private-sector initiative involving several Member States, entitled the 'European Working Party on Food Controls and Consumer Protection' (EWFC), which has set itself the objective, inter alia, of harmonizing monitoring activity in Europe with the aim of ensuring better consumer protection?

2. This initiative was previously supported by DG III, and has been subsidized since 1995. Does the Directorate-General which is now responsible also intend to continue to support and subsidize this private-sector initiative?
3. Would the Commission regard it as a good idea for the initiative to be extended to all the other Member States?

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

*(30 March 1998)*

1. The Commission is aware of the existence of the private organisation in question and of the subsidies it has received.
2. The Commission published an invitation for the submission of projects for the protection of consumer interests in 1998.

The 'Europäische Arbeitsgemeinschaft der Lebensmittelkontrolle und des Verbraucherschutzes' is one of the associations that presented such a project. The selection process has not yet been concluded and bidders will be duly informed when the selection has been finalised.

3. The Commission approves of initiatives designed to ensure effective controls in the interest of food safety and consumer protection in Europe and welcomes the extension of this initiative to the other Member States.

(98/C 304/165)

**WRITTEN QUESTION E-0462/98**

**by Mark Watts (PSE) to the Council**

*(27 February 1998)*

*Subject:* Aircraft safety in the year 2000

Pilots have threatened a world-wide boycott in the year 2000, fearing that the 'Millennium Bug' will disrupt the computer systems that keep planes in the air and prevent collisions.

Given the extensive, costly and time-consuming computer modifications and replacements required, can the Council please outline measures proposed to coordinate and encourage efforts to respond to these fears and make sure our skies are safe?

**Answer**

*(28 May 1998)*

As far as air safety is concerned, the Council has not received any proposal from the Commission regarding the so-called 'Millennium Bug'. However, according to information available, the Commission is at the moment carrying out a survey in order to understand the level of awareness, preparation and reaction of air transport stakeholders with regard to this subject matter.

It should be recalled that the industry itself does not consider this to be an insurmountable problem. The operators of the GPS (Global Positioning System) satellites and their ground control stations are improving software that controls the system on the ground to correct its alleged inability to deal with the change to a new millennium. These improvements and corrections would be completed by the end of 1998. The private manufacturers have also taken the necessary remedial action and GPS receivers bought in the past two to three years will be 'millennium compliant'.

The Honourable Member can rest assured that the Council attaches the utmost importance to the matters regarding air safety. In this regard, it is examining the possibility of establishing a European Aviation Safety Authority (EASA).

(98/C 304/166)

**WRITTEN QUESTION E-0464/98****by Allan Macartney (ARE) to the Commission***(27 February 1998)**Subject:* Advisory Committee on Fisheries

Can the Commission publish the names of the individuals and trade organizations represented on the Advisory Committee on Fisheries, provide an outline of its work programme for 1998 and indicate the composition of its Bureau and working party membership by policy area?

**Answer given by Mrs Bonino on behalf of the Commission***(27 March 1998)*

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

(98/C 304/167)

**WRITTEN QUESTION E-0466/98****by Allan Macartney (ARE) to the Commission***(27 February 1998)**Subject:* Competition rules and television rights for the European Football Championships in 2000

The successful Channel 5 bid for the television rights of the European Football Championships in 2000 means that over 1 million Scots (30% of the population) will be unable to enjoy live coverage of Scotland's five qualifying matches. Is the Commission aware that the organization which allocated the contracts — the Luxembourg broadcaster, CLT-UFA — has a 29% shareholding in Channel 5?

Can the Commission indicate the process by which the rights to broadcast live coverage of the European Football Championships in 2000 were awarded to television companies?

Furthermore, has the Commission been asked to rule on whether any aspect of competition rules were breached, as broadcasters in Scotland are reported to have been denied the chance to bid?

**Answer given by Mr Van Miert on behalf of the Commission***(25 March 1998)*

From the information given by the Honourable Member, the awarding of the contract for the television rights to the Championship by the rights holder, the broadcaster CLT-UFA, to Channel 5, in which it holds a stake of 29%, which, it is said, will result in 30% of the population of Scotland being unable to see live coverage of Scotland's five qualifying matches, does not appear to be unlawful.

The organisers of the European football championship are not bound by the rules of public procurement, which require contracts to be put out to tender.

The Commission has received no complaints from disappointed broadcasters that the awarding of the contract breaches the EC Treaty's competition laws. Before any conclusions could be reached on whether there has been an infringement of either Article 85, which deals with agreements restrictive of competition, or Article 86, which deals with an abuse of a dominant position, assessment of the facts relating to the legal and economic circumstances would be required. Even if it could be established that CLT-UFA holds a dominant position in a defined market, the licensing of exclusive broadcasting rights to another company is not likely to give rise to concern under the competition rules unless the duration of the exclusivity granted was excessive or the exclusivity applied to a very large number of rights. Besides it may be that the contract will, in the long run, enhance competition in broadcasting in the United Kingdom since Channel 5 is a relatively new entrant and needs to become established with audiences through showing attractive programming.

Exclusivity of broadcasting rights to important sports events may also be examined under another measure not aimed at addressing competition problems. Article 3a of Directive 89/552/EEC, recently modified by Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities <sup>(1)</sup>, allows Member States to take measures in order to ensure that broadcasters under their jurisdiction 'do not broadcast on an exclusive basis events which are regarded by the Member State as being of major importance for society in such a way as to deprive a substantial proportion of the public in that Member State of the possibility of following such events via live coverage or deferred coverage on free television'. The Directive (recital No 21) makes it plain that these national measures may apply to events that 'are of interest to the general public in the European Union, or in a given Member State, or in an important component part of a given Member State'.

However, the current United Kingdom regulations ('listed events' Section 97 of the Broadcasting Act 1996) do not include Scotland's qualifying matches for the European football championships. The Department of media, culture and sport is responsible for keeping the United Kingdom's list under review.

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<sup>(1)</sup> OJ L 202, 30.7.1997.

(98/C 304/168)

**WRITTEN QUESTION E-0467/98**

**by Allan Macartney (ARE) to the Commission**

*(27 February 1998)*

*Subject:* Definition of time at sea under the MAGP IV

Can the Commission provide details of those Member States which intend to achieve effort targets under the MAGP IV by a reduction in activity (i.e. number of days at sea) and indicate whether the definitions of time at sea in each case correspond with those laid down in the multiannual guidance programmes?

Does the Commission appreciate that such definitions must be common to allow a proper assessment of fishing effort under the MAGP?

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

*(2 April 1998)*

The Member States that have indicated their intention to use activity reductions during the period of the multiannual guidance programme (MAGP) IV are Germany, France, Ireland, the Netherlands, Sweden and the United Kingdom.

For the MAGPs, the activity of a vessel is measured in the number of days spent at sea, as defined in Commission Regulation (EC) No 109/94 <sup>(1)</sup> concerning the fishing vessel register of the Community.

This definition applies for all Member States. Over the period of the MAGP IV the Commission will verify for all Member States that the way in which activity is defined and measured is in accordance with Community legislation.

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<sup>(1)</sup> OJ L 19, 22.1.1994.

(98/C 304/169)

**WRITTEN QUESTION E-0473/98****by Richard Howitt (PSE) to the Commission***(27 February 1998)**Subject: State aids*

Can the Commission produce a league table showing by Member State comparative figures for state aided-areas and designated areas under the ERDF, both by numbers of areas and by population coverage, showing the degree of overlap between the two for the period 1994-99?

**Answer given by Mr Van Miert on behalf of the Commission***(27 March 1998)*

The tables below reflect, in terms of population coverage, the extent of consistency between state aided-areas and areas eligible for structural fund assistance under objective 1, 2, 5b and 6 for the programming period 1994 — 1999. An indication of the number of areas concerned is not available nor meaningful (the size of the areas is frequently not comparable).

Table 1: Consistency between the structural funds areas and the state aid areas at Community level (% of Community population).

	Regions eligible for structural funds assistance	Regions not eligible for structural funds assistance	Total
Regions eligible for national regional state aid	44.0%	2.7%	46.7%
Regions not eligible for national regional state aid	6.6%	46.7%	53.3%
TOTAL	50.6%	49.4%	100.0%

Table 2: Regions eligible for structural funds assistance by Member State (% of the Member State population)

B	DK	D	GR	E	F	IRL	I	L	NL	AT	P	FI	SE	UK
31	15	38	100	84	45,9	100	54	42,6	24	40,6	100	53	25	41

Table 3: Regions eligible for national regional state aid by Member State (% of the Member State population)

B	DK	D	GR	E	F	IRL	I	L	NL	AT	P	FI	SE	UK
35	20	38,1	100	76	42,4	100	48,9	42,7	17,3	35,1	100	41,6	18,5	38,2

Table 4: Regions eligible for structural funds assistance but not eligible for national regional state aid by Member State (% of the Member State population)

B	DK	D	GR	E	F	IRL	I	L	NL	AT	P	FI	SE	UK
0	0	5.3	0	8.9	9.6	0	7.5	6.4	10.4	5.9	0	12.6	8.7	9

(98/C 304/170)

**WRITTEN QUESTION E-0475/98****by Richard Howitt (PSE) to the Commission***(27 February 1998)**Subject:* Reproductive health

When is the work currently being conducted by DGIB with a view to the drawing up of a policy on reproductive health, including combating HIV, likely to be completed and published? Is the Commission committed to ensuring there is a single Commission-wide policy ensuring that reproductive health is made a priority in all development programmes supported by DG I, DG IA, DGIB, DGVIII and ECHO? Will the European Parliament be consulted about this?

**Answer given by Mr Marin on behalf of the Commission***(23 March 1998)*

A new Commission communication is planned for 1998 that will outline the Commission's policies and strategies for development cooperation relating to support for population and reproductive health activities, in view of next year's fifth anniversary of the adoption of the United Nations International conference on population development (ICPD) programme of action. The communication will draw upon existing policies and programmes in health, population, family planning, maternal health, human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS), gender integration and sexual exploitation. The Commission intends to consult fully with the Parliament and Member States on the content of this communication.

(98/C 304/171)

**WRITTEN QUESTION E-0480/98****by Richard Howitt (PSE) to the Commission***(27 February 1998)**Subject:* Respect for local and regional diversity within structural fund programmes

Would the Commission accept the criticism that the SPDs agreed with the United Kingdom in the period 1994-97 were too often identical for different regions, with the name of the region simply 'tippex-ed out' and retyped in different region's SPDs as submitted by the then UK government? What measures has the Commission taken and will it take to promote diversity based on assessment of need by local and regional authorities and social partners within the regions affected? What role in this respect does the production of guidelines, as agreed at the informal Council in Ireland on November 1996, play? Is there a case for ending the process of producing guidelines altogether?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(31 March 1998)*

The Commission does not accept the criticism that the single programming documents (SPDs) agreed with the United Kingdom for the period 1994-1999 were identical for different regions. The SPDs for objective 1, 2 and 5b regions were negotiated between the Commission and the regional partnerships on the basis of individual regional plans. Inevitably, similar problems have given rise to similar responses but the detail of each programme differs significantly from region to region. For the current objective 2 period 1997-1999, each regional partnership presented radically different plans based on its own perception of local needs and potential, and the SPDs which resulted from negotiation on the basis of these plans are significantly different from the 1994-1996 documents. The Commission therefore considers the SPDs in force from 1994 onwards to be directly relevant to each of the individual regions concerned, an opinion shared by the Parliament which, during its discussion of regional policy in the United Kingdom last year, recognised that the SPDs were in general the only strategic documents in existence in the United Kingdom at the regional level.

In order to promote diversity based on assessment of need by local partnerships within eligible regions, the Commission has ensured that regional SPDs are developed on the basis of genuinely regional plans developed by the partnerships concerned. Each programme is then overseen by its own monitoring committee, which includes local authorities and other relevant economic actors at the regional level, and each monitoring committee has devised its own administrative processes and project selection criteria. In this context, the Commission welcomes the decision of the United Kingdom government to extend membership of the programme monitoring committees to social partners. The Commission attaches great importance to the regional identity of structural funds programmes and their local ownership. Where possible, the Commission encourages a bottom-up approach to the development of solutions to local economic and employment problems and in many instances the development of local strategies, e.g. for business support, is a prerequisite for aid.

The production of guidelines for the application of the structural funds is an important tool for ensuring a focus on core European issues while addressing local needs. The Commission does not agree that they should be abandoned. For instance, priorities defined by the European Council in Madrid in November 1995 were subsequently developed into the guidelines which informed the Commission's general approach to the negotiation of all objective 2 SPDs in 1996-1997. The guidelines were essential in the production of regional frameworks which match local needs to Community priorities, and each of the new programmes in the United Kingdom contains a specific chapter identifying how priorities have been taken into account in the local process.

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(98/C 304/172)

**WRITTEN QUESTION E-0484/98**

**by Richard Howitt (PSE) to the Commission**

*(27 February 1998)*

*Subject:* Transitional arrangements for KONVER areas losing eligibility after 1999

Given the fact that fifty per cent of the designated areas for the KONVER Community Initiative Europe-wide fall outside eligible areas under mainstream ERDF programmes, will the Commission consider funding transitional arrangements for such areas which are no longer eligible within the new Structural Fund programmes after 1999? If not, what explanation can the Commission give for treating such areas different from Objective 2 areas which lose eligibility but which are intended to benefit from transitional arrangements?

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

*(31 March 1998)*

The Commission guidelines on the Community Konver initiative, published in 1994 <sup>(1)</sup>, permit Member States to propose areas not eligible for support under the Structural Funds — provided that the percentage of such areas does not exceed 50% of the total Community contribution.

In terms of the Community contribution, the published list of eligible areas <sup>(2)</sup> proposes only around 35% of areas not eligible for support under the Structural Funds.

Moreover, under the review of the Structural Funds, the Commission envisages permitting a transitional period only for areas which are currently eligible under Objectives 1 and 2 and which would no longer be so during the period 2000-2006. Thus eligibility is a prerequisite for a transitional period, and areas not eligible would not be entitled to such a period.

However, areas falling outside Objectives 1 and 2 could be covered by the new Objective 3 measures. The purpose of this Objective is to develop measures to modernise the labour markets in coordination with the multi-annual employment plans and the new chapter on employment in the Treaty of Amsterdam. Priority will also be accorded to measures aimed at adapting and modernising systems of education, training and employment with a view to increasing the Community economy's competitiveness and to providing support for the economic and social changes throughout the EU.

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<sup>(1)</sup> OJ C 180, 1.7.1994.

<sup>(2)</sup> OJ C 402, 31.12.1994.

(98/C 304/173)

**WRITTEN QUESTION P-0487/98**  
**by Honor Funk (PPE) to the Commission**  
(17 February 1998)

*Subject:* EU ban on the import of meat from hormone-treated animals (ruling of the WTO Appeals Panel)

Pursuant to the ruling handed down by the WTO Appeals Panel, the EU is entitled to introduce, on a scientific basis, what it feels is an appropriate level of consumer protection which may be more stringent than that derived from international public health standards.

1. For which specific areas must the required scientific evidence for possible risks be produced?
2. Which experts have been commissioned by the EU to provide this evidence?
3. How much money is available for these scientific studies?
4. Are the Member States involved as well?
5. What scientific studies are to be carried out, and when will they begin?

(98/C 304/174)

**WRITTEN QUESTION E-0568/98**  
**by Hiltrud Breyer (V) to the Commission**  
(4 March 1998)

*Subject:* EU ban on the import of meat from hormone-treated animals (ruling of the WTO Appeals Panel)

Pursuant to the ruling handed down by the WTO Appeals Panel, the EU is entitled to introduce, on a scientific basis, what it feels is an appropriate level of consumer protection which may be more stringent than that derived from international public health standards.

1. For which specific areas must the required scientific evidence for possible risks be produced?
2. Which experts have been commissioned by the EU to provide this evidence?
3. How much money is available for these scientific studies?
4. Are the Member States involved as well?
5. What scientific studies are to be carried out, and when will they begin?
6. With what level of funding and with what measures is the federal government supporting the scientific case against meat treated with hormones?

**Joint answer**  
**to Written Questions P-0487/98 and E-0568/98**  
**given by Mrs Bonino on behalf of the Commission**  
(30 March 1998)

The Appeals Panel of the World Trade Organisation (WTO) has endorsed the Community's right to lay down a higher level of consumer health protection than that required by international standards, provided the measures are based on an assessment of the risks. Moreover the Appeals Panel has confirmed its opinion that the ban on using hormones in the Community was not based on a sufficiently specific risk assessment, notably as regards the carcinogenic and genotoxic aspects of hormone residues in animal meat.

The Community has informed the WTO of its intentions as regards the implementation of the Appeal Panel's recommendations and decisions of 30 March 1998.

Currently the Commission is deliberating how best to meet its international obligations. At this stage the Commission cannot yet answer questions as precise and detailed as those asked by the Honourable Member.



(98/C 304/175)

**WRITTEN QUESTION P-0489/98**  
**by Karl Habsburg-Lothringen (PPE) to the Commission**  
(17 February 1998)

*Subject:* Report on the approximation of the rates of excise duty on alcohol and alcoholic beverages

With a view to the approximation of excise duty rates, a system of minimum rates of excise duty was introduced with Directive 92/84/EEC <sup>(1)</sup>. Pursuant to Article 8 of that Directive, the Council is to examine the rates of duty every two years and, acting unanimously after consulting the European Parliament, adopt the necessary measures.

That examination is to be carried out on the basis of a report and, where appropriate, a proposal from the Commission. In addition to competition between the different categories of alcoholic drinks, the report is to take into account the proper functioning of the internal market, the real value of the rates of duty and the wider objectives of the Treaty.

An initial Commission report to the Council and the European Parliament dated 13 September 1995 proposed in essence that the approximation of the minimum rates of duty for alcoholic products be postponed until further investigations and consultations had been concluded.

No second report has been published. Pursuant to the Directive referred to above, it is now more than one year overdue.

When will the Commission submit to the European Parliament a report on the approximation of the rates of excise duty on alcohol and alcoholic beverages?

How does the Commission account for the fact that that report is already more than one year overdue?

<sup>(1)</sup> OJ L 316, 31.10.1992, p. 29.

**Answer given by Mr Monti on behalf of the Commission**  
(10 March 1998)

The Commission would refer the Honourable Member to its answer to written question E-37/98 by Mr Miller <sup>(1)</sup>.

<sup>(1)</sup> OJ C 196, 22.6.1998, p. 110.

(98/C 304/176)

**WRITTEN QUESTION E-0490/98**  
**by Klaus Lukas (NI) to the Council**  
(27 February 1998)

*Subject:* Duty-free sales

I note that the Council has been able to answer Question No E-2666/97 <sup>(1)</sup> no more than very superficially and therefore put these questions once again.

The Council has decided that duty-free sales should cease in 1999. The stated reason is that duty-free sales are not logically compatible with the internal market.

What is the purpose of this decision?

Could this purpose be achieved by less drastic means?

If so, what measures might be considered sufficient? If not, why not?

How do duty-free sales hamper the proper functioning of the internal market?

What was the basis for the Council's decision?

How many jobs in the EU are affected by this Council decision?

What was the Council's assessment of the decision's impact on employment?

What is the Council's present assessment of the decision's impact on employment?

How can the Council justify the destruction of thousands of jobs on purely ideological grounds?

Will the Council create replacement jobs for the people who have been deprived of them by this ideologically motivated decision?

If so, when and where will these jobs be created?

How will the creation of these jobs be funded?

If not, how can such decisions be reconciled with the numerous statements by all manner of Councils that they will do everything in their power to create jobs?

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(<sup>1</sup>) OJ C 102, 3.4.1998, p. 85.

**Answer**

(18 May 1998)

The Council has nothing to add to the reply given to Written Question No E-2666/97 by the Honourable Member.

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(98/C 304/177)

**WRITTEN QUESTION E-0491/98**

**by Anna Karamanou (PSE) to the Commission**

(2 March 1998)

*Subject:* Floods in northern Greece

The bad weather of 5 February 1998 was especially harsh in the islands of the northern Aegean, eastern Macedonia and Thrace, drowning one person on Thasos and causing widespread damage to the road and rail network, farms, and hundreds of homes, shops and offices which were flooded by the torrential and unprecedented rainfall. This devastation comes on top of the events of 2 February 1998 when three people lost their lives on Lesbos.

Will the Commission examine the possibility of providing Community resources to make good the damage caused by this natural disaster?

(98/C 304/178)

**WRITTEN QUESTION E-0740/98**

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

(18 March 1998)

*Subject:* Flooding on the island of Lesbos

In view of the widespread destruction caused by the recent heavy rainfall on Lesbos (January 1998), will the Commission say how many — and which — drainage and flood prevention schemes it has funded on the island since Greece's accession to the European Union, how much funding has been provided, how many of these schemes have been completed so far and how much work remains to be done on those that are still uncompleted?

Will the Commission also say whether it intends to provide financial assistance if the relevant Greek authorities submit applications for structural aid so as to meet the cost of urgently-needed infrastructure investments, principally flood prevention schemes, but also sewage networks in various villages on Lesbos?

**Joint answer  
to Written Questions E-0491/98 and E-0740/98  
given by Mr Santer on behalf of the Commission**

(27 March 1998)

The Commission would refer the Honourable Members to the answer to written question E-440/98 by Mr Alavanos <sup>(1)</sup>.

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<sup>(1)</sup> See page 105.

(98/C 304/179)

**WRITTEN QUESTION E-0492/98**

**by Nikitas Kaklamanis (UPE) to the Commission**

(2 March 1998)

*Subject:* Community subsidies for illegal crops

According to reports in the European press, the Commission would appear to be particularly disconcerted by the suspicion that part of the subsidies for growers of medicinal and aromatic plants is being channelled into funding crops such as marijuana. The same reports state that the inadequacy of national government checks is creating misgivings about the use of the subsidies.

The issue has far-reaching ethical implications as it appears that European citizens' money is being channelled into subsidizing illegal crops while the EU is doing its utmost to protect our young people from drug use.

What information does the Commission have about Community-funded subsidization of cannabis growing in the EU and what measures will it take to ensure the proper use of resources from the Community budget?

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

(26 March 1998)

The Community regulations on the conditions for granting aid for hemp lay down strict requirements on various points. In particular they restrict aid granted for certified seeds to those varieties with a tetrahydrocannabinol content not exceeding 0.3%. To that end, there is a Community list of varieties meeting that criterion, which can be verified by a Community method of quantitative chemical analysis. In addition, the official labels of the seeds used must be handed in and the crop must be harvested after seed formation has occurred.

The Commission is also considering making the conditions for granting aid even stricter than at present, in particular through a system of compulsory contracts between growers and the processing industry.

The Commission has no information concerning areas under hemp qualifying for Community aid and actually producing hemp to be used as drugs. Nevertheless, the Commission is concerned about the problem of controls. Should this prove impossible to solve, it reserves the right to propose that the aid scheme for hemp be discontinued.

(98/C 304/180)

**WRITTEN QUESTION E-0494/98****by Alexandros Alavanos (GUE/NGL) to the Council***(27 February 1998)*

*Subject:* Application by the Turkish authorities of Article 14 of the Treaty of Lausanne

The sacrilegious attack on 3 February 1998 on the Church of the Annunciation to the Virgin Mary on the island of Imbros – the perpetrators of which remain at large yet again – is part of a longstanding systematic policy aimed at terrorizing the Greek community on the island. This policy is pursued either directly, e.g. the procedure for drawing up the land register in Gallipoli (my questions E-375/96 <sup>(1)</sup> and E-3973/96 <sup>(2)</sup>), or indirectly in the form of the Turkish authorities' scandalous inertia in failing to arrest those guilty of crimes against the Greek minority and the Orthodox Church.

Article 14 of the Treaty of Lausanne states: 'The islands of Imbros and Tenedos, remaining under Turkish sovereignty, shall enjoy a special administrative organization composed of local elements and furnishing every guarantee for the native non-Moslem population in so far as concerns local administration and the protection of person and property. The maintenance of order will be assured therein by a police force recruited from amongst the local population by the local administration above provided for and placed under its orders.'

What measures will the Council take to persuade Turkey to implement the above special provision of the Treaty, the aim of which is to safeguard the human, religious and minority rights of the Greeks on Imbros and Tenedos?

<sup>(1)</sup> OJ C 122, 25.4.1996, p. 39.

<sup>(2)</sup> OJ C 186, 18.6.1997, p. 146.

**Answer***(28 May 1998)*

The Council regrets the recent developments and is well aware that, under the Treaty of Lausanne of July 1923, the Turkish Government has undertaken commitments towards non-Moslem minorities regarding the protection of persons and property.

The European Council, meeting in Luxembourg on 12 and 13 December 1997 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 Turkey's pursuit of reforms, including the alignment of human rights standards and practices on those in force in the European Union as well as respect for and protection of minorities, which also encompass religious minorities.

The Council expects all countries aspiring to membership of the European Union to respect international law and their treaty obligations as well as to subscribe to the Union's goals.

The situation regarding democracy and human rights in Turkey remains high on the Council's agenda. These issues are brought up regularly during contacts with the Turkish authorities.

(98/C 304/181)

**WRITTEN QUESTION P-0512/98****by Carlos Carnero González (GUE/NGL) to the Commission***(17 February 1998)*

*Subject:* Use of Objective 2 Structural Funds in the Autonomous Community of Madrid

The media have recently been reporting criticisms by the Federation of Madrid Municipalities (FMM) of the way in which the government of the Autonomous Community of Madrid (CAM) has been managing the Structural Funds received by the region under Objective 2. In view of the importance of this matter,

1. Is the Commission aware of the reasons why the CAM left about ESP 9 000 million of Structural Fund money unused in the three-year period 1994-1996? If so, what is its view of a situation that is likely to result in a significant loss of opportunity for those who benefit from application of the Funds?

2. Is the Commission aware that, in breach of its agreements with the FMM, the CAM informed the mayors of the (23) municipalities concerned, when their budgets for 1998 had practically been completed on the basis of those agreements, that almost 46% of the monies they were expecting to receive (ESP 4 700 million) for the period 1997-1999 would be allocated under the heading of the European Social Fund – without any contingency planning – with serious consequences for the areas affected and the investment projects in them (2 000 million less than planned)? If so, does it consider the regional government to have acted properly?
3. Does the Commission think that the difficult situation created by the CAM could be put right by means of the proposals made on 2 February 1998 by the European Affairs Committee of the FMM?
4. Does the Commission consider that the scheme established in the CAM for distributing funds received under Objective 2 between regional and local administrations, by which the municipal councils manage about 15% of the funds available, strikes a minimal balance, bearing in mind that their financial situation is precarious?
5. Does the Commission see any foundation for the verdict reached by various sectors, that the CAM's management of the Structural and Cohesion Funds is lacking in transparency?

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

*(23 March 1998)*

In view of the difficulties in committing funds within the time limit set by the various authorities involved in the operational programmes for Spanish Objective 2 regions for 1994-96, the Commission has proposed carrying over funds not used by Spain to the following period rather than extending that period. The latter option would have resulted in overlapping between the various programmes since, as the programme stipulates, the funds would be allocated strictly to the measures programmed, implementation of which has fallen behind schedule. As a result, the recipients under such measures have more time to implement them than had the period simply been extended and they cannot be claimed to suffer in any way. This concerns most Objective 2 programmes and not only the one for Madrid.

This nominal carryover of funds slightly increases the percentage of the operational programme for Madrid accounted for by the European Social Fund (ESF) in 1997-99 as compared with the previous period. As part of cooperation for and joint monitoring of the programme by national and Community authorities, regular checks are conducted on the use made of grants per fund and per measure, which means the necessary steps (amendments and reprogramming) can be taken in accordance with normal practice in administering funds. At all events, no transfer has ever been made to date from the European Regional Development Fund (ERDF) to the ESF for Objective 2 programmes for Madrid.

Neither the Community Support Framework drawn up by the Commission nor the Spanish authorities specify any percentage of the funds that is to be administered by the local authorities. Nevertheless, the breakdown applied to the programme is not very different from practice followed for other Objective 2 or even Objective 1 programmes.

The Commission cannot unfortunately state a position on the other points raised, which are issues of domestic concern for Spain.

(98/C 304/182)

**WRITTEN QUESTION P-0513/98**

**by Jan Sonneveld (PPE) to the Commission**

*(19 February 1998)*

*Subject:* European criticism of the way in which swine fever is being tackled in the Netherlands

In the Netherlands Second Chamber, the Netherlands Minister of Agriculture said that the Commission was not treating the Netherlands properly or fairly in its assessment of the way in which the recent outbreak of swine fever was being tackled.

Can the Commission indicate in detail its assessment of the way in which the Netherlands Government is tackling swine fever and the basis for that assessment?

Is it true that the Commission is trying to link financial implications to its criticism? If so, what are those implications and on what are they based?

**Answer given by Mr Fischler on behalf of the Commission***(16 March 1998)*

As with the other Member States, the Commission carefully checked the expenditure on eradicating swine fever in the Netherlands which the Community had been requested to fund.

These checks formed the subject of an inspection report that was subsequently communicated to the Netherlands. The Dutch authorities have had several opportunities to comment on this report, both orally and in writing.

The Commission is well aware of the seriousness of the situation affecting pig farming in the region hit by the epidemic. However, on-the-spot checks revealed irregularities in the application of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever<sup>(1)</sup>.

The Commission will take these irregularities into account when it decides on the amount of financial aid to be awarded on the basis of the final account.

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<sup>(1)</sup> OJ L 47, 21.2.1980.

(98/C 304/183)

**WRITTEN QUESTION E-0515/98****by Paul Rübzig (PPE) to the Council***(27 February 1998)*

*Subject:* Right of information under the group exemption regulation

There is still room for improvement in the legal position of the recipients of EU aid and that of interested third parties. At present the recipient of aid has no way of requiring notification by the awarding agency. He therefore remains exposed to the danger of having to repay the aid. Nor, as a rule, can third parties affected by aid that distorts competition obtain information on legal acts of allocation directly in the Member States: they are forced to resort to the lengthy process of putting questions to the Commission.

The proposal for a group exemption regulation in the case of horizontal state aid (COM(97)0396) now gratifyingly provides for a right on information for recipients of aid and interested third parties. The proposal will both greatly reduce the administrative effort involved in the aid procedure and ensure a transparent system of legal protection.

According to reports, the appropriate Council working party has departed from the proposed right of information. This means that legal protection for the sectors of the economy concerned will not only not remain at the same level but will in effect deteriorate.

How does the Council now view the current state of the debate on this subject? In the Council's opinion, can such an approach really satisfy the legal protection requirements in a European domestic market?

**Answer***(18 May 1998)*

The Honourable Member is informed that the preparatory discussions concerning the proposal for a Regulation on the application of Articles 92 and 93 of the EC Treaty to certain categories of horizontal state aid are continuing in the Council's subordinate bodies. Pending the Opinion of the European Parliament, the Council has not yet determined its final position.

Once it has received that Opinion, the Council will complete its discussions as soon as possible.

(98/C 304/184)

**WRITTEN QUESTION E-0516/98****by Paul Rübzig (PPE) to the Council***(27 February 1998)**Subject:* 8th European Development Fund

Under the Lomé IV Convention the eighth European Development Fund was to have been launched at the end of 1997. It is to be used for financial and technical cooperation in removing structural imbalances in the countries benefiting from the Lomé Convention. The emphasis has been placed on poverty alleviation, training and industrialization, but also on health, the improvement of competitiveness and agriculture. For the first time Austria was also to participate in this programme.

However, it proved impossible to launch the eighth European Development Fund on the appointed date, and its launch continues to be delayed because not all the Member States on the European Council have ratified the plan.

Can the Council describe the substantive reasons for this delay?

When, in the Council's view, is the plan likely to be finally ratified?

**Answer***(18 May 1998)*

Pursuant to Article 360(1) of the Fourth Lomé Convention, as revised by the Mauritius Agreement of 4 November 1995, the Convention will come into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of at least two thirds of the ACP States, and of the act of notification of the conclusion of the Convention by the Community.

This condition has now been fulfilled both by the ACP States and by the fifteen Member States. At its meeting on 27 April 1998, the Council adopted the Decision concerning the conclusion of the Agreement amending the Fourth Lomé Convention. The revised Convention will therefore come into force on 1 June 1998.

(98/C 304/185)

**WRITTEN QUESTION E-0517/98****by Paul Rübzig (PPE) to the Commission***(2 March 1998)**Subject:* 8th European Development Fund

Under the Lomé IV Convention the eighth European Development Fund was to have been launched at the end of 1997. It is to be used for financial and technical cooperation in removing structural imbalances in the countries benefiting from the Lomé Convention. The emphasis has been placed on poverty alleviation, training and industrialization, but also on health, the improvement of competitiveness and agriculture. For the first time Austria was also to participate in this programme.

However, it proved impossible to launch the eighth European Development Fund on the appointed date, and its launch continues to be delayed because not all the Member States on the European Council have ratified the plan.

Can the Commission describe the substantive reasons for this delay?

When, in the Commission's view, is the plan likely to be finally ratified?

**Answer given by Mr Pinheiro on behalf of the Commission***(27 March 1998)*

The Commission shares the Honourable Member's concerns over the delay in the start of the 8th EDF, which is the Community's main source of aid funding for the ACP countries for the period 1995-2000.

The launch of the 8th EDF requires ratification by at least two thirds of the ACP states (i.e. 47 countries) and all the Community Member States of the agreement signed in Mauritius on 4 November 1995 to review and supplement the fourth Lomé Convention half way through its lifetime.

From the information in the Commission's possession on 1 March, 56 ACP countries and 13 Member States had ratified the agreement.

The Commission does recognise that purely domestic factors are to blame for the delays in some Member States, but has nevertheless attempted to point out at every stage of their constitutional ratification procedures what the consequences of such delays will be. Although it cannot at this point say exactly when ratification will be completed, it has every expectation that its approaches to the Member States, which are in some cases already paying off, will shortly help to ease the log-jam referred to by the Honourable Member.

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(98/C 304/186)

**WRITTEN QUESTION E-0519/98**

**by Ilona Graenitz (PSE) to the Commission**

*(2 March 1998)*

*Subject:* Duty-free shops

The turnover of European duty-free shops amounts to about ATS 60 bn p.a. Intra-Community traffic accounts for more than two thirds of turnover. When the exemption from excise duty ceases, it is feared that, despite the long transitional periods, 300 to 500 jobs in Austria alone will be at risk.

Does the Commission have a study of the impact of the abolition of duty-free sales on the labour market?

If not, does the Commission intend to have a study of this kind carried out?

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

*(6 April 1998)*

The Commission would refer the Honourable Member to its answer to written question P-272/98 by Mrs Danielle Darras <sup>(1)</sup>.

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<sup>(1)</sup> See page 67.

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(98/C 304/187)

**WRITTEN QUESTION E-0520/98**

**by Thomas Megahy (PSE) to the Commission**

*(2 March 1998)*

*Subject:* Financial support for growers of addictive drugs

Given the Commission's decision to continue to support tobacco production to the tune of a billion ecus a year, can cultivators of relatively harmless substances such as heroine (which takes a tiny fraction of the lives lost every year to tobacco) expect similar subventions? Alternatively, has the Commission considered spending our money on something more beneficial?

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

*(30 March 1998)*

No.

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(98/C 304/188)

**WRITTEN QUESTION E-0522/98**  
**by Shaun Spiers (PSE) to the Commission**  
(2 March 1998)

*Subject:* Welfare of animals at slaughter

When does the Commission intend to bring forward proposals on improving the welfare of animals at slaughter?

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

(16 March 1998)

Article 13 of Directive 93/119/EC on the protection of animals at the time of slaughter or killing <sup>(1)</sup> requires the Commission to submit to the Council a report drawn up on the basis of an opinion from the scientific veterinary committee together with appropriate proposals concerning the use, in particular, of free bullet pistols, gases or combinations thereof for stunning or killing and other scientific recognized procedure for stunning or killing. It is the intention of the Commission to present the report together with appropriate proposals to the Council in the near future.

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<sup>(1)</sup> OJ L 340, 31.12.1993.

(98/C 304/189)

**WRITTEN QUESTION E-0523/98**  
**by Susan Waddington (PSE) to the Commission**  
(2 March 1998)

*Subject:* The use of agricultural intervention stocks — fruit and vegetables

Following press claims that millions of kilograms of vegetables and fruit surpluses are being wasted, rather than being consumed by schools across the Union, what measures are the Commission taking to publicise the availability of fruit and vegetable surpluses to schools?

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

(2 April 1998)

Council Regulation (EC) No 2200/96 <sup>(1)</sup> provides for fruit withdrawn from the market to be distributed free to schools. The free distribution of fruit and vegetables for other purposes is also possible, to charities and institutions such as hospitals and prisons, for example.

To publicise that initiative Member States are to inform and help to establish contacts between producer organisations and the schools or other institutions likely to help in the free distribution of the products.

However, high transport costs and the nature of the products require that such distribution be local. The Community, wishing to support the distribution of withdrawn products, will take over some of the costs, in particular the cost of transport between the withdrawal location and the delivery point, and also sorting and packaging costs (in the case of citrus fruits and apples).

For the 1997/98 marketing year one-off aid is also available for the preparation of withdrawn products to allow producer organisations to deliver them to schools and institutions.

Producer organisations withdrawing products must first make such products available for free distribution before they can be sent for biodegradation.

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<sup>(1)</sup> OJ L 297, 28.10.1996.

(98/C 304/190)

**WRITTEN QUESTION E-0524/98****by Susan Waddington (PSE) to the Commission***(2 March 1998)**Subject:* The promotion of certain foodstuffs

Current dietary advice urges us to reduce our meat, milk, fat and sugar consumption and increase our fruit and vegetable consumption. In view of this, recent press reports in the UK have raised concern that a portion of the CAP budget is used to promote the consumption of meat and dairy products, and yet not to promote the consumption of fresh fruit and vegetables. These reports argue therefore that the CAP fails to promote the consumption of a balanced diet. Are these press reports accurate, and if so, what measures will the Commission be taking to encourage the consumption of fresh fruit and vegetables in the future?

**Answer given by Mr Fischler on behalf of the Commission***(12 March 1998)*

The Commission would like to point out to the Honourable Member that the Community budget for promoting agricultural products is used in particular to encourage consumption of certain fruit and vegetables. Promotion schemes have been adopted by the Council for apples, citrus fruit, dried grapes and nuts, covered respectively by Regulations (EEC) No 1195/90 <sup>(1)</sup>, (EEC) No 1201/90 <sup>(2)</sup>, (EC) No 399/94 <sup>(3)</sup> and (EC) No 2200/96 (Article 54) <sup>(4)</sup>. In addition, since the reform of the fruit and vegetable sector in Regulation (EC) No 2200/96, the Commission has been granting financial aid for operational programmes run by producer organisations, which may include promotion schemes.

A considerable share of the Community budget devoted to promoting agricultural products is thus spent on fruit and vegetables. These promotion campaigns normally consist of stressing the health benefits related to consumption. The same applies to promotion of the consumption of olive oil, which revolves around the nutritional advantages of a Mediterranean-style diet, in which both olive oil and fruit and vegetables play an important part.

<sup>(1)</sup> OJ L 119, 11.5.1990.

<sup>(2)</sup> OJ L 119, 11.5.1990.

<sup>(3)</sup> OJ L 54, 25.2.1994.

<sup>(4)</sup> OJ L 297, 21.11.1996.

(98/C 304/191)

**WRITTEN QUESTION E-0531/98****by Concepció Ferrer (PPE) to the Commission***(2 March 1998)**Subject:* Raphael Programme

The Commission has selected 92 of the 841 projects submitted under the Raphael Programme for the protection of the cultural heritage and a total budget of ECU 9.2 million has been allocated. These 92 projects have been divided into five separate actions. Will the Commission say which projects have been approved by each Member State under each of these actions, which organizations have been granted the aid, what sums are involved and what is the purpose of the projects concerned?

**Answer given by Mr Oreja on behalf of the Commission***(14 April 1998)*

The Commission would inform the Honourable Member that the implementation of the Raphael programme for 1997 concerned the selection of 92 projects for all its five actions. The number of projects and the budgetary allocation per action is as follows:

- Action 1 — Events and dissemination initiatives of a European dimension in favour of the preservation and increased awareness of European cultural heritage: 43 projects selected out of 511 submissions with a budgetary allocation of 1.80 MECU;
- Action 2 — Co-operation in developing thematic networks between European museums: 13 projects selected out of 103 submissions with a budgetary allocation of 2.55 MECU;

- Action 3 — Further training and mobility of professionals in the field of cultural heritage preservation; 14 projects selected out of 92 submissions with a budgetary allocation of 742.000 ECU;
- Action 4 — Study, preservation and enhancement of decorated facades in Europe; 10 projects selected out of 65 submissions with a budgetary allocation of 1.74 MECU;
- Action 5 — Study, preservation and enhancement of the European pre-industrial heritage: 12 projects selected out of 70 submissions with a budgetary allocation of 2.66 MECU.

The Community financial support for the selected projects is shared between all the partners involved in the implementation of each project through the coordinator or leader of the project, who receives the Community grant. In this context, and as the European dimension is evident, the projects do not really come under nationality headings.

As to the financial contribution allocated per project, the Commission is sending a comprehensive list to the Honourable Member and to the Parliament's Secretariat which indicates the partners involved in each project (the first being the coordinator), the objectives to be attained and the amounts granted.

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(98/C 304/192)

**WRITTEN QUESTION E-0533/98**

**by Marjo Matikainen-Kallström (PPE) to the Commission**

(2 March 1998)

*Subject:* Aid to the Mexican Government to investigate the Acteal massacre

On 22 December 1997 a massacre was committed in the village of Acteal, in the province of Chiapas, Mexico, which shocked the whole world. To find the perpetrators of this act and ascertain the reasons for it, the Mexican Government has launched large-scale investigations throughout the country. Efforts have also been made to organize aid for the inhabitants of Acteal.

In view of the above, what measures has the Commission taken to organize humanitarian aid to those suffering as a result of the disaster and to offer expert aid to the Mexican Government to clear up the crime?

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

(31 March 1998)

After the tragic events of Acteal in December 1997 and in line with the resolution adopted by the Parliament on this subject in January 1998, the Commission examined the possibility of providing humanitarian aid for the population uprooted as a result of the massacre. On 19 February 1998, the Commission approved an humanitarian aid package totalling 1.45 MECU.

The aid will be channelled through the German and Spanish Red Cross and the non governmental organisation (NGO) Medicos del Mundo, in collaboration with local NGOs (Mexican Red Cross and Caritas Mexico). Activities envisaged under this decision include food and medical aid as well as provisional shelter for the affected population.

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(98/C 304/193)

**WRITTEN QUESTION E-0534/98**

**by Raimo Ilaskivi (PPE) to the Commission**

(2 March 1998)

*Subject:* Uniform pricing of postal services (continued)

Commissioner Bangemann has replied to my question on this topic (E-3942/97) <sup>(1)</sup>, stating that the practice of the Finnish post office is not in conflict with the proposal for a directive on common rules for the development of the internal market of Community postal services and the improvement of quality of service, on the grounds that the amount charged is in proportion to the additional costs incurred.

In Finland the post office levies a special weekly charge for postal deliveries to summer residents which is not imposed on other residents of the same local authority area. The charge is FIM 25 per week or around ECU 1 per day. When, as in many cases, the delivery of post to summer residents' regular addresses is interrupted during the holiday period, the normal rate is paid for the post to be delivered and the summer resident's postbox is also on the post office's normal delivery route, does the Commission consider that the amount of money demanded by the Finnish post office (ECU 1 per day) in these cases is in accordance with the principles of the above-mentioned directive; in other words, is it in proportion to the additional costs incurred?

(<sup>1</sup>) OJ C 223, 17.7.1998, p. 35.

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

*(20 March 1998)*

In his supplementary question on the pricing of postal services, the Honourable Member indicates that the weekly tax levied by the Finnish post office on occupants of secondary residences comes to FIM 25.

The Commission has already expressed its general position in its answer to the Honourable Member's earlier Question E-3942/97.

Regarding rates, it falls primarily to the national regulator to judge, on the basis of the relevant accounting figures, whether the tax is in line with national and Community requirements.

(98/C 304/194)

**WRITTEN QUESTION E-0538/98**  
**by Michl Ebner (PPE) to the Commission**

*(4 March 1998)*

*Subject:* Level of subsidies for the transport of slaughter cattle

Given that the transport of live cattle for slaughter, which is subsidized by the EU, frequently involves unnecessary suffering for the animals, will the Commission indicate:

1. the amount it makes available each year in subsidies for the transport of cattle for slaughter?
2. Whether payment of these funds is linked to specified minimum standards?
3. Whether the Commission is in favour of abolishing the support measures for the transport of slaughter cattle and proposes instead to subsidize the transport of animals which have already been slaughtered and of frozen meat?

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

*(6 April 1998)*

1. The Community does not subsidize the transport of live cattle for slaughter but it grants export refunds for exports of cattle and beef. For the budget year 1995 (16.10.1994-15.10.1995), 302.1 MECU was granted in export refunds for live animals. For the budget year 1996, the sum amounts to 296.2 MECU and for 1997 to 134.9 MECU.

2. Council Regulation (CE) No 2634/97 of 18 December 1997 (<sup>1</sup>) stipulates that in the case of exports of live animals, the payment of the export refund shall be subject to compliance with the provisions established in Community legislation concerning animal welfare and, in particular, the protection of animals during transport. The Parliament had given its opinion generally supportive of the Commission proposal. On 17 February 1998 the trade mechanisms management committee gave a favourable opinion to a Commission regulation (<sup>2</sup>) laying down specific detailed rules of application for the export refund arrangements as regards the welfare of live bovine animals during transport.

Directive 91/628/EEC, as amended by Directive 95/29/EC concerning the protection of animals during transport <sup>(3)</sup>, contains provisions designed to ensure the respect by transport operators, transporting animals from Community territory to third countries, of adequate welfare conditions for the animals. In particular, the authorities of the exporting Member State must ensure that no animal shall be transported unless suitable provisions have been made for its care during the journey. The animals should be transported in lorries and vessels which are adequate for the purpose. Under rules introduced by Directive 95/29/EC, a route plan must be prepared in advance and transmitted to the authority. The staff in charge of the transport must have the route plan certified at the point where the animals leave the Community, after the animals have been checked and judged by the official veterinarian to be fit to continue their journey.

3. Export of live animals is an important outlet for the Community beef market and can hardly be substituted by export of beef meat due to the different slaughtering rites, the lack of coldstores in importing countries or the specific demand for fresh meat of the required quality in these countries. If the export of live animals from the Community were to become impossible due to unrealistic requirements or disproportional costs or simply by phasing out export refunds, others will take over these markets (Australia increasingly exports live animals to the Arab world with a journey considerably longer than from the Community).

<sup>(1)</sup> OJ L 356, 31.12.1997.

<sup>(2)</sup> In written procedure, should be published very soon.

<sup>(3)</sup> OJ L 148, 30.6.1995.

(98/C 304/195)

**WRITTEN QUESTION E-0559/98**

**by John McCartin (PPE) to the Commission**

*(4 March 1998)*

*Subject:* Exclusion from agricultural markets

Can farmers in any Member State benefit from subsidies and incentives provided by the Commission whilst at the same time exclude the produce of farmers in other Member States from their markets by intimidation?

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

*(31 March 1998)*

There is nothing in Community law as it stands at present which could justify excluding farmers from subsidies within the context of the common agricultural policy even if they indulged in the activities described by the Honourable Member.

However, the attention of the Honourable Member is drawn to the judgement of the Court of justice of December 1997 in case C-265/95 (Commission v France). The Court found that the events which gave rise to the action, which were not disputed by the French government, manifestly created obstacles to the free movement of agricultural products from other Member States, since serious incidents, such as the interception of lorries, the destruction of their loads, violence against drivers, threats against wholesalers and retailers and the damaging of goods when on display in shops, took place year after year — and over a period of more than 10 years — and that the measures adopted by the French government were not sufficient to prevent and effectively dissuade the perpetrators of the offences from committing and repeating them. Those events were also such as to create a climate of insecurity which had a deterrent effect on trade flows as a whole.

On that basis, the provisions of the EC Treaty concerning the free movement of goods and the Member States' duty to cooperate in the fulfilment of obligations arising out of the EC Treaty require them not merely themselves to abstain from adopting measures liable to constitute an obstacle to intra-Community trade, but also to take all necessary and appropriate measures to prevent that trade from being obstructed on their territory by actions by private individuals.

The Member States are responsible for determining what measures are most appropriate to ensure the free movement of goods and it falls to the Court of justice to verify, in the cases brought before it, whether such measures are adequate.

If a Member State fails to take such necessary and appropriate measures, it can be held responsible by the national court in the light of the caselaw of the Court of justice (see joined cases C-46/93 and C-48/93 Brasserie du pêcheur).

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(98/C 304/196)

**WRITTEN QUESTION E-0561/98**  
**by Olivier Dupuis (ARE) to the Commission**  
(4 March 1998)

*Subject:* Civil law in Belgium

Community officials living in Belgium on a short-term basis and for purely work-related reasons are subject, for civil purposes, to different laws from those under which they acquired their marital status and are therefore placed at a disadvantage vis-à-vis their fellow nationals. In particular, Belgian divorce law, which is more restrictive than that in force in other EU Member States, is applicable to married couples whose members are not of Belgian nationality and whose marriages were contracted under terms and conditions which are different from, and on occasion more beneficial than, those provided for in Belgian law.

Can the Commission say whether the EC-Belgium agreement concerning the seat of the various EC institutions contains any provisions on this subject?

If private international law is applicable between the nationals of the Member States concerned and the authorities thereof, could the Commission find out from the Belgian authorities what the reasons are for the impediments to the application thereof which are encountered by EC officials living in Belgium (though not of Belgian nationality) and involved in divorce proceedings?

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

(23 March 1998)

Community officials acting in an official capacity are covered by the Protocol on Privileges and Immunities, in particular Article 12 thereof.

With regard to acts falling within private law, divorce included, Article 23 of the Staff Regulations of Officials of the European Communities provides that, subject to the Protocol on Privileges and Immunities, officials are not exempted from fulfilling their private obligations nor complying with the law and police regulations in force. It follows that the status of Community officials does not make their position any different from that of other persons in the same Member State.

Non-Belgian Community officials residing in Belgium are accordingly subject to Belgian divorce laws and the rules of private international law.

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(98/C 304/197)

**WRITTEN QUESTION E-0562/98**  
**by Olivier Dupuis (ARE) to the Commission**  
(4 March 1998)

*Subject:* Conflict between agriculture and wildlife in Cameroon

The conversion of natural ecosystems into agricultural land is undoubtedly the primary ecological problem facing Africa today and it is also the greatest threat to the biodiversity of the continent. Increasing numbers of experts consider that more effective use of natural resources, in particular wildlife, is the only solution to this serious human and ecological problem.

Paradoxically, in Cameroon it would appear that for several years the French Government has subsidized the production of cotton, which has adverse effects on the natural ecosystems (soil degeneration) and on wildlife but is very profitable for the farmers.

Is the Commission aware of this problem? Can it approach the French government so that the long-term social, economic and ecological impacts of these strategies are assessed? Does the Commission not consider that the experiments developed in southern Africa (more effective use of wildlife) could help to provide solutions?

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

*(26 March 1998)*

Both the Commission and Member States share the concerns the Honourable Member voices over the economic, social and environmental impact of cotton-growing.

The question he raises relates to French bilateral aid and so the Commission would suggest that he ask the French authorities direct what impact cotton farming is having in northern Cameroon.

That aside, the Commission would point out that for the past ten or so years it has been involved in funding major programmes in Cameroon and central Africa more generally. The programmes, designed to encourage rational use of forestry ecosystems, aim to preserve biodiversity and make more effective use of wildlife.

(98/C 304/198)

**WRITTEN QUESTION E-0565/98**

**by Karla Peijs (PPE) to the Commission**

*(4 March 1998)*

*Subject:* Effective legislation against fraud involving non-cash means of payment

Member States have widely divergent laws to combat fraud against new means of payment. In most EU Member States, no specific criminal legislation exists dealing with e-money stored on pre-paid cards. Overall, the approaches followed in the various countries differ substantially. These discrepancies and gaps in legislation and policies are causing significant difficulties in the fight against organized crime. This could affect public confidence in new means of payment and hinder the full functioning of the single market. The Commission was formally notified of this in 1995 by the international payment card schemes and the three European Credit Sector Associations.

In several documents, the Commission has recognized the need for an initiative in this area. Reference is made to the Commission's Green Paper on the practical arrangements for the introduction of the single currency (May 1995, par. 136), Commission policy concerning new means of payment (XV/III/96 of 21 June 1996, p. 7) and a European initiative in Electronic Commerce (COM(97)157, par. 49). The Council's action plan to combat organized crime (97/C 251/01 adopted on 28 April 1997) called on the Council and the Commission to 'address the issue of fraud and counterfeiting relating to all payment instruments, including electronic payment instruments' (political guideline No 15 at p. 6).

Can the Commission state its intentions in this area and inform the EP on progress made so far?

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

*(31 March 1998)*

Endorsing an action plan to combat organised crime <sup>(1)</sup>, the European Council in Amsterdam, June 1997, has shown the resolve for a coherent and coordinated approach by the Community. The action plan calls on the Council and the Commission to examine and address, by the end of 1998, the issue of fraud and counterfeiting relating to all payment instruments, including electronic payment instruments. The Commission will meet this request by proposing an integrated set of measures for consideration by the appropriate bodies, with a view to promoting an adequate 'security environment' for means of payment.

To this end, the Commission has initiated preparatory work with all parties concerned (the payment systems industry, but also small and medium sized enterprises (SMEs) and consumers) to assess the scale of the issue and the nature of any solutions. Although not yet at a stage of formulating a definitive set of measures, the Commission already has some preliminary views.

First, the response should avoid exclusively addressing specific payment instruments or products. Any partial response could lead to policy arbitrage, so that fraud and counterfeiting would migrate towards alternative instruments and systems. Therefore, the Commission is of the opinion that the issue of fraud should be tackled in respect of all means of payment including electronic means.

Second, understanding the phenomenon requires assessment of the potential forms of illicit behaviour. While offences may be directed at payment instruments, fraud and counterfeiting may also occur on the level of the underlying payment transaction itself or on the level of the preparations of the criminal activity. Therefore, the Commission is of the preliminary view that, given rapid technological and service innovation, too precise a codification of offences should be avoided.

Third, consistency is needed at international level to ensure effectiveness. Attention will need to be paid to coherency and compatibility of approach within the Community. To this end, it is particularly important that all parties (authorities, industry and users groups) seek to co-ordinate their initiatives in the relevant international fora and groups, establishing wherever possible global agreement. Therefore, in elaborating an integrated approach, the Commission will endeavour to maximise the scope for collaboration and co-operation at all levels and in all suitable forms.

Finally, no single initiative, whether legislative or not, will offer the optimal solution to the problem. It is rather the implementation of a comprehensive and consistent set of actions, aimed at preventing fraud from occurring and at sanctioning fraudulent behaviour where it has occurred, that will allow the problem to be tackled at its roots. In this context, the Commission will assess whether the absence of convergent laws to combat fraud constitutes a significant weakness and what the most suitable course of action should be.

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(<sup>1</sup>) Action plan to combat organised crime, adopted by the Council on 28 April 1997, OJ C 251, 15.8.1997.

(98/C 304/199)

**WRITTEN QUESTION E-0567/98**

**by Hiltrud Breyer (V) to the Council**

*(3 March 1998)*

*Subject:* EU ban on the import of meat from hormone-treated animals (ruling of the WTO Appeals Panel)

Pursuant to the ruling handed down by the WTO Appeals Panel, the EU is entitled to introduce, on a scientific basis, what it feels is an appropriate level of consumer protection which may be more stringent than that derived from international public health standards.

1. For which specific areas must the required scientific evidence for possible risks be produced?
2. Which experts have been commissioned by the EU to provide this evidence?
3. How much money is available for these scientific studies?
4. Are the Member States involved as well?
5. What scientific studies are to be carried out, and when will they begin?
6. With what level of funding and with what measures is the federal government supporting the scientific case against meat treated with hormones?



**Answer***(8 June 1998)*

Under the Treaty, the Commission is competent to represent the Community in the WTO and therefore before the Panel and the Appeals Panel.

The Honourable Member's questions should consequently be put to the Commission.

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(98/C 304/200)

**WRITTEN QUESTION E-0575/98**  
**by Gérard Caudron (PSE) to the Council***(3 March 1998)*

*Subject:* Motorway driving in thick fog

Another tragedy has occurred on a motorway in foggy weather.

In less than two years the Lille-Ghent motorway has been the scene of two major pile-ups, which killed around fifty people and injured even more. The accidents happened in extreme weather conditions.

These are clearly not isolated incidents in the European Union — the statistics speak for themselves.

It is quite clear that appeals to drive carefully in order to avoid the worst are ignored.

Can the Council give its views on the possibility of closing motorways temporarily when there is thick fog?

Can the Council say whether it intends to take steps which may put an end to these lethal accidents on motorways in particularly thick fog?

**Answer***(28 May 1998)*

Improving transport safety is a priority in common transport policy, as laid down in Article 75(c) of the Treaty, and is central to the Council's concerns.

With regard to road safety in particular, the Council adopted conclusions at its meeting on 17 and 18 June 1997 on the Commission communication 'Road safety in the European Union — the programme for the years 1997-2001.'

In its conclusions, the Council lays down a number of guidelines aimed at facilitating the promotion of road safety at both national and Community levels.

However, it should be noted that the power to make proposals is conferred by the Treaty on the Commission and that the specific measures to which the Honourable Member refers fall within the sphere of competence of the Member States.

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(98/C 304/201)

**WRITTEN QUESTION E-0576/98**  
**by Gérard Caudron (PSE) to the Council***(3 March 1998)*

*Subject:* Double taxation for border workers

The Commission and the European Parliament have expressed their views on several occasions concerning the double taxation affecting certain border workers.

The legislative work being carried out by our colleague Mrs Van Lancker is taking shape and should allow significant progress to be made in remedying this anomaly in this age of the single market and the introduction of the Euro.

In the meantime, a number of border workers have to cope with retroactive tax demands which threaten their solvency.

Can the Council say whether it intends to take urgent steps to tackle such situations, in particular by requesting these requests for payment of arrears be suspended pending the completion of the legislative process on this issue?

Can the Council say whether it intends to force the Member States to apply the new legislation once it has been approved by the European Parliament?

**Answer**

*(18 May 1998)*

Measures such as those requested by the Honourable Member can only be taken by the Council on the basis of a Commission proposal.

No such proposal has been received by the Council.

(98/C 304/202)

**WRITTEN QUESTION P-0590/98**

**by Sirkka-Liisa Anttila (ELDR) to the Commission**

*(23 February 1998)*

*Subject:* Fundamental differences in food hygiene testing between the USA's 'decontamination' approach and the EU's 'from the field to the table' approach

Negotiations are in progress between the United States and the European Union concerning the preconditions for signing a veterinary and animal health agreement. The methods used to protect consumers' health are based on fundamentally different principles in the USA and the EU. In the USA, only the final product is tested, whereas in the EU consumers are protected effectively by monitoring the whole production chain 'from the field to the table'. Large quantities of antibiotics and hormones are used in high-productivity industrial-style livestock farming in the USA to increase efficiency. Meanwhile in the EU extensive agricultural production is being invested in, which accords with environmental, animal welfare and sustainable development objectives, together with checks throughout the food production chain, all of which of course entails extra costs.

According to the information at my disposal, the Commission considers it important to conclude the Veterinary Agreement between the USA and the EU. Why? Ought not the EU to safeguard its own consumers' health by ensuring that imported foodstuffs sold within the EU meet the same high quality, hygiene and veterinary standards which we require of food produced within the EU? Commissioner Fischler has spoken persuasively of the high quality of food and of safeguarding consumers' health. Is it not now the Commission's duty to defend the production standards for which the EU has opted and our own comprehensive monitoring system? This will have implications for whether the EU's principles of consumer and environmental protection can be asserted in the next round of WTO negotiations in 1999. If the Commission now approves the Veterinary Agreement, we shall forfeit the opportunity to defend the EU's systems for monitoring the production of quality foodstuffs 'from the field to the table'.

Will the Commission insist that the EU's trade partners, such as the USA, adopt food hygiene and quality monitoring systems as comprehensive as the EU's?

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

*(30 March 1998)*

Since the Commission started making inspections of meat-exporting establishments in the United States in the mid 1980s, trade difficulties have arisen because of the differences in approach to health measures adopted by the Community and the United States. In order to overcome these trade problems, an agreement (the 'red meat agreement') was negotiated in the early 1990s and adopted by the Council in October 1992 by Council Decision 93/158/EEC <sup>(1)</sup>. This recognized that the regulatory systems of both parties basically provide equivalent

safeguards against public health risks. It set out the technical solutions needed to allow trade to continue and concluded that the two parties would initiate discussions as soon as possible on other problems in the veterinary field in relation to trade in animals and products of animal origin.

Further impetus was given to these discussions by the entry into force on 1 January 1995 of the World trade organisation (WTO) agreement on the application of sanitary and phytosanitary measures (the SPS agreement), which provides, in Article 4, that members shall accept the sanitary measures of other members as equivalent, even if those measures differ from their own, if the exporting member objectively demonstrates to the importing member that its measures achieve the importing member's appropriate level of sanitary protection. This article also requires members, upon request, to enter into consultations with the aim of achieving bilateral and multilateral agreements on recognition of the equivalence of sanitary measures.

The draft agreement between the United States and the Community, which the Commission has sent to the Council <sup>(1)</sup> and to which the Honourable Member refers, covers sanitary measures affecting trade in certain animals and animal products. Measures related to drug residues (e.g. hormones and antibiotics) are at present excluded from the scope of the draft agreement. The effect of this is that these matters remain subject to the legislation of each party in respect of trade.

The purpose of the draft agreement is to facilitate trade between the parties in live animals and animal products by establishing a mechanism for the recognition of equivalence of sanitary measures where this is possible, and establishing a framework for working towards equivalence in other areas. For each party, equivalence can only be accepted in cases where the party is satisfied that the agreed conditions of trade meet its chosen level of sanitary protection. In all cases, it is the right of the importing party to determine if the measures of the exporting party meet its level of protection. The rights of parties under the WTO agreements are not affected by the provisions of the draft agreement, but the intention of the draft agreement is to work towards mutually acceptable solutions instead of allowing damaging trade disputes to develop.

Provisions are included for the exchange of information on matters relating to the draft agreement, including specific provisions on the notification to each other of outbreaks of disease. A safeguard clause is also included, allowing parties to take unilateral emergency measures to protect human or animal health.

It should be stressed that nothing in this draft agreement changes basic Community legislation. Any such change would have to be made by the Council and Parliament on the basis of Article 100A of the EC Treaty.

In the Council meeting on 16 and 17 March 1998 the agreement was adopted unanimously with procedural safeguards concerning the signature of the agreement.

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<sup>(1)</sup> OJ L 68, 19.3.1993.

<sup>(2)</sup> COM(97) 566 final.

(98/C 304/203)

**WRITTEN QUESTION P-0593/98**

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

*(23 February 1998)*

*Subject:* Commission reply to the complaint by EnerTel N. V.

On 15 July 1997 the Dutch telecommunications consortium EnerTel N.V. lodged a complaint with the Commission concerning the draft law on the auction of frequencies for mobile telecommunications in the Netherlands. On 18 December 1997 the original complaint was expanded. EnerTel asked the Commission to take a rapid decision, by the end of 1997, since the company was one of the parties competing for a mobile licence. Partly as a result of the economic uncertainty caused by the slow passage of the legislation and the Commission's silence, EnerTel N.V. decided on 6 January 1998 that it would have to withdraw from participation in the auction of mobile licences. EnerTel was then informed in a Commission reply of 3 February 1998 that 'the grounds for the complaint would appear to have lapsed in view of press reports that the company has withdrawn from the auction'.

1. Is the Commission aware of the connection between the slow processing of the complaint by EnerTel N.V. and the company's decision to withdraw from the auction?
2. Is the Commission aware that by acting in this way it has done nothing to improve the Commission's credibility as an arbiter of complaints?
3. Does the Commission not consider it at least desirable that it should still answer the substance of EnerTel's complaint, particularly in view of its general relevance, and if so, can the Commission make this answer known?
4. Is the Commission aware that in the rapidly liberalizing telecommunications market it is of great importance, especially to new telecom companies, to obtain an answer to complaints as fast as possible, and does not the Commission regard a rapid answer as one of its effective instruments for promoting competition in practice? If so, how will the Commission be speeding up the complaints procedure in future?

**Answer given by Mr Van Miert on behalf of the Commission**

*(19 March 1998)*

1. The Commission strives to handle complaints within a reasonable time, i.e. either by starting an infringement procedure against the Member State concerned within one year after the complaint has been submitted or to inform the complainant that the Commission will not give effect to the complaint within that period. The complaint to which the Honourable Member refers has been handled within that time-limit. Furthermore it should be stressed that national courts are also entitled to apply European law. Undertakings can, even in parallel with complaints pending before the Commission open a case before a national court and request interim measures to secure their rights.
2. In procedures such as the present, complainants are not parties in the strict sense of the word. After all, the Commission has a discretionary power whether or not to start infringement procedures against a Member State. This has repeatedly been confirmed by the Court of justice.
3. Since the reception of the complaint to which the Honourable Member refers, the Dutch government has approved the Auction Act Mobile Frequencies and auctioned the frequencies for future DCS-1800 operators. In this way the Netherlands have implemented Article 2 of Commission Directive 96/2/EC of 16 January 1996 amending Directive 90/338/EEC with regard to mobile and personal communications <sup>(1)</sup>. Therefore, the main arguments of the complainant have been overtaken.
4. The Commission strives, as has been mentioned already, to handle complaints within a reasonable time. Moreover, the cooperation with the national authorities will be intensified. This should in the near future lead to even more effective handling of possible complaints with regard to an alleged obstruction of competition in the telecommunications sector.

<sup>(1)</sup> OJ L 20, 26.1.1996.

(98/C 304/204)

**WRITTEN QUESTION P-0594/98**

**by Luigi Florio (PPE) to the Commission**

*(23 February 1998)*

*Subject:* Nuclear radiation risks for European citizens

The European Union is getting ready to participate in the funding (ECU 100 million out of a total of about ECU 650 million) of the new Chernobyl 'tomb' which should provide the guarantees of safety for man and nature that the present tomb does not.

Has the Commission ever tried to establish scientifically what link there is between the increase in the spread of cancer throughout Europe and the Chernobyl nuclear disaster?

Does the Commission not consider it to be its duty, as well as useful, to propose a European programme to protect citizens against the possible danger of contagion from old and new nuclear radiation?

What action has the Commission taken since 1986 to ensure that the European population is better prepared than it was at the time of Chernobyl to defend itself in the event of a further nuclear incident?

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

*(24 March 1998)*

Following the Chernobyl accident, the Commission launched an epidemiological survey of the incidence of childhood leukaemia in Europe, with particular reference to that accident. The study started in October 1988. An expert panel was also convened to assess the probabilities of radiation induced health effects in the Community. In its final report (EUR 12551, 1990), the panel concluded that childhood leukaemia was the only realistic health hazard to be considered. A study, which existed then, now known as European childhood leukaemia incidence study (ECLIS) was enlarged to include all Member States and Central European Countries holding reliable data with regard to childhood cancer incidence. That epidemiological study is still ongoing.

By the early 1990s, an unexpected increase of childhood thyroid cancers was observed in Belarus and the Ukraine. The Commission sent an expert panel to Belarus to investigate the reported increase and published a confirmatory report (EUR 15248) in 1993. Two collaborative projects including scientists from Belarus, Russia and the Ukraine dealing with diagnostic procedures and treatment of patients were immediately started, and continue. Humanitarian aid (ECHO) and technical assistance (TACIS) have been provided.

The Commission believes that, within the Community, no health effects can be causally linked to radioactive deposition following the accident. However, a few publications refer to regional increases of infant leukaemia. The very low number of cases involved do not permit causal relations to be derived. Indeed, the International agency for research on cancer (IARC) has informed the Commission that, certainly at this time, there is no scientific evidence of an increase of cancer related to the Chernobyl nuclear disaster in the Community.

As regards historic and new radioactive contamination of the environment, Article 35 of the Euratom Treaty has always required Member States to establish the facilities necessary to carry out continuous monitoring and to ensure compliance with the Community basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation. Moreover, the Commission is empowered to verify the operation and efficiency of such facilities. Under the terms of Article 36 of the Euratom Treaty the monitoring results are periodically communicated to the Commission which publishes regular reports showing the levels of contamination. The basic safety standards, against which these levels have to be assessed, were first adopted in 1959 since when they have been subject to a number of revisions to take account of the latest scientific knowledge. The most recent such revision was made in 1996 (Council Directive 96/29/Euratom of 13 May 1996<sup>(1)</sup>). The results demonstrate that the present system serves to ensure the population is protected against radiation exposure. The current arrangements will continue to be enforced and there is no justification for any additional European programme such as suggested.

Moreover, since the Chernobyl accident significant steps have been taken to ensure appropriate measures to protect the public in the event of any future serious accident. The measures include provision for the rapid exchange of information between Member States and the Commission (Council Decision 87/600/Euratom of 14 December 1987<sup>(2)</sup>), predefined limits on the radioactive contamination of foodstuffs which can be rapidly brought into force if necessary and thereafter revised to take account of the particular situation (Council Regulation Euratom/87/3954 of 22 December 1987<sup>(3)</sup>) and information to the public (Directive 89/618/Euratom of 27 November 1989<sup>(4)</sup>). In addition the 1996 basic safety standards set out in much greater detail the provisions to be made by Member States for dealing with any future accident.

A number of relevant projects were also launched in the framework of the radiation protection research programme. In particular, some 20 East and West European countries are now involved with the development of the Real-time on-line decision (RODOS) decision support system for off-site emergency management. The system is now being implemented in nuclear emergency centres in several countries for pre-operational use. The wider dissemination and use of RODOS will promote a more harmonised and effective response to any future accident that might affect Europe.

An inter-service group on off-site emergency preparedness (OSEP) was established within the Commission in 1995 with the objectives not only to co-ordinate and provide for improvements to emergency preparedness in Eastern Europe but also to improve arrangements for information exchange within Eastern Europe and with the Community to enable timely response to any future accident. With funding from TACIS, PHARE and ECHO some ten or more projects have been launched to respond to these objectives and others are in preparation.

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(<sup>1</sup>) OJ L 159, 29.6.1996.

(<sup>2</sup>) OJ L 371, 30.12.1987.

(<sup>3</sup>) OJ L 371, 30.12.1987.

(<sup>4</sup>) OJ L 357, 7.12.1989.

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(98/C 304/205)

**WRITTEN QUESTION E-0596/98**

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

*(4 March 1998)*

*Subject:* Projects relating to the Olympic Games in 2004

In its reply to my Question No 3097/97 (<sup>1</sup>) the Commission stresses that it will therefore continue to ensure the respect of the provisions of this Directive (Directive 85/337/EEC (<sup>2</sup>)) in case it would be applicable to Olympic Games projects'. The Greek authorities plan to build six sports grounds along the coast of the Saronic Gulf for the Olympic Games of 2004. Environmental organisations and local bodies allege that these facilities will destroy the region and recall that, according to the Ministry for the Environment, Regional Planning and Public Works, a regeneration scheme had been planned there (green sites, etc.).

Moreover, studies co-funded by the Commission have been carried out with a view to drawing up such a regeneration scheme.

Will the Commission say whether it is aware of the above, how it views this inconsistency and whether it can guarantee that it will monitor the relevant investments and ensure that Community legislation is respected?

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(<sup>1</sup>) OJ C 117, 16.4.1998, p. 151.

(<sup>2</sup>) OJ L 175, 5.7.1985, p. 40.

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

*(31 March 1998)*

The Commission has no additional information on the 2004 Olympic games since its reply to the Honourable Member's previous written question E-3097/97.

Planning issues in the Saronikos Gulf area are within the competence of the Greek authorities which decide on specific uses or development projects, and to make use or not of previous plans and studies, some of which may have been partially funded with Community assistance. Though it would be regrettable if resources had been wasted, new elements such as the 2004 Olympic games can certainly lead the authorities to re-orientation of choices.

In all cases however the obligation remains for the Greek authorities to respect Community environmental legislation when applicable. The Commission will use existing procedures to ensure that this will be the case.

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(98/C 304/206)

**WRITTEN QUESTION E-0606/98****by José Valverde López (PPE) to the Council***(16 March 1998)**Subject:* Ratification of the Amsterdam Treaty

On 2 October 1997 the Amsterdam Treaty was signed at the Spanish Royal Palace. What does the Council envisage by way of a timetable for the ratification of the Treaty by the various national parliaments? In view of the political importance of the Treaty, what institutional activities has the Council undertaken in order to win over public opinion? What is the situation as regards each individual Member State?

**Answer***(28 May 1998)*

The Amsterdam Treaty – which emerged from the Conference of the Representatives of the Governments of the Member States held from March 1996 to June 1997 – is to be ratified by the signatory States in accordance with their respective constitutional rules. It is not for the Council to set a timetable for ratification or to take action to influence public opinion in the Member States in that context.

(98/C 304/207)

**WRITTEN QUESTION E-0611/98****by Bartho Pronk (PPE) to the Commission***(9 March 1998)**Subject:* Net payments by the Netherlands in 1997

Further to my question of 10 December 1997 (P-4054/97) <sup>(1)</sup> and the Commission's reply of 19 January 1998, I have the following supplementary questions to put.

1. If the Commission cannot answer my question, why did it take so long to send me any reply at all? Please note that mine was a priority question.
2. Is not the reply unnecessarily denigratory, as the Commission seems to assume that Members of the European Parliament do not know that Commission publications are available on the Internet?
3. In its reply the Commission says that it does not have any data for the budgetary position of the Netherlands in 1997. Afterwards, however, it mentions the Commission's position on this matter. The Commission's position is that it does not wish to provide any information on the subject. Under Article 140 of the Treaty on European Union, the Commission must reply orally or in writing to questions put to it by the European Parliament or by its Members. The Commission must supply information in response to questions from Members of the European Parliament.

Is not the Commission violating Article 140 of the Treaty by refusing to share information which it possesses?

<sup>(1)</sup> OJ C 196, 22.6.1998, p. 69.

**Answer given by Mr Santer on behalf of the Commission***(16 March 1998)*

1. The Commission considers it gave a full reply to the Honourable Member's previous question. The reply was given inside the time limit communicated by the Parliament to the Commission.
2. The Commission does not in fact make available on the Internet all the documents it presents to the Council. The previous reply did not contain any comment about members of the Parliament.
3. The Commission attaches great importance to full and rapid replies to parliamentary questions, and devotes considerable care and resources to fulfilling its duty under Article 140 EC Treaty.

(98/C 304/208)

**WRITTEN QUESTION E-0614/98**  
**by María Izquierdo Rojo (PSE) to the Council**

(16 March 1998)

*Subject:* Violence against women

The European Parliament recently adopted a resolution on the need to establish a European Union wide campaign for zero tolerance of violence against women <sup>(1)</sup>, urging the Governments of the Member States to take violence against women more seriously and include it on their political agenda.

Bearing in mind that in Spain alone during 1997, 61 women were killed in incidents involving this kind of violence, a figure higher than that for victims of ETA terrorist violence, what measures and actions will the Council take during the current year to combat violence against women on a European scale?

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<sup>(1)</sup> OJ C 304, 6.10.1997, p. 25.

**Answer**

(28 May 1998)

Violence against women is a subject that Member States of the European Union take very seriously indeed. For example, at the last Labour and Social Affairs Council meeting on 15 December 1997, violence against women was one of the three topics discussed as part of a debate on the follow-up to the UN Conference on Women held in Beijing in 1995. The Council reviewed the measures taken by Member States and underlined the important work done through the STOP and the DAPHNE Programmes to combat violence against women and children, whatever form it might take.

In March 1998, the United Nations Commission on the Status of Women focused on violence against women; the European Union was represented at this Conference and adopted a statement condemning all forms of violence against women.

The Presidency is currently considering, together with the Commission, the possibility of initiatives on violence against women being taken by the European Union in 1999.

(98/C 304/209)

**WRITTEN QUESTION P-0615/98**  
**by Angela Billingham (PSE) to the Commission**

(25 February 1998)

*Subject:* Study on the risks of cancer caused by textiles and leather goods

Does the Commission consider that the findings of the study on the risks of cancer caused by textiles and leather goods which are coloured by Azo-dyes, covered by the invitation to tender No III/96/61 of July 1996, will necessitate any action by footwear traders in the European Union?

Does the Commission consider the health risks are proportionate to a need for legislation and if not, will it take action to remove national Azo prohibitions that conflict with the Single Market?

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

(25 March 1998)

The study on the risks of cancer caused by textiles and leather goods coloured with certain azo dyes is part of a programme that was launched by the Commission to analyse the need for harmonised restrictions on the marketing and use of carcinogenic azo dyes and the economic and other consequences of such restrictions.



The risk assessment is currently under finalization so that it is premature to draw firm conclusions about the need for actions in specific sectors. However, the final report is expected shortly.

The outcome of the risk assessment, together with the results of the study on advantages and drawbacks of banning certain azo dyes and products treated with them and of the study on the effects of a ban on suppliers in developing countries, will provide information on the need for and proportionality of harmonised restrictions. The result of the study programme will form a basis for further discussions with Member State experts and a possible Commission proposal to introduce harmonised legislation.

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(98/C 304/210)

**WRITTEN QUESTION E-0621/98**  
**by Angela Billingham (PSE) to the Commission**

(9 March 1998)

*Subject:* Kurdish Community in Diyarbakir

Is the Commission aware of the allegation that the Kurdish community in Diyarbakir is being poisoned by sewage being pumped into its water supply? It is alleged that what used to be a fertile valley is dying and that many children are becoming ill. If true, is this acceptable behaviour from a country seeking to join the European Union?

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

(31 March 1998)

The Commission is well aware of the low level of socio-economic development in the south-east of Turkey, exemplified, among other things, by the poor state of sewerage systems in several parts of that region. Leaks from the sewerage systems affect the health of the most vulnerable sections of the population, including children. The Turkish authorities are aware of this problem. It was on the agenda of the meeting of the Turkish National Security Council of 26 February 1998.

Since 1997, under the MEDA programme, the Commission has chosen to focus in particular on basic infrastructure and projects for improving socio-economic development in south-east Turkey. Last year it approved a drinking water project for Sanliurfa worth more than ECU 21 million. It has also allocated financing (almost ECU 23 million) in the form of interest-rate subsidies on loans from the European Investment Bank (EIB) to improve the sewerage systems in Adana and Izmit.

As regards the city of Diyarbakir, the Commission has programmed interest rate subsidies for 1998 on an EIB loan for the Diyarbakir Water and Sewerage Administration to build a sewage treatment plant and a sewerage system.

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(98/C 304/211)

**WRITTEN QUESTION E-0625/98**  
**by Juan Colino Salamanca (PSE) and Jesús Cabezón Alonso (PSE) to the Commission**

(9 March 1998)

*Subject:* COM in raw tobacco: use of the research fund

The current proposal to reform the COM in raw tobacco establishes a Community Tobacco Fund, funded by holding back the equivalent of 2% of the subsidy; the current level is 1%.

1. What is the total amount of funding raised from the subsidy over the first three years?
2. What research programmes or other activities have been carried out in previous years with monies from this research fund?

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

*(27 March 1998)*

During the first three years (1995, 1996 and 1997), the Commission made payments totalling ECU 3.26 million from the Community tobacco research and information fund. These payments were for the implementation of the first phases of what are in most cases multiannual projects (extending, in the case of research, over five years). The Commission has approved total funding of ECU 25.88 million for research and information projects, the last of which will be completed in 2003.

The programmes selected for funding from the Community tobacco research and information fund from those submitted in response to the two invitations to tender are given in the table sent directly to the Honourable Members and to the Secretariat of Parliament.

(98/C 304/212)

**WRITTEN QUESTION P-0648/98**

**by Alexandros Alavanos (GUE/NGL) to the Commission**

*(25 February 1998)*

*Subject:* Abolition of co-responsibility levy for olive oil

The olive oil market in Greece is in a state of crisis. Excess production in the European Union has led to a 27% reduction of Community aid for production, and there has been a spectacular fall in market prices owing to the surpluses.

Given the importance of olive oil production for Greece, will the Commission abolish the co-responsibility levy for Greece for this year, so that Greek olive oil producers are not penalized because of the approximate tripling of Spanish production?

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

*(12 March 1998)*

The Commission is following closely developments on the Community market for olive oil, and has already taken measures to relieve the market in the form of private storage aid for olive oil.

The Commission cannot depart from the rules laid down in Regulation No 136/66/EEC on the establishment of a common organisation of the market in oils and fats<sup>(1)</sup>. This Regulation is a Council Regulation. The Commission cannot therefore abolish the effects of the stabiliser mechanism on production aid for Greece for this year.

The Honourable Member's attention is however drawn to the fact that, in the event of an overrun of the maximum guaranteed quantity, it is production aid to producers exceeding 500 kilograms of olive oil per marketing year ('large-scale' producers) that is cut. According to the information in the Commission's possession, only about 25% of olive growers in Greece will be affected by this reduction.

Finally, it should be noted that during the 1994/95 and 1995/96 marketing years, Spanish olive growers were subject to the stabiliser when Spain was affected by a serious drought and production fell to record lows.

<sup>(1)</sup> OJ 172, 30.9.1966.

(98/C 304/213)

**WRITTEN QUESTION E-0660/98**  
**by Leonie van Bladel (UPE) to the Council**  
(16 March 1998)

*Subject:* The Netherlands obstructing the international hunt for a drug baron

1. Is the Presidency aware of the dismissal by the Netherlands Minister of Justice (who represents D'66) of the Hague public prosecutor, Mr Arthur Docters van Leeuwen?
2. Is the Council aware of confidential and personal military intelligence report 913 of 21 January 1982 in which the Netherlands' former Minister of Defence and current Minister of Foreign Affairs, Mr H.A.F.M.O. van Mierlo (D'66) intended to provide training for the intelligence service of the then dictator of Surinam, Desi Bouterse?
3. Does the Council realise that a dictator's military intelligence service is used solely for the purpose of repressing the population?
4. Is the Council aware that the Netherlands Ministry of Justice has requested international assistance in tracing Surinam's ex-dictator Bouterse who is suspected of large-scale international dealing in cocaine?
5. Is the Council aware that ministers Van Mierlo and Sorgdrager made it impossible to arrest Bouterse in Brazil last year?
6. Is the Council aware of the circumstances whereby Mr Charles van der Voort, the public prosecutor responsible for tracing Bouterse, was removed from active service?
7. Does the Council realise that the Hague public prosecutor, Mr Arthur Docters van Leeuwen, is in fact the only person willing to continue with tracing and prosecuting Bouterse?
8. Does the Council not feel that the dismissal of Mr Docters van Leeuwen is simply the latest in a series of steps aimed at frustrating the prosecution of Desi Bouterse?
9. Can the Council make an urgent appeal to the Netherlands to allow Mr Docters van Leeuwen to resume his work and to continue in his efforts to arrest and prosecute Bouterse?

**Answer**

(25 May 1998)

The questions posed by the Honourable Member of the European Parliament relate solely to matters that are internal affairs of the Netherlands.

(98/C 304/214)

**WRITTEN QUESTION P-0662/98**  
**by Nikitas Kaklamanis (UPE) to the Commission**  
(2 March 1998)

*Subject:* Installation of hazardous nuclear reactor at Akkuyu

In April 1998, Turkey is due to select the type of nuclear reactor to be installed in the region of Akkuyu, which is particularly prone to the risk of earthquake and is also home to the rare, protected species of seal known as Monachus Monachus.

Turkey reportedly intends to select the Canadian reactor 'Candu' which is capable (through a particular method) of increasing the quantity of plutonium produced, creating a basis for the production of nuclear weapons. Moreover, it is not a matter of chance that this type of reactor has been installed in sensitive areas of countries such as South Korea, India, Pakistan and China. The quality and safety standards of these reactors have been severely criticized in certain quarters in the USA and Canada, while Canada gave a commitment at the Kyoto environment summit (last December) to close down seven nuclear plants of this type.

What action will the Commission take to prevent the installation of this type of reactor only a few miles outside the EU's boundaries?

**Answer given by Mr Van den Broek on behalf of the Commission***(23 March 1998)*

The Honourable Member is referred to the Commission's answer to his Question E-3787/97 <sup>(1)</sup>.

The Turkish authorities require tenderers to have a proven track record in the design, construction and performance of at least two nuclear power stations, at least one of which must be suitable as a reference for the Akkuyu project. Applicants must also demonstrate their ability to manage international projects. Tenders should be submitted only by companies or organisations with sufficient financial resources to meet the commitments arising from projects of this scale.

The Turkish authorities have also called upon several consultants specialising in the technical evaluation of tenders, contract negotiation and legal and economic issues. These companies include the Korea Atomic Energy Research Institute and the Spanish company Empresarios Agrupados Internacional.

The Commission must point out that Community directives are not applicable to a plant situated outside the territory of the European Union such as that referred to by the Honourable Member.

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<sup>(1)</sup> OJ C 223, 17.7.1998, p. 22.

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(98/C 304/215)

**WRITTEN QUESTION P-0683/98****by Umberto Bossi (NI) to the Commission***(2 March 1998)*

*Subject:* The Banca d'Italia's gold and the Italian public sector borrowing requirement

The circumstances surrounding the sale of gold belonging to the Banca d'Italia to the Ufficio Italiano Cambi (UIC, the Italian Foreign Exchange Office) is only the latest in a long series of scandals which have shown Italy in the undignified role of desperately attempting to meet the Maastricht criteria.

A document recently approved in Brussels by the Commission, to the effect that the Council will look into this case and that Eurostat is in the process of investigating the matter to ascertain the nature of the transaction in question, notes that in 1974, to protect the lira against attacks by speculators, the Banca d'Italia obtained a US \$ 2 billion loan from the Bundesbank. The UIC purchased 543 tonnes of gold from the Banca d'Italia to underwrite the loan. The loan was paid off in September 1978, but the gold remained on the UIC's balance sheet. It was revalued over the years, but the corresponding capital gains were never taxed because, under Italian tax law, capital gains are not subject to tax until they are realized. In July 1997 the UIC -which, by the way, was in the process of being wound up- sold the gold back to the Banca d'Italia. That operation generated a capital gain of c. Lit 7600 billion, and hence the requirement to pay Lit 4000 billion in tax, part of which (Lit 3 400 billion) was paid in November 1997. Consequently the sum of Lit 3400 billion was credited to the public exchequer and duly entered against the public sector deficit, which proved to have been kept down to 2.7% of GDP by the end of 1997, in other words well below the crucial 3% ceiling set by the Maastricht criteria.

Does the Commission intend to finally ascertain the nature of this transaction?

Does the Commission intend to establish whether it is permissible to encourage tax revenues of this kind to be offset against the public sector deficit?

If not, does the Commission not consider that this incident shows yet again that Italy has not changed its ways and is prepared to stoop to dubious accounting practices in order to enter Europe?

**Answer given by Mr de Silguy on behalf of the Commission***(17 March 1998)*

In the framework of the monitoring procedures established by the EC Treaty, such as the multilateral surveillance (Article 103) and the excessive deficit procedure (Article 104c) the Commission has always thoroughly assessed the scope and nature of macroeconomic and fiscal adjustment of individual Member States, making a clear

distinction between structural and temporary measures. In doing so, the Commission has watched over the transparency and the accuracy of the accounting systems of all Member States.

Concerning the specific operation to which the present question refers, the Commission has already analysed its nature and determined its appropriate accounting treatment in terms of the system of integrated accounts 'ESA 79'. In particular, in its decision No 5/98 of 27 January 1998 'Eurostat has decided to treat this payment as a financial transaction which has no effect on the measurement of the government deficit as defined for the purposes of the excessive deficit procedure'. In other words, this operation will not reduce the deficit in the definition which is relevant for access to European monetary union (EMU), that is, the general government net borrowing.

The Commission will present an assessment of the sustainability of the Italian budgetary position, as well as that of other Member States, in its report on convergence, in accordance with Article 109j(1) EC Treaty to be released by 25 March 1998.

(98/C 304/216)

**WRITTEN QUESTION E-0684/98**

**by Umberto Bossi (NI) to the Council**

*(16 March 1998)*

*Subject:* The Banca d'Italia's gold and the Italian public sector borrowing requirement

The circumstances surrounding the sale of gold belonging to the Banca d'Italia to the Ufficio Italiano Cambi (UIC, the Italian Foreign Exchange Office) is only the latest in a long series of scandals which have shown Italy in the undignified role of desperately attempting to meet the Maastricht criteria.

A document recently approved in Brussels by the Commission, to the effect that the Council will look into this case and that Eurostat is in the process of investigating the matter to ascertain the nature of the transaction in question, notes that in 1974, to protect the lira against attacks by speculators, the Banca d'Italia obtained a US \$ 2 billion loan from the Bundesbank. The UIC purchased 543 tonnes of gold from the Banca d'Italia to underwrite the loan. The loan was paid off in September 1978, but the gold remained on the UIC's balance sheet. It was revalued over the years, but the corresponding capital gains were never taxed because, under Italian tax law, capital gains are not subject to tax until they are realized. In July 1997 the UIC -which, by the way, was in the process of being wound up- sold the gold back to the Banca d'Italia. That operation generated a capital gain of c. Lit 7600 billion, and hence the requirement to pay Lit 4000 billion in tax, part of which (Lit 3 400 billion) was paid in November 1997. Consequently the sum of Lit 3400 billion was credited to the public exchequer and duly entered against the public sector deficit, which proved to have been kept down to 2.7% of GDP by the end of 1997, in other words well below the crucial 3% ceiling set by the Maastricht criteria.

Does the Council intend to finally ascertain the nature of this transaction?

Does the Council intend to establish whether it is permissible to encourage tax revenues of this kind to be offset against the public sector deficit?

If not, does the Council not consider that this incident shows yet again that Italy has not changed its ways and is prepared to stoop to dubious accounting practices in order to enter Europe?

**Answer**

*(8 June 1998)*

On the basis of the convergence reports presented by the Commission and the European Monetary Institute, and in the light of the favourable Opinion delivered by the European Parliament, on 2 May 1998 the Council, meeting at the level of Heads of State or Government, took the view that eleven Member States, including Italy, fulfilled the necessary conditions for the adoption of the single currency.

The Council's assessment took account of all relevant factors and in particular evaluated the sustainability of the Italian government's financial position.

(98/C 304/217)

**WRITTEN QUESTION E-0686/98****by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Council***(16 March 1998)**Subject:* Taxation of energy products

The proposal for a Council directive restructuring the Community framework for the taxation of energy products — (COM(97)30 final — 97/0111 CNS) <sup>(1)</sup> allows Member States some freedom of manoeuvre with regard to the technical definition of taxes on energy products, provided that these do not lead to distortions of competition within the internal market.

Regrettably, no clear guidance is provided concerning tax neutrality, but it should be emphasized that experience has shown that recently introduced taxes on energy are not offset by a corresponding reduction in the overall tax burden.

Would the Council undertake, at the same time as adopting the directive in Council, to use any increase in tax revenues to reduce the tax burden on labour? Given that it is mainly families that will bear the brunt of any increase in minimum tax levels, it would be expedient to adopt compensatory measures in the social field, which should primarily benefit people falling within the lowest income brackets.

<sup>(1)</sup> OJ C 139, 6.5.1997, p. 14.

**Answer***(28 May 1998)*

Article 1(2) of the proposal the Honourable Members cite provides that:

‘When implementing this Directive, Member States shall endeavour to avoid any increase in their overall tax burden. In order to attain this objective, Member States shall endeavour in particular to reduce at the same time statutory charges on labour.’

The Council’s subordinate bodies are currently examining this proposal. In this context the Council would remind the Honourable Members that, under the terms of the conclusions of the extraordinary European Council on Employment held in Luxembourg in November 1997:

‘Each Member State will set a target, if necessary and taking account of its present level, for gradually reducing the overall tax burden and, where appropriate, a target for gradually reducing the fiscal pressure on labour and non-wage labour costs, in particular on relatively unskilled and low-paid labour, without jeopardizing the recovery of public finances or the financial equilibrium of social security schemes. It will examine, if appropriate, the desirability of introducing a tax on energy or on pollutant emissions or any other tax measure.’

(98/C 304/218)

**WRITTEN QUESTION P-0693/98****by Mihail Papayannakis (GUE/NGL) to the Commission***(2 March 1998)**Subject:* Implementation of operational programme for the tourist industry

In its answer to my Question No. H-0813/96 <sup>(1)</sup> concerning the implementation of the Greek operational programme for the tourist industry, the Commission pointed out the low take-up rate of the relevant appropriations and urged the Greek authorities to use up the remainder. Furthermore, it was awaiting the national authorities’ final decisions and planning for the marinas and the integrated tourist development regions (ITDRs).

More than a year has passed since the Commission’s answer and the operational programme expires on 31 December 1999. Will the Commission, therefore, say:

1. what the current take-up rate is for the operational programme for the tourist industry,
2. whether the locations for setting up the ITDRs have been selected and what they are,

3. whether it has been decided what type of project will receive funding, and
4. whether funding will be provided for projects on public land only or on privately owned land as well?

<sup>(1)</sup> Debates of the European Parliament (October 1996).

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

*(23 March 1998)*

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/219)

**WRITTEN QUESTION E-0695/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(10 March 1998)*

*Subject:* Pollution-related diseases

In connection with the proposal for a European Parliament and Council Decision adopting a programme of Community action 1999-2003 on pollution-related diseases in the context of the framework for action in the field of health (COM(97) 266 final — 97/0153 (COD)) <sup>(1)</sup> and in order to avoid pointless duplication of effort, can the Commission check the consistency and complementarity between the proposed measures and those envisaged in the Community action programme on health monitoring and other measures concerning pollution-related diseases?

<sup>(1)</sup> OJ C 214, 16.7.1997, p. 7.

(98/C 304/220)

**WRITTEN QUESTION E-0696/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Pollution-related diseases

In connection with the proposal for a European Parliament and Council Decision adopting a programme of Community action 1999-2003 on pollution-related diseases in the context of the framework for action in the field of health (COM(97) 266 final — 97/0153 (COD)) <sup>(1)</sup>, can the Commission present at least an outline of the financial requirements for the period 2000-2003 and ensure that the budgetary authority meets these requirements?

<sup>(1)</sup> OJ C 214, 16.7.1997, p. 7.

(98/C 304/221)

**WRITTEN QUESTION E-0697/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Pollution-related diseases

In connection with the proposal for a European Parliament and Council Decision adopting a programme of Community action 1999-2003 on pollution-related diseases in the context of the framework for action in the field of health (COM(97) 266 final — 97/0153 (COD)) <sup>(1)</sup>, as regards the first specific objective of the action programme ('improvement of information') can the Commission demonstrate the importance of collecting scientific data on the causal links between pollution and illness and the comparison and assessment of the available data on causation in collaboration with the Member States?

<sup>(1)</sup> OJ C 214, 16.7.1997, p. 7.

(98/C 304/222)

**WRITTEN QUESTION E-0698/98****by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission***(18 March 1998)**Subject:* Pollution-related diseases

In connection with the proposal for a European Parliament and Council Decision adopting a programme of Community action 1999-2003 on pollution-related diseases in the context of the framework for action in the field of health (COM(97) 266 final — 97/0153 (COD))<sup>(1)</sup>, as regards the second specific objective ('risk perception and risk management') and in order to avoid unnecessarily alarming the population and encourage people to reduce exposure to environmental risks to the minimum, does the Commission not agree that much more is required than the mere dissemination of information? People must trust those who supply the information and attention must be devoted to aspects such as the social background and competence of the people involved. Finally, the communication and dissemination of information must be organized systematically.

<sup>(1)</sup> OJ C 214, 16.7.1997, p. 7.

(98/C 304/223)

**WRITTEN QUESTION E-0699/98****by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission***(18 March 1998)**Subject:* Pollution-related diseases

In connection with the proposal for a European Parliament and Council Decision adopting a programme of Community action 1999-2003 on pollution-related diseases in the context of the framework for action in the field of health (COM(97) 266 final — 97/0153 (COD))<sup>(1)</sup>, as regards the third specific objective ('respiratory diseases and allergies') can the Commission ensure that, on the basis of the same general criteria, the action programme targets other major diseases and that the importance of preventing other allergies, such as food allergies, is emphasized?

<sup>(1)</sup> OJ C 214, 16.7.1997, p. 7.

**Joint answer to Written Questions  
E-0695/98, E-0696/98, E-0697/98, E-0698/98 and E-0699/98  
given by Mr Flynn on behalf of the Commission**

*(16 April 1998)*

In its communication on and proposal for a public health action programme on pollution-related diseases<sup>(1)</sup>, the Commission set out a three-pronged approach on diseases linked with environmental pollution: first, to fight pollution at the source, second, to act on concentrations of pollutants and the population exposed to them. Both aspects are essential elements of the Community policy on environment. The third element is complementary, and consists of public health action to be directed towards the mitigation of effects of pollution on individuals that for technical or economic considerations, might not be avoided. The proposed measures are consistent with other actions relevant to pollution-related diseases.

As indicated by the Commission at the March 1998 session of the Parliament, it is not possible, in the current state of the financial perspectives, to foresee funding of the proposed programme exceeding, for each of the five years of its duration, the amount of 1.3 MECU earmarked for the first year (1999).

The Commission underlined in its communication the importance of scientific data on the causal relationship between pollution and disease and of collating and evaluating existing data on causality.

The Commission also proposed measures to increase the level of knowledge and understanding about pollution-related diseases and their perception, assessment and management. The reason for this is that risks are not perceived in the same way by the scientific community, policy makers and the public, and that action is necessary to achieve an effective communication between these parties.



Finally, there is evidence of a significant rise in the prevalence of respiratory diseases and allergies, causing a substantial social and economic burden in Member States, as well as considerable population exposure — indoors and outdoors — to the pollutants that are thought to play a role in their causation, provocation or aggravation. As important diseases associated with pollution other than respiratory diseases and allergies are already targeted by other Community action programmes (such as the Europe against Cancer action) the Commission included in its proposals specific action on the latter. Support to food allergy preventative action such as breast feeding may well be considered in the implementation of the proposed programme, in order to complement other measures such as appropriate labelling and information on ingredients of food safety. Community policy on food safety is giving special attention to this.

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(<sup>1</sup>) OJ C 214, 16.7.1997.

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(98/C 304/224)

**WRITTEN QUESTION E-0704/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Injury prevention

This question concerns the proposal for a European Parliament and Council Decision adopting a programme of Community action from 1999 to 2003 on injury prevention in the context of the framework for action in the field of public health (COM(97) 178 final — 97/0132 COD (<sup>1</sup>)).

With regard to health monitoring, in order to ensure effective interaction between a future Community action programme on health monitoring and the proposed one, can the Commission ensure that there is no duplication or overlapping between the initiatives envisaged?

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(<sup>1</sup>) OJ C 202, 2.7.1997, p. 20.

(98/C 304/225)

**WRITTEN QUESTION E-0705/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Injury prevention

This question concerns the proposal for a European Parliament and Council Decision adopting a programme of Community action from 1999 to 2003 on injury prevention in the context of the framework for action in the field of public health (COM(97) 178 final — 97/0132 COD (<sup>1</sup>)).

With regard to 'consistency and complementarity', it is vital ensure consistency and complementarity with other Community measures and programmes relating to the same subject, in particular as regards the EHLASS system, which may expire at the end of 1997. Without the aid of the EHLASS system the programme of action on injury prevention may not be able to function and could the Commission therefore extend its use? It is also essential that the Commission should publish guidelines concerning the methods to be used for the collection of data so as to ensure that the information from the various Member States is comparable.

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(<sup>1</sup>) OJ C 202, 2.7.1997, p. 20.

(98/C 304/226)

**WRITTEN QUESTION E-0706/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Injury prevention

This question concerns the proposal for a European Parliament and Council Decision adopting a programme of Community action from 1999 to 2003 on injury prevention in the context of the framework for action in the field of public health (COM(97) 178 final — 97/0132 COD (<sup>1</sup>)).

With regard to the budget, since the funding is allocated only until the end of 1999, does the Commission not consider it essential to ensure from the very beginning that the programme continues until 2003, i.e. the end of the envisaged period?

(<sup>1</sup>) OJ C 202, 2.7.1997, p. 20.

(98/C 304/227)

**WRITTEN QUESTION E-0707/98**

**by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission**

*(18 March 1998)*

*Subject:* Injury prevention

This question concerns the proposal for a European Parliament and Council Decision adopting a programme of Community action from 1999 to 2003 on injury prevention in the context of the framework for action in the field of public health (COM(97) 178 final — 97/0132 COD (<sup>1</sup>)).

With regard to product safety, could the Commission establish a solid link between injury prevention and Directive 92/59/EEC (<sup>2</sup>) on general product safety?

We would stress the measures proposed (cf. the subject of injury prevention capacity) for the purpose of developing the public health aspects of other Community policies aimed at preventing injuries, as in the above-mentioned directive.

(<sup>1</sup>) OJ C 202, 2.7.1997, p. 20.

(<sup>2</sup>) OJ L 228, 11.8.1992, p. 24.

**Joint answer to Written Questions  
E-0704/98, E-0705/98, E-0706/98 and E-0707/98  
given by Mr Flynn on behalf of the Commission**

*(16 April 1998)*

The proposed programme on injury prevention aims at the systematic collection of progressively improved information on injuries and their prevention, the sharing of expertise in the selection and adaptation of the best prevention interventions and improvements in the epidemiology of injury. As such, it does not duplicate the health monitoring programme, which seeks to establish health indicators in certain areas as a tool for the overall definition and evaluation of national and Community health policy, but will complement the latter by providing the background material on which appropriate selection of indicators can be made. Moreover, the programme on injury prevention will support the evaluation and dissemination of best practice as regards protective measures, and will promote the drawing up of effective policies. As regards the future development of health policy, present activities judged to merit priority status will feature prominently in future proposals of the Commission.

On 3 November 1997 the Council confirmed its support for the continuation and improvement of the Europe home and leisure accident surveillance system (Ehlass). On 11 March 1998, the Commission accepted, to a large measure, the amendments of the Parliament in first reading related to the integration, development and extension of the former Ehlass system in the proposal for a programme on injury prevention. The proposal of the Commission on this programme is being modified accordingly.

The proposed decision provides that the Commission shall ensure consistency and complementarity between actions to be undertaken under the proposed programme and those implemented under other relevant Community programmes and actions. As such, an appropriate cross link with Directive 92/59/EEC on general product safety (<sup>1</sup>) is already provided. Furthermore, as regards the injury prevention capacity, activities will be supported to increase the use which public health bodies can make of other Community policies for injury prevention.

An amount of 14 MECU for 5 years will be proposed for the actions under the programme between 1999 and 2003.

(<sup>1</sup>) OJ L 228, 11.8.1992.

(98/C 304/228)

**WRITTEN QUESTION P-0732/98****by Hiltrud Breyer (V) to the Commission***(2 March 1998)**Subject:* EU funds for Rhineland-Palatinate and Saarland since January 1995

What projects and Funds have provided Community resources for Rhineland-Palatinate and Saarland since January 1995? Who were the beneficiaries and what sums were involved:-

1. for job promotion and combating long-term unemployment? From the European Regional Development Fund? The European Social Fund. The EAGGF and other EU funds?
2. to promote research and development? In the universities and colleges? In the private sector?
3. to promote relations and trade with the countries of Central and Eastern Europe?
4. from the youth programmes?
5. from the education and training programmes?
6. for women's projects?
7. for cultural projects?
8. What is the EU's assessment of the success of the measures?
9. How many jobs was it possible to create and for which occupational groups?
10. Are these jobs temporary or long term?

**Answer given by Mr Santer on behalf of the Commission***(19 March 1998)*

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/229)

**WRITTEN QUESTION P-0733/98****by Joan Colom i Naval (PSE) to the Commission***(2 March 1998)**Subject:* Implementation of the Structural Funds 1994-1995

Can the Commission provide information on:

- the implementation, by country and by objective, of the Community support frameworks with respect to programming in 1997, and a summary of the period 1994-1997 by country (in line with the replies to my questions 1877/96 and 1991/97);
- the implementation with respect to the programming of Community initiatives in the period 1994-1997?

**Answer given by Mrs Wulf-Mathies on behalf of the Commission***(13 March 1998)*

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/230)

**WRITTEN QUESTION P-0735/98****by Rinaldo Bontempi (PSE) to the Commission***(2 March 1998)*

*Subject:* Second request for an agreement on social security between the European Union and the Principality of Monaco

Following Written Question E-4012/96 <sup>(1)</sup> requesting an agreement on social security between the European Union and the Principality of Monaco, the Commission stated its commitment to seeking the conclusion of such an agreement.

Although more than a year has passed, the agreement still has to be initialled and EU citizens working in the Principality of Monaco are encountering more and more obstacles. A particular problem is that faced by frontier workers who, after working in Italy, France and the Principality, are not able to aggregate their periods of contribution when claiming their pensions.

Italian frontier workers are further penalized in that, thanks to an agreement between France and the Principality, residents of the neighbouring communes in France are hired first, along with Monegasque citizens.

Does the Commission intend, in the near future, to conclude a cooperation or association agreement between the European Union and the Principality of Monaco which includes arrangements in the social sector applying the Community coordinating rules laid down in Regulation (EEC) No 1408/71 <sup>(2)</sup>? What are the reasons for the delay?

<sup>(1)</sup> OJ C 138, 5.5.1997, p. 165.

<sup>(2)</sup> OJ L 149, 5.7.1971, p. 2.

**Answer given by Mr Flynn on behalf of the Commission***(2 April 1998)*

The Commission is aware of the difficulties in obtaining social security benefits encountered by Community citizens moving to Monaco, taking account of the particular status of that country.

The Commission has studied the possibility of proposing an agreement of the same type as that envisaged in the case of San Marino. However, an agreement of this nature would go well beyond the framework of social security, and it has not yet been possible to draw up a proposal.

(98/C 304/231)

**WRITTEN QUESTION P-0736/98****by Sérgio Ribeiro (GUE/NGL) to the Commission***(2 March 1998)*

*Subject:* Application for Cohesion Fund resources for a project for cleaning up the catchment area of the rivers Lis and Seiça (Portugal)

On 6 January 1998 the Commission replied to my Question P-3932/97 <sup>(1)</sup> on the catchment area of the rivers Lis and Seiça (Portugal)/Cohesion Fund, stating that it had received an application for cofunding the first phase of a cleaning up project and would consider this application on the basis of the technical and economic assessment of the project, the resources available under the Cohesion Fund for Portugal and the priorities fixed by the Commission and the Member State concerned.

Will the Commission say what progress has been made in assessing this application and establishing priorities and whether any decision has yet been made?

<sup>(1)</sup> OJ C 187, 16.6.1998, p. 94.

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

(30 March 1998)

The application for part-financing from the Cohesion Fund for the project for cleaning up the catchment area of the Rivers Lis and Seça is still being examined. However, the amount requested greatly exceeds that available from the Cohesion Fund for Portugal until 1999. A final decision on the project will therefore have to await the drawing up of priorities for the Cohesion Fund in agreement with the Portuguese authorities.

(98/C 304/232)

**WRITTEN QUESTION P-0737/98**

**by Werner Langen (PPE) to the Commission**

(2 March 1998)

*Subject:* EU trade mark directive

The EU's trade mark directive creates special legal protection for the producers of branded articles, permitting them to keep the prices of their products artificially high. This rule seems very questionable in commercial law, since it places the protection of branded article producers above international conventions and agreements. This restricts the free movement of goods and acts against the interests of the consumer, who must ultimately pay the inflated price. In view of the above:

1. In the Commission's view, what are the consequences for competition and consumer policy of the restriction of free movement of goods as a result of the transposition of the EU trade mark directive in 1995, and how does it justify the de facto dominance of the interests of branded goods producers over those of free world trade and the consumer?
2. What information does the Commission possess about the extent to which the EU trade mark directive prevents the import of branded products at lower prices, and what effects has the directive had since its entry into force on the level of sales prices for branded articles on international markets?
3. What information does the Commission possess about the practical application of the trade mark directive in the Member States of the European Union, and can it confirm that a court in Belgium, for example, has condemned as an abuse of the directive its application for the purpose of preventing parallel imports?

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

(8 April 1998)

The Commission is conducting a detailed investigation of the problem raised by the Honourable Member and will inform him of the outcome as soon as possible.

(98/C 304/233)

**WRITTEN QUESTION E-0743/98**

**by Richard Corbett (PSE) to the Council**

(16 March 1998)

*Subject:* Law and order among tourists

As part of its work on Justice and Home Affairs, has the Council discussed the proper enforcement of law and order when incidents arise between or among tourists visiting another Member State?

Does the Council agree that incidents such as violent assaults by one tourist on another should be dealt with by appropriate action, including prosecution, rather than by simply deporting the offender without taking any action or even by allowing tour operators to relocate offenders in another tourist location?

**Answer**

(28 May 1998)

1. Up to now, the Council has not received any proposal based on Article K.3 of the EU Treaty concerning the specific problem mentioned by the Honourable Member.
2. However, the Council has addressed some problems arising from football hooliganism in a Council Resolution of 9 June 1997 <sup>(1)</sup> on preventing and restraining football hooliganism through the exchange of experience, exclusion from stadiums and media policy.
3. It has also considered the threat to public order from other types of international gathering in a Joint Action of 26 May 1997 with regard to cooperation on law and order and security <sup>(2)</sup>.

<sup>(1)</sup> OJ C 193, 24.6.1997, p. 1.

<sup>(2)</sup> OJ L 147, 5.6.1997, p. 1.

(98/C 304/234)

**WRITTEN QUESTION E-0744/98**  
**by Glyn Ford (PSE) to the Commission**

(18 March 1998)

*Subject:* Contravention of EU competition law

With both the Scottish and Irish Football Associations threatening to prevent Wimbledon FC and now Clydebank FC from relocating to Dublin, does not the Commission feel that such action by those football associations is a clear contravention of EU competition law?

**Answer given by Mr Van Miert on behalf of the Commission**

(31 March 1998)

The Commission would refer the Honourable Member to its answer to Oral Question H-200/98 by Mr Crowley during question time at Parliament's March 1998 part-session <sup>(1)</sup>.

<sup>(1)</sup> Debates of the Parliament (March 1998).

(98/C 304/235)

**WRITTEN QUESTION P-0759/98**  
**by Christa Randzio-Plath (PSE) to the Commission**

(2 March 1998)

*Subject:* Information on the disbursement of EU funds for Hamburg from 1995 to date

What amount of EU appropriations, from which programmes and funds, has been disbursed for the benefit of Hamburg since 1995?

1. to promote employment in Hamburg
  - a) from the European Regional Development Fund
  - b) from the European Social Fund
  - c) from the European Agricultural Guarantee and Guidance Fund (EAGGF) and other EU resources
  - d) special initiatives to promote women's interests.
2. to combat long-term unemployment
3. to promote R&D projects
  - a) for the University of Hamburg
  - b) for the Hamburg Technische Hochschule (Technical Higher Education Institute)

- c) for the Hochschule für Wirtschaft und Politik (Higher Education Institute for Economics and Politics)
- d) for Hamburg businesses
- 4. to promote relations and trade with the countries of Central and Eastern Europe and the republics of the CIS
- 5. from programmes in the energy and environment sectors.
- 6. from the youth programmes (Youth for Europe and Voluntary Service)
- 7. from the education programmes (SOCRATES, ERASMUS, LINGUA, LEONARDO DA VINCI, TEMPUS etc.)
- 8. for women's projects
- 9. for the promotion of the media and cultural projects
- 10. What is the Commission's assessment of the success of these measures in Hamburg?

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

*(19 March 1998)*

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/236)

**WRITTEN QUESTION P-0760/98**

**by Peter Truscott (PSE) to the Commission**

*(5 March 1998)*

*Subject: CAP funding*

Would the Commission please explain the redress available to a farmer from my Hertfordshire constituency, who inadvertently made a mistake in completing his IACS forms? As a result, according to MAFF, he will now receive no payment for the area in question and still faces a 20% penalty on those areas correctly filled out, under EEC rules. Is there no leeway in EEC rules in cases of genuine errors, which can lead to underpayment?

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

*(23 March 1998)*

Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes<sup>(1)</sup> provides for sanctions in cases where farmers over-declare the area of land for the purpose of obtaining a subsidy or where certain other rules have not been respected.

Notwithstanding, this, the Commission has accepted the need for flexibility in some cases. Commission Regulation (EEC) No 3887/92 as well as the working document VI/646/96 (a copy is sent direct to the Honourable Member and to Parliament's Secretariat) provides for Member States to allow claims of area aid to be adjusted without sanctions in cases of genuine errors which have to be recognised as such by the Member State. As the responsibility lies with the Member State, the Commission is unable to take position on a particular case.

<sup>(1)</sup> OJ L 391, 31.12.1992.

(98/C 304/237)

**WRITTEN QUESTION E-0766/98****by Nikitas Kaklamanis (UPE) to the Commission***(18 March 1998)**Subject:* Structural Fund appropriations

The amount of outstanding Structural Fund appropriations reportedly increased in 1997 by ECU 2.8 million.

In drawing up the 1997 EU budget, the Commission underestimated payment appropriations by ECU 2 billion, while the budgetary authority cut them by a further ECU 1 bn, the effect of which was a premature halt in 1997 to the settlement of accounts because of a shortfall in payment appropriations.

It is also reported that there will be no extension for implementing Structural Fund commitment appropriations for 1998 and 1999 beyond 1999 and that, therefore, any outstanding appropriations will be irrevocably lost, reducing the particular package of structural measures by an equal amount.

This is a matter of vital importance, particularly for the southern Member States which are in vital need of Structural Fund appropriations to execute the infrastructure projects they require. Would the Commission therefore say:

1. in what way the shortfall in payment appropriations tends to increase the amounts outstanding under the Structural Funds, and
2. what its formal position is on carrying over outstanding commitment appropriations for 1998 and 1999 to subsequent budgets covered by the new Financial Perspective for 2000-2006?

**Answer given by Mr Liikanen on behalf of the Commission***(8 April 1998)*

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/238)

**WRITTEN QUESTION P-0774/98****by Helena Torres Marques (PSE) to the Commission***(5 March 1998)**Subject:* DAPHNE projects

Will the Commission state what projects have been approved as part of the DAPHNE initiative, how many Portuguese projects were submitted and why none of the latter have been approved?

**Answer given by Mrs Gradin on behalf of the Commission***(24 March 1998)*

428 projects were submitted in 1997 under the Daphne initiative. 47 of these were accepted by the Commission to receive financial support. Only two of the 428 projects were submitted by Portuguese non-governmental organisations (NGOs). One was ineligible for consideration on technical grounds — the sum requested was ECU 110, whereas for administrative reasons, the guidelines stated that the minimum subvention which could be considered was ECU 10 000. The other project was rejected after evaluation as lacking added-value at European level and as lacking the necessary main partners.



(98/C 304/239)

**WRITTEN QUESTION P-0776/98****by Elly Plooij-van Gorsel (ELDR) to the Commission***(5 March 1998)*

*Subject:* French legislation on liberalization of the electricity market

A number of Member States are amending their laws on the production and distribution of electricity in connection with the liberalization of the electricity market.

1. Is the Commission aware that France is preparing, or has already adopted, changes to the law in which the 'réseau d'alimentation générale en énergie électrique' is assumed to be the property of Electricité de France (EDF) since it owns the concession for this supply system?
2. Can the Commission look into whether the concession which EDF has had from the French state hitherto provides for ownership of the electricity grid passing to EDF on termination of the concession?
3. If this is not the case, does the Commission feel that the purpose of this amendment to the law is to increase the EDF's own assets by transferring ownership of the electricity grid free of charge, thereby placing EDF in a favourable competitive position on a liberalized electricity market?
4. If so, is this a form of state aid compatible with the EEC Treaty?

**Answer given by Mr Van Miert on behalf of the Commission***(26 March 1998)*

The Commission is not aware of a draft law by which the French authorities would transfer the ownership of the electricity distribution network to Electricité de France (EDF) at the expiry of the concession.

The transfer of this network from the state to EDF without any appropriate transfer price might unduly increase the total assets of EDF, thus granting an economic advantage to the undertaking.

The Commission will investigate the circumstances reported in order to assess whether they are compatible with the provisions of the EC Treaty.

(98/C 304/240)

**WRITTEN QUESTION E-0789/98****by Wilmya Zimmermann (PSE) to the Council***(16 March 1998)*

*Subject:* European public holiday on 9 May

The Commission has made clear inter alia through its Citizens First Initiative, the need for greater efforts to encourage European citizens to identify themselves with the European Union. The introduction of the single currency will of course be an important step in this direction. However, identification with the European Union could also be achieved very well by means of a common public holiday. This would create a further unifying symbol for all European citizens in addition to the European flag and the European anthem.

The date 9 May suggests itself (one day after the anniversary of the end of the Second World War in Europe, and the day on which Robert Schuman made his declaration in 1950 which led to the foundation of the European Coal and Steel Community).

1. Has the Council yet drafted any proposals to this effect?
2. What is its position on the proposal to introduce the European public holiday by holding joint events in the Member States on 9 May 2000?

**Answer**

(28 May 1998)

1. Under the Treaties it is for the Commission to make proposals to the Council, in accordance with the procedures laid down therein.

2. At this stage the Council has not received any proposal from the Commission in the area referred to by the Honourable Member.

It should be noted that cultural events organized to mark Europe Day on 9 May are eligible for financial support under the Kaleidoscope programme <sup>(1)</sup> if they are organized jointly by persons active in the cultural field from at least three Member States;

3. In addition, on 20 November 1995, in view of the symbolic importance of the year 2000, the Ministers of the Member States meeting within the Council agreed that the following nine cities should be designated European Cities of Culture for that year: Avignon (France), Bergen (Norway), Bologna (Italy), Brussels (Belgium), Krakow (Poland), Helsinki (Finland), Prague (Czech Republic), Reykjavik (Iceland) and Santiago de Compostela (Spain).

These cities have been invited to coordinate their programmes and to define a common theme for the event: they will thus be able to participate jointly in the organization of a European cultural area for the year 2000.

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<sup>(1)</sup> Decision 719/96/EC of the European Parliament and of the Council establishing a programme to support artistic and cultural activities having a European dimension (OJ L 99, 20.4.1996)

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(98/C 304/241)

**WRITTEN QUESTION E-0790/98****by Nuala Ahern (V) to the Council**

(16 March 1998)

*Subject:* High-activity radioactive waste at the Dounreay plant in Caithness, Scotland

In the light of the revelation in 'The Guardian' newspaper on 2 February 1998 that there is a second secret disposal shaft containing more than 700 000 kilogrammes of high-activity radioactive waste at the Dounreay plant in Caithness, Scotland, will the UK Presidency take up the commitment of the Irish presidency to Parliament on 13 November 1996 that there should be an environmental audit conducted at the plant by the European Union authorities?

**Answer**

(28 May 1998)

Since the accession of the United Kingdom to the European Atomic Energy Community all plants such as that referred to by the Honourable Member are covered by current Community law and in particular the provisions of Chapters 3 (Health and safety) and 7 (Safeguards) of the EAEC Treaty.

The Council would point out that the Commission is responsible for ensuring compliance with that law and in this context has access in particular, under Article 35 of the EAEC Treaty, to all the facilities necessary to carry out continuous monitoring of the level of radioactivity in the air, water and soil and to ensure compliance with the basic standards laid down in Directive 96/29/Euratom <sup>(1)</sup>. Moreover, under Article 81 of the EAEC Treaty, the Commission may send inspectors into the territories of the Member States to monitor safeguards.

The Council considers that the current legal provisions enable the Commission, in conjunction with the Member State concerned, to guarantee optimum conditions for protecting public health.

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<sup>(1)</sup> OJ L 159, 29.06.96, p. 1.

(98/C 304/242)

**WRITTEN QUESTION E-0791/98****by André Laignel (PSE) to the Council***(16 March 1998)*

*Subject:* Applying the 35-hour-week initiative throughout the European Union

Throughout the European Union, a reduction of the working week to 35 hours would clearly have a beneficial effect on employment, the quality of life of European citizens and equality of access to employment.

To that end, a clear and spontaneous undertaking by the Commission is essential. In what form and on what time scale does the Commission propose to act to harmonize social legislation in line with the best practice, particularly by establishing a legal working week of 35 hours in all countries of the European Union?

**Answer***(4 June 1998)*

The Council would point out to the Honourable Member that the 1998 Employment Guidelines it adopted on 15 December 1997 <sup>(1)</sup> include among their objectives encouraging adaptability in businesses and their employees, in particular by modernizing work organization. In that context the Council invites the social partners to negotiate, at the appropriate levels, agreements to help make undertakings productive and competitive so as to achieve the required balance between flexibility and security. The Guidelines specify that: 'Such agreements may, for example, cover the expression of working time as an annual figure, the reduction of working hours, the reduction of overtime, the development of part-time, lifelong training and career breaks.'

The Honourable Member will be aware that Article 118b of the Amsterdam Treaty, currently before Member States for ratification, provides that 'should management and labour so desire, the dialogue between them at Community level may lead to contractual relations, including agreements' and that such agreements are to be implemented at Community level at the joint request of the signatory parties by a Council decision on a proposal from the Commission.

With respect to the issue to which the Honourable Member refers, concerning a reduction of the working week in the European Union to 35 hours, the Council would point out that it has received no proposal from the Commission on the matter.

<sup>(1)</sup> OJ C 30, 28.1.1998, p. 1.

(98/C 304/243)

**WRITTEN QUESTION P-0843/98****by Jean-Antoine Giansily (UPE) to the Commission***(11 March 1998)*

*Subject:* EU support for the holding of elections in Togo

In the context of the forthcoming presidential elections in Togo, a Commission mission has published a set of official recommendations to ensure the complete transparency of the poll.

As part of the financial aid for the holding of these elections, it appears that a Commission expert is to be instructed to assist the National Electoral Commission set up by a law of 9 September 1997, all of whose members — half of them from the presidential majority, half from the opposition — have already been sworn in on their appointment.

1. Has the Commission expert yet been appointed, and if not, when will this happen?
2. What will be his precise terms of reference?

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

(26 March 1998)

Compliance with democratic principles and the rule of law in Togo require any presidential election there to be completely above board and the lead-up to it open and fair.

In reply to the Honourable Member's question, a specialist was sent out earlier this month to determine whether and how support could be given to the belatedly established national electoral commission in light of the fact that the first round of presidential elections is set for June this year.

The Commission intends to continue very close monitoring of the elections in conjunction with the Member States. It is supporting campaigns by Togolese NGOs to inform the public of the elections and will assist with a training programme for those bodies involved in the electoral process.

(98/C 304/244)

**WRITTEN QUESTION P-0854/98**

**by Lyndon Harrison (PSE) to the Commission**

(11 March 1998)

*Subject:* Responsibility for fire

The responsibility for fire falls across many directorates-general of the European Commission. In what way does the Commission ensure that these matters are dealt with in a coherent and focused manner?

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

(8 April 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 304/245)

**WRITTEN QUESTION E-0867/98**

**by Armelle Guinebertière (UPE) to the Council**

(31 March 1998)

*Subject:* Netherlands' bill on the treatment of prostitution and procuring

The attention of the Council of Justice Ministers is drawn to a bill tabled by the Netherlands government in that country concerning the treatment of prostitution and procuring.

This bill lifts the ban on brothels, sets out a female sex workers' charter for so-called voluntary prostitutes and decriminalizes procuring. If it is passed, the bill is likely to set a European precedent.

Can the Council of Ministers of the European Union accept legislation which undermines the inviolability and inalienability of the human body and repudiates the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of December 1949?

**Answer**

(4 June 1998)

The Council is not competent to comment on bills submitted by the Member States' governments.

(98/C 304/246)

**WRITTEN QUESTION E-0873/98**  
**by John Cushnahan (PPE) to the Council**  
(31 March 1998)

*Subject:* Human rights in Mexico

Is the Council aware that human rights groups state that 45 unarmed indigenous people in the state of Chiapas, Mexico, were killed in December 1997 by paramilitary supporters of the ruling PRI party?

Has the Council received details of this incident, and what action does it propose to take in the light of the clause on the observation of human rights and democracy in the recent trade agreement drawn up between the EU and Mexico?

**Answer**

(8 June 1998)

On 24 December 1997, on the basis of information immediately broadcasted by the media, which the Mexican authorities themselves confirmed, the Presidency, on behalf of the European Union, made the following statement condemning in the strongest terms the massacre perpetrated by paramilitary groups against Tzotzil Indians on 23 December 1997 in the Mexican State of Chiapas, causing the death of 46 civilians:

'The Presidency of the European Union calls on the Government of the United States of Mexico to carry out an enquiry without delay to ascertain the full details regarding the massacre and to ensure that the perpetrators are brought to justice. It has noted the undertaking given to this effect by President Zedillo and trusts that it will be carried out.

The Presidency of the European Union expresses its concern regarding the human rights situation in this region of Mexico.

It calls on the Mexican authorities to take all the measures necessary to guarantee the safety of the civilian population in the State of Chiapas.

It would point out in this context that the European Union and the United States of Mexico have recently signed a cooperation agreement in which the two parties undertake unreservedly to respect democratic principles and fundamental human rights and the principles of the rule of law.'

The Council continues to follow closely developments in Chiapas, including through its Heads of Mission in Mexico. In the context of an informal meeting at ministerial level between the Troika of the European Union and Mexico, held in Panama on 12 February 1998, the Mexican Minister took the opportunity to inform of the steps taken by the Mexican Government after the tragic events in Chiapas. EU Ministers took note of the assurance given by the Mexican Minister of the importance attached by the Mexican Government to the peaceful resolution of the conflict in Chiapas. In this regard, the Mexican Minister reiterated that respect for human rights and fundamental freedoms, the principles of democracy and political pluralism form the basis for relations between the EU and Mexico, and the EU Ministers agreed.

(98/C 304/247)

**WRITTEN QUESTION E-0950/98**  
**by Iñigo Méndez de Vigo (PPE) to the Council**  
(31 March 1998)

*Subject:* Fighting on both sides of the border between Rwanda and Congo

The border between the former Zaire and Rwanda has become a battlefield, in which two separate wars are currently being waged. On one side of the border, in Butembo, 300 people have been killed in the fighting between the Maimai militia and Kabila's forces whilst, over the border, near Guitarama, 2 000 Hutu extremists are surrounded by the Rwandan army whose aim is to exterminate them, having already slaughtered 135 Hutus. So far, the death toll in the fighting on both sides of the border has reached 435. The situation is extremely unstable on both fronts and neither Kabila's forces nor the Rwandan army appear to be in control.

Is the Council aware of the severity of the situation? Has it taken, or will it be taking, any initiatives in connection with it?

**Answer**

*(8 June 1998)*

The Council shares the concern of the Honourable Member over the continued instability and resumption of fighting on both sides of the border between Rwanda and the Democratic Republic of Congo (DRC). The European Union is determined, through partnership with governments and others in the region, and including through the good offices of its Special Envoy to the Great Lakes Region, to promote political stability, democratisation and economic and social development. The EU Special Envoy for the Great Lakes Region, Mr Ajello, reported to the Council on 30 March 1998 on his latest mission to the area and has since been on a further mission to the Great Lakes Region.

On the DRC, the European Union remains concerned in particular about the fragile situation in the Kivu region. The DRC Government has recently sent a large number of troops to the Kivu provinces to restore order and prevent rebel groups from using DRC territory to stage raids into neighbouring countries. It appears that the neighbouring countries have made it clear that they could settle the problem on their own, if the DRC is not able to assert its control over its border areas. Little is known about the origins of the Mai Mai uprising. The Mai Mai were one of the earliest supporters of Kabila's uprising against Mobutu in late 1996, but their forces have refused to become integrated in the new DRC army, which has never been able to effectively control their tribal homelands. Mai Mai traditional warriors, former Mobutu's government troops, local tribesmen protesting at the presence of Rwandan Tutsi troops in DRC, and Hutu rebels from neighbouring Rwanda and Burundi may be fighting alongside one another.

The action of Hutu extremists, ex-FAR and Interahamwe militia in Rwanda is a different problem which involves primarily the Rwandan Government. The Council uses every opportunity to bring across the message to the Rwandan Government that only a political solution can bring lasting peace and reconciliation in Rwanda. On 30 March 1998 the Council adopted a Common Position setting out the political principles on which the EU will base its future relations with Rwanda. It also adopted conclusions on the Great Lakes Region. The Heads of Mission of the Troika in Kigali submitted the Common Position to the Rwandan Government, which agreed that its aims were unity and national reconciliation, rule of law, respect for human rights, promotion of democracy and power-sharing.

The Council works closely with other interested parties, such as the UN, OAU, the regional leaders and with the United States to promote political solutions to the conflicts of the region. In due course the idea of an international conference under the auspices of the UN and the OAU on peace, security and development should be considered. The Council will continue to follow the situation in the Great Lakes Region closely.

(98/C 304/248)

**WRITTEN QUESTION E-0975/98**

**by Carlos Robles Piquer (PPE) to the Council**

*(31 March 1998)*

*Subject:* Political prisoners in Cuba

Regarding the Council's reply to my written question E-3519/97 <sup>(1)</sup> on relations with Cuba, I should like to know whether the phased dialogue beginning at technical level referred to will strictly observe the conditions laid down in the current Joint Position with regard to the Cuban Government; and whether there has been a request that the political prisoners released in tribute to his holiness Jean Paul II should include Felix Antonio Boné Carcasses, René Gómez Manzano, Vladimiro Roca Antúnez and Mrs Marta Beatriz Roque Cabello, all of whom are being held in prison for the simple crime of having written that 'the motherland belongs to everybody'?

<sup>(1)</sup> OJ C 158, 25.5.1998, p. 138.

**Answer***(8 June 1998)*

The European Union's common position on Cuba of 2 December 1996 states that in order to facilitate peaceful change in Cuba, the Union will encourage the reform of internal legislation concerning political and civil rights, including the Cuban criminal code. It is against this background, and at a technical level, that was organized the mission of legal experts which the Commission sent to Cuba in accordance with the Presidency's recommendations which the Council approved on 8 December 1997. The report on this mission will be analysed by the Council and will constitute one of the elements to be taken into consideration at the next evaluation of the common position which is due to take place in June 1998. In accordance with the provisions of paragraph 4 of the common position, it is as the Cuban authorities make progress towards democracy that the Union will lend its support to that process and will examine the appropriate use of the means at its disposal for that purpose.

As for the second question put by the Honourable Member, the Council would like to point out that on 24 February 1998 the Presidency made a declaration on behalf of the European Union in which it welcomes the Cuban Government's decision to release immediately a certain number of prisoners in response to the Pope's appeal and in which it urges the authorities to liberate and fully reintegrate into society all who have been imprisoned for having peacefully expressed their political views, including the four leading members of the Internal Dissidence Working Group.

(98/C 304/249)

**WRITTEN QUESTION E-1051/98****by Jens-Peter Bonde (I-EDN) to the Council***(3 April 1998)*

*Subject:* Abolition of border controls and derogations

How should Article 14 and Article 62 be construed in relation to each other and how does the Schengen Agreement's timetable for abolishing border controls take effect in relation to Articles 14 and 62?

What is the difference between the Danish derogation and the UK and Irish derogation from Article 14?

Does Denmark also have derogations from the provision concerning the abolition of border controls?

Does the derogation from Article 14 also apply to the Kingdom of Denmark?

**Answer***(4 June 1998)*

As long as the Treaty of Amsterdam has not entered into force, the Council considers itself not a position to make statements concerning the meaning of articles introduced by that Treaty.

(98/C 304/250)

**WRITTEN QUESTION P-1085/98****by Jannis Sakellariou (PSE) to the Council***(31 March 1998)*

*Subject:* Implementation of the Association Agreement with Tunisia

Although it has been ratified by the national parliaments and the European Parliament, and entered into force on 1 March 1998, the agreement between Tunisia and the European Union has not yet been implemented in the case of the commitments made by the EU in the agricultural sector, notably with regard to olive oil, because the Council has not adopted the required implementing regulation. Is this situation not likely to harm a partnership that we have been steadfastly trying to encourage?

**Answer***(8 June 1998)*

The proposal for a regulation on olive oil referred to by the Honorable Member was presented by the Commission on 20 February 1998 and adopted by the Council on 27 April 1998.

The Council also wishes to inform the Honorable Member that, following the entry into force of the Association Agreement, the first meeting of the EC/Tunisia Association Council is foreseen to take place during the second semester of 1998.

(98/C 304/251)

**WRITTEN QUESTION P-1098/98****by Olivier Dupuis (ARE) to the Council***(31 March 1998)*

*Subject:* The case of Mr Ukshin Hoti

Mr Ukshin Hoti, a lecturer in political science at the University of Pristina (Kosovo), has been in prison since 1994 following a trial in what were, to say the least, dubious circumstances and at the end of which he was found guilty of 'having threatened the constitutional order' and of 'undermining the territorial integrity of the Federal Republic of Yugoslavia'. Mr Hoti had previously been arrested in 1981 for 'counter-revolutionary crimes' and again in 1993. He has already spent eight years of his life in prison for his beliefs, linked to his activism in favour of a non-violent, negotiated solution to the problem of Kosovo.

What action has the Council taken and what steps does it intend to take to secure Mr Hoti's release by the Serbian authorities, and what steps does it intend to take to secure the support of the Kosovar authorities for his release?

**Answer***(4 June 1998)*

The Council deeply regrets the sentence imposed on Mr Ukshin Hoti and the circumstances of his condemnation.

The Council points out that freedom of expression is a universal fundamental right that every democratic country has the duty to guarantee, as is the right to a free and fair trial. Respect for human rights and democratic principles are basic elements of the Union's regional approach and pillars of the conditionality policy towards the Federal Republic of Yugoslavia (FRY). It is precisely because of dissatisfaction on the issue of Kosovo and on the FRY's record on human rights that the Union withdrew, at the end of 1997, the Autonomous Trade Measures granted to the FRY on 29 April 1997. A lasting solution to the Kosovo issue and a full respect of human rights and democratic principles remain in the forefront of EU requests in dealing with the FRY, and a condition for improving bilateral relations.

Action in favour of the release of Mr Hoti must be seen within the overall EU action in favour of respect of human rights and democratic standards in the FRY. In this framework, the EU will continue to press the Serb authorities on all cases similar to that raised by the Honourable Member.

(98/C 304/252)

**WRITTEN QUESTION P-1155/98****by Concepció Ferrer (PPE) to the Council***(3 April 1998)*

*Subject:* Detainees in Equatorial Guinea

Four Spanish citizens could be sentenced to death by the Equato-Guinean courts if the Public Prosecutor succeeds with his application, lodged in Malabo yesterday, at the beginning of the political trial of 90 people who are alleged to be activists for the Bubi minority people and are accused of fomenting the rebellion on the island of Bioko at the end of January this year with the aim of winning self-determination for the island.



In view of the seriousness of the charges and the penalty which have to be applied if the detainees are found guilty, and given the lack of judicial guarantees and freedoms in a dictatorship such as Equatorial Guinea, has the Council made any representations in connection with this affair? Does it envisage any intervention to save the Spanish activists from the death sentence?

**Answer**

*(8 June 1998)*

The Council is aware that, according to the available information, a number of people belonging to the Bubi ethnic group native to Bioko Island, one of the two parts of Equatorial Guinea, are reported to have been under arrest since 21 January 1998 because they are suspected of belonging to or supporting the independence movement (Movimiento para la Autodeterminación de la Isla de Bioko (MAIB)).

The Government has accused MAIB of attacking military barracks in the town of Luba on Bioko on 21 January. The Minister for Foreign Affairs of Equatorial Guinea, Mr Oyono, is reported to have confirmed that seven people had been arrested on Bioko after what he called two weeks of clashes in Equatorial Guinea's separatist conflict. Among those arrested were one Nigerian and four Spaniards of Equatorial Guinean origin, all of them alleged to be MAIB members. Mr Oyono is said to have confirmed that they faced the death penalty. MAIB is reported to have denied all charges of being behind these attacks or other acts of violence. It claims that more than 800 of the Bubi people have been arrested.

The trial of the four Spanish nationals opened on 25 May. They had meanwhile been released on bail; they could not leave Equatorial Guinea and had to report to the authorities every three days. On 16 April 1998 the Minister for Foreign Affairs of Equatorial Guinea, Mr Oyono, stated that the four Spaniards' trial would be public and would be completely open and above board. He is also reported to have informed the Spanish Prime Minister, Mr José María Aznar, of his intention to allow international observers to attend the trial.

The European Commission called the ambassador of Equatorial Guinea on 24 February 1998 to convey to him its concern at the violations of human rights committed after the attack on 21 January. Several hundred people had been reported arrested and at least three to have died in detention after interrogation. The Commission requested that the authorities identify and punish those guilty of such violations. The ambassador indicated that a special commission had been created in the Ministry of the Interior, to receive and investigate complaints of human rights abuses and stressed that the President was personally involved in stopping impunity for such abuses. The ambassador gave assurances that those responsible for the attack on 21 January had been identified and would be brought to court. All others detained had been freed.

During President Obiang's recent visit to Cameroon, the Heads of Mission of the European Union in Equatorial Guinea also told him of their concern about the human rights situation in Equatorial Guinea.

The Council draws attention to the Resolution adopted on 21 April 1998 by the Commission on Human Rights calling on Equatorial Guinea to adhere to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination. It urges Equatorial Guinea to become party to those two Conventions at the earliest opportunity.

The Council appeals to the authorities of Equatorial Guinea to treat the presumed insurgents in accordance with the international obligations arising from the International Covenant on Civil and Political Rights, to which Equatorial Guinea has subscribed. That Covenant stipulates inter alia that anyone convicted of a crime has the right to have his conviction and sentence reviewed by a higher tribunal and that anyone sentenced to death shall have the right to seek pardon or commutation of the sentence.

The Council cannot prejudge the outcome of the trial but will react appropriately in the light of the verdict. The Council will continue to monitor closely developments in Equatorial Guinea and will seize every opportunity to stress the importance that it attaches to respect for human rights and democratic principles.