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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(98/C 386/001) **WRITTEN QUESTION E-4082/97**

by Gerhard Hager (NI) to the Commission

(16 January 1998)

Subject: Enforcement of payment demands by debt-collection agencies

According to the report on default in payments on commercial transactions, the Commission intends to draw up a legislative proposal, one provision of which will be to authorize debt-collection agencies to serve orders throughout the Community for the recovery of payment because the circumstance that in many Member States representation before the courts is reserved to the legal profession can be seen as an obstacle to the prompt and low-cost enforcement of claims.

The Austrian Chamber of Legal Practitioners however takes the view that the proposed directive will entail:

— reduced protection for creditors and debtors;

— deterioration in consumer safeguards;

— a one-sided, materially unjustified distortion of competition to the advantage of debt-collection agencies.

1. Does the Commission consider that in submitting this proposal it is acting in accordance with the subsidiarity principle and complying with the principles of necessity and proportionality?

2. Does the Commission consider that there is a need for this measure in Austria, where the legal situation is that electronic debt-recovery proceedings can be invoked to secure accelerated processing of demands for amounts up to ATS 100 000, and where it is precisely because a lawyer is involved in the execution procedure that a claim to title is a sufficient ground for the proceedings?

3. That being so, does the Commission consider the distortion of competition to the advantage of debt-collecting agencies as justified?

Answer given by Mr Papoutsis on behalf of the Commission

(23 February 1998)

1. The Commission is currently considering the content of a legislative proposal in the field of late payment. It will of course respect the principle of subsidiarity as defined in Article 3 (b) of the EC Treaty and comply with the principles of necessity and proportionality.

2. The Commission takes note of the opinion of the Austrian chamber of legal practitioners, cited by the Honourable Member, according to which the legal situation in Austria works well for enterprises. However, the Commission also noted a recent survey (1) which showed that 60 % of Austrian businesses think that the current legal system for collecting debts is ineffective, 55 % think that it is too slow, and 48 % think that it costs too much. Furthermore, 82 % of Austrian businesses think that the legal procedures should be streamlined.

3. The Commission initiative will certainly not distort competition in any way. On the contrary, the Commission's communication of 17 July 1997 (2) identified a number of obstacles preventing debt collection agencies from operating on a Community-wide basis. The objective of the Commission's initiative is therefore to create a level playing field and a properly functioning single market for businesses collecting debts.

(1) European Payment Habits Survey, Intrum Justitia, Amsterdam, April 1997.
(2) OJ C 216, 17.7.1997.

(98/C 386/002)

WRITTEN QUESTION E-0013/98

by Hiltrud Breyer (V) to the Commission

(29 January 1998)

Subject: Unauthorized release of Monsanto sugar beet in the Netherlands

There are reports that two tons of sugar beet from field trials in the Netherlands, which had not been approved for marketing for any purpose, were mixed with conventional crops and entered the food chain as refined sugar via the Dutch Co-operative Sugar Company. The pulp has reportedly been used for animal feed.

Can the Commission explain:

1. How this unauthorized release happened?

2. What checks and controls were in place and how they were breached?

3. What emergency measures have been taken to retrieve the contaminated sugar supply and the pulp and whether these corresponded with the emergency response plans contained in the consent application?

4. What warning notices have been given to food processors, retailers and animal feedstuff suppliers?

5. Whether any other such unapproved releases have been reported by any Member State?

6. What new controls the Commission will recommend to avoid a repetition of such unauthorized releases?

Supplementary answer
given by Mrs Bjerregaard on behalf of the Commission

(27 April 1998)

The Commission is now in a position to provide the following information:

1. to 4. The Commission has enquired from the Dutch authority what action they have taken in the matter of sugar derived from a field trial of genetically modified sugar beet entering the food chain with the pulp being used as animal feed. The release in question had a consent for research and development purposes, but not for placing on the market under Directive 90/220/EEC of 23 April 1990 on the deliberate release of genetically modified organisms (GMOs) (1).The Commission is forwarding directly to the Honourable Member and to Parliament's Secretariat the information submitted to the Dutch authority under Council Directive 90/220/EEC as a follow up to a provisional reply provided by the Commission.

5. The Commission has so far not received any reports of any other such incidents from the Member States.

6. The operation of part B of Directive 90/220/EEC which concerns research and development of GMOs is under the competence of the Member States to decide whether they need to institute any new controls to avoid similar incidents occurring during research and development releases of GMOs. The action taken by the Dutch authority and other authorities where control measures have been applied illustrates the importance that Member States attach to their obligations under Article 4 of Directive 90/220/EEC which requires them to carry out inspection and control measures.

(1) OJ L 117, 8.5.1990.

(98/C 386/003)

WRITTEN QUESTION E-0104/98

by Marjo Matikainen-Kallström (PPE) to the Commission

(30 January 1998)

Subject: Ensuring air safety in Natura 2000 sites

In Finland there has recently been a public debate about the effect on air safety of Natura 2000 sites near airfields. There are in Finland 120 such sites within a 15 — km radius of airfields. This may create a problem of birds crashing with aircraft on takeoff and landing. Although the objective of the European Union's Natura 2000 network is to protect natural diversity in the EU, this must not take place at the expense of aspects relating to the safety of EU citizens.

In the light of the above, what measures does the Commission propose to take to ensure that the Member States do not endanger air safety by including sites near airfields in the Natura 2000 programme?

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 March 1998)

The Honourable Member, although referring to Finland, expresses a more general fear that the future Natura 2000 network will include sites that are situated near airfields and would therefore possibly pose a threat to air safety.

The objective of Natura 2000 is, as mentioned by the Honourable Member, to conserve biodiversity, particularly habitats and species of European conservation interest. Some components of this biodiversity, particularly the birds, are known to collide with aircraft, the results of which can be serious.

However the Commission is not aware of anything that would point to a worsening air safety situation resulting from sites being selected for the future Natura 2000 network. It is of course worth remembering that the Natura 2000 network will include not only sites for bird protection under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (1), the so-called Birds Directive, but also sites designated under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (2), the so-called Habitats Directive, to conserve fauna as well as flora and habitat types.

Natura 2000 sites are selected and their boundaries defined using only biological criteria in accordance with the provisions of Annex III (Stage 1) of the Habitats Directive and the Santoña and Lappel Bank judgements of the Court of justice. It is quite clear that the presence of an airfield in the vicinity of site cannot as such be a reason for non-selection.

However, in recognition of the potential seriousness of bird collisions with aircraft the International Civil Aviation Organisation has for years been studying the appropriate avoidance measures through its Bird Strike Committee. Related recommended best practices have been elaborated as guidance for States that have the primary responsibility for ensuring the safety of air navigation in their territory.

Moreover, although the Birds Directive establishes a general system of protection for all birds, it also provides a possibility to derogate from the protection provisions for certain reasons when there is no other satisfactory solution. The interest of air safety is one of these reasons specifically mentioned in the Directive.

Consequently, given that this is an issue of management of wildlife, the concerns of air safety and Natura 2000 sites may best be addressed within the framework of management plans for these sites.

The Commission does not intend to introduce legislative proposals in this field.

(1) OJ L 103, 25.4.1979.
(2) OJ L 206, 22.7.1992.

(98/C 386/004) **WRITTEN QUESTION E-0119/98**

by Alonso Puerta (GUE/NGL), Laura González Álvarez (GUE/NGL), Ludivina García Arias (PSE) and Fernando Morán López (PSE) to the Commission

(30 January 1998)

Subject: Cuts in the coal mining programme in Spanish coal basins

The lack of agreement between the Ministry for Industry and trade unions on safeguarding the full implementation of the mining programme is giving rise to great social concern.

The European Commission's rejection of the restructuring programme for the mining industry has caused great concern in the mining basins and in Asturias in particular, since if the harsh readjustment criteria and the closure of the mines were to be given the go-ahead, they would have a devastating effect on the already hard-hit mining regions and would constitute the death knell for the regeneration of Asturias.

Given that in the past ten years Asturias has had to cope with the biggest cut in subsidized mining and the biggest job losses in the Spanish mining sector, and that energy policy falls exclusively within the remit of the Member States,

1. Does the Commission think that the Spanish Government should adopt a position as regards the regeneration of mining regions and not expect the EU to decide on the future of mining in Spain and Asturias in particular?

2. What action does the Commission think that the regional Government should take in order to ensure the highest level of production and employment possible in the mining sector in the long term as a vital precondition for the regeneration and economic diversification of mining regions including Asturias?

Answer given by Mr Papoutsis on behalf of the Commission

(16 March 1998)

In reply to the Honourable Members' question regarding the position of governments *vis-à-vis* the regeneration of mining basins, the Commission would point out that it is continuing to work in partnership with the Member States to implement retraining programmes for that part of the labour force left unemployed following restructuring. Regional policy measures such as this receive special support, in mining areas, from the Community Rechar initiative. Moreover, to offset the social impact of restructuring on workers, the Community grants ECSC aid for their rehabilitation. For miners, such aid is supplemented by aid from the 'Social measures for the coal industry', which were recently renewed.

As for the respective roles of the Community and governments in deciding on the future of the coal industry and in respect of energy policy, it is within the Commission's power to authorise aid which Member States intend to grant to the coal industry, in accordance with Decision No 3632/93/ECSC establishing Community rules for State aid to the coal industry. (1) In performing its task, the Commission makes a point of working with the Member

States within the limits of their respective competence. It is in this spirit that it is working with the national and local authorities in Spain to reach decisions on the future of the Spanish and Asturian coal industry and on the regeneration and economic diversification of the mining basins, including those in Asturias.

The Commission understands the social concerns arising from transformations in the industries in crisis in the regions concerned and has therefore, on an exceptional basis, made it possible for Member States to grant aid enabling undertakings to continue operating which have no prospect of economic viability, while at the same time continuing gradually to wind down their activity.

Contrary to what is stated in the question, the Commission has not rejected the restructuring plan for the mining industry. It is currently examining the dossier and has yet to announce its decision. In this context, it has asked for information from and is making the necessary recommendations to the Spanish Government, so that it can deliver its opinion. The said information and comments are based on compliance with the general and specific objectives laid down in Decision No 3632/93/ECSC for the modernisation, rationalisation, restructuring and activity-reduction plans which the Member States must complete during the period from 1 January 1994 to 23 July 2002.

(1) OJ L 329, 30.12.1993.

(98/C 386/005)

WRITTEN QUESTION E-0189/98

by Cristiana Muscardini (NI) to the Commission

(5 February 1998)

Subject: Residence permit

Regulation 1612/68 (1), which makes possession of a residence permit compulsory for all Community citizens residing in another Member State, creates serious obstacles to the implementation of freedom of movement and is incompatible with the principles underlying the Schengen agreements, recently ratified by Italy too, in particular Article 2 of the Convention, which specifies that internal borders may be crossed without any border checks.

Can the Commission say how it intends to reconcile the obligation to possess a residence permit maintained by many Member States with the principle of freedom of movement and the provisions of the Schengen Convention?

Does the Commission not consider that the time has come to prevail upon the Member States to stop making residence permits compulsory?

Does the Commission not intend to consider national passports as sufficient entitlement to allow Union citizens to travel and move to other countries in the Union?

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

Answer given by Mr Monti on behalf of the Commission

(6 May 1998)

Three aspects of this matter need to be distinguished: the residence permit introduced by Community law for Union citizens wishing to reside in a Member State for a period of more than three months; the possible requirement under national law to carry this residence permit at all times in public and the checks to ensure compliance with this requirement within the territory of the country concerned; and the checks that can be carried out at frontier-crossing points.

Under Community law, a residence permit has to be issued to Union citizens wishing to reside in a Member State for a period of more than three months (see in particular Article 4(2) of Council Directive 68/360/EEC of

15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families ([1]) and Article 4(1) of Council Directive 73/148/EEC of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services ([2])). According to the case-law of the Court of Justice, the residence permit constitutes a declaratory act in a respect of a right deriving from the EC Treaty.

Secondary Community legislation does not contain any requirement for Union citizens to carry the residence permit at all times in public. However, Community law does not prohibit a Member State from requiring Union citizens, in a non-discriminatory manner vis-à-vis citizens of the Member State concerned, to carry identity or travel documents or their residence permit when in public and to introduce penalties that comply with the principle of proportionality for infringements of that requirement. As the Court of Justice confirmed in its judgment in Commission v Belgium, ([3]) 'Community law does not prevent a Member State from checking, within its territory, compliance with the obligation imposed on persons enjoying a right of residence under Community law to carry their residence or establishment permit at all times, where an identical obligation is imposed on its own nationals as regards their identity card.'

In accordance with Community law, Member States are required to allow Union citizens to enter their territory simply on production of a valid identity card or passport (see Article 3(1) of the aforementioned Directives). In principle, therefore, Community law prohibits administrative measures imposing in a general manner frontier formalities other than simple production of a valid identity card or passport.

As regards controls on compliance with the requirement under national law for Union citizens to carry their residence permit when crossing frontiers, the Court of Justice held in the above judgment that, provided such checks are not a condition for entry into the national territory, in other words, do not result in individuals being turned away, their prohibition does not derive from Community law. The Court of Justice added that, depending on the circumstances, the carrying-out of such checks upon entry into the territory of a Member State may, however, constitute a barrier to the fundamental principle of the free movement of persons. That would be the case in particular if it were found that the checks were carried out in a systematic, arbitrary or unnecessarily restrictive manner.

Since the objective of discontinuing checks on individuals has not yet been achieved within the Union, the aforementioned principles of Community law still apply.

As for the Schengen Convention, Article 2(3) stipulates that the abolition of checks on persons at internal frontiers must not prejudice either the exercise of public-order powers by the competent authorities under the legislation of each contracting party throughout its territory or the requirements that persons should possess, carry and produce documents provided for by its legislation.

([1]) OJ L 257, 19.10.1968.
([2]) OJ L 172, 28.6.1973.
([3]) Case 321/87 [1989] ECR 997.

(98/C 386/006)

WRITTEN QUESTION E-0237/98

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

Is the Commission analysing the current situation as regards the conservation of biodiversity, in order to direct the changes in the processes which have an adverse effect on it? Will the future action plans and measures which the Community strategy presumably contains be linked to an analysis of the current situation and the need to make changes?

(98/C 386/007) **WRITTEN QUESTION E-0238/98**

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

In accordance with the principle whereby in situ conservation has priority over ex situ conservation (as laid down in the convention on biological diversity), how does the Commission envisage conserving and maintaining natural habitats and ecosystems when the restoration of damaged ecosystems is carried out? Has the Commission any plans for a system for establishing appropriate criteria?

(98/C 386/008) **WRITTEN QUESTION E-0239/98**

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

What role does the EU allocate to botanical gardens in connection with the implementation of its Biological Diversity Strategy, as regards both 'in situ' and 'ex situ' conservation? Does any initiative exist which could act as a logical follow-up to Parliament's resolution on zoos and the role which they could be assigned as part of the Community conservation policy?

(98/C 386/009) **WRITTEN QUESTION E-0240/98**

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

In view of the importance of biodiversity to the protection of Europe's environment, it is essential for the biological diversity strategy to be based on a precise analysis of the current situation and the aims to be achieved, and on clear objectives and well-defined means. Would the Commission therefore answer the following questions:

1. How is it envisaged within the EU strategy that species of wild flora and fauna should be conserved as essential components of biological diversity? Is it intended that specific action plans relating to this issue will be drawn up?

2. Do the departments responsible for applying other policies (agriculture, fisheries, transport and energy, tourism, international cooperation, etc.) do anything which could have an adverse effect on biological diversity in the EU?

3. In drawing up the EU strategy, is the Commission taking into consideration the fact that, in the application of such policies, the degree of biological richness of the individual Member States is a factor which may require that application to be modulated?

4. What action is the Commission contemplating in connection with the EU strategy in order to encourage application of CITES, given that the EU, as a consumer of biodiversity from other countries, has responsibilities in terms of the conservation and sustainable use of biological diversity outside its territory?

(98/C 386/010)

WRITTEN QUESTION E-0241/98

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

What arrangements has the Commission made to ensure that all its various departments are involved in the process of drawing up the EU's Biological Diversity Strategy?

(98/C 386/011)

WRITTEN QUESTION E-0242/98

by María Estevan Bolea (PPE) to the Commission

(13 February 1998)

Subject: Biological diversity

The Commission is drawing up a strategy on European biological diversity. In its preparations for such a task, did it carry out any of the following?

— An analysis of the current situation of European biological diversity.

— An analysis of the distribution of flora and fauna species and their biotypes.

— An analysis of the concentration of protected species.

— An analysis of the factors which constitute a threat.

— An analysis of the protective measures required.

— An analysis of the activities which may be undertaken around the areas to be protected.

If the Commission has carried out the studies, inventories and projects necessary to answer the above question, are they available and is it possible to gain access to them?

If they do not actually exist, could the Commission say how it has drawn up its biological diversity strategy?

Joint answer to Written Questions E-0237/98, E-0238/98, E-0239/98, E-0240/98, E-0241/98 and E-0242/98 given by Mrs Bjerregaard on behalf of the Commission

(31 March 1998)

The Commission adopted on 4 February 1998 a communication to the Council and to the Parliament on a Community biodiversity strategy ([1]). This strategy defines a framework for actions to achieve integration of biodiversity concerns in relevant Community policy areas.

In the development of this strategy, the Commission has considered the background information contained in the 'First report on the implementation of the Convention on biological diversity (CBD) by the European Community' ([2]). This report includes a summary assessment on the importance and status of biodiversity in the Community based on information provided by the European environmental agency (EEA) and other organizations and institutions. This includes, inter alia, information contained in the EEA's 'Dobris Assessment' and Corine-biotopes database, in recent and forthcoming publications about the threats to biodiversity in Europe, and information emerging from legal proceedings opened by the Commission during recent years. In addition, all this provides a substantial amount of information about the distribution of species of flora and fauna, habitats of protected species, threats to them and protection measures required, including those to take place around protected areas.

Therefore, measures contained in the Community biodiversity strategy are based on the best factual information available.

The CBD establishes that 'ex-situ' conservation measures shall predominantly be taken for the purpose of complementing in situ measures. One of these in situ measures, as defined in article 8(f) of the CBD, is to 'rehabilitate and restore degraded ecosystems and promote the recovery of threatened species ...'. It therefore seems that the Honourable Member's written question 238/98 wrongly identifies ex situ conservation with the restoration of habitats.

The Community biodiversity strategy states that 'gene banks, captive breeding centers, zoos and botanical gardens can play a very valuable role if their activities are integrated in the framework of coordinated re-introduction or integrated conservation schemes' and sets out specific objectives in this context. The role of zoological parks within Community conservation policies is specifically addressed in the proposal for a Council recommendation relating to the keeping of wild animals in zoos ([3]), presented by the Commission to the Council.

The Community biodiversity strategy aims to anticipate, prevent and attack the causes of significant reduction or loss of biological diversity at source. This will help both to reverse present trends in biodiversity reduction or losses and to place species and eco-systems, which include agro-ecosystems, at a satisfactory conservation status. Therefore, the Community biodiversity strategy focuses on the integration of biodiversity concerns into the definition and implementation of other policy areas. In this way the Community will seek 'that the population size, structure, distribution and trends of wild species that occur naturally are in a satisfactory conservation status, and also to support recovery plans for the most threatened species'. In addition, the strategy contains as a specific objective 'to develop management plans for selected threatened species ...'.

The implementation of some existing Community policies and instruments by both the Commission and Member States may have negative effects on biodiversity. For this reason, the Community biodiversity strategy announces the development and implementation of action plans and other measures by the Commission. These action plans will translate into concrete action the policy orientations defined in the biodiversity strategy to achieve integration.

The implementation of the biodiversity strategy will provide benefits for biodiversity across the territory of the Commmunity. The successful implementation of the CBD requires co-operation both within Member States and at Community level. To develop and implement national strategies in all Member States is essential, but a number of Community policies and instruments also have an important impact on biodiversity. The Community therefore needs to take action in these areas to complement and avoid frustrating national efforts. The Community strategy focuses on the further development and implementation of Community policies and instruments.

The Community biodiversity strategy includes as a specific objective the implementation of Council Regulation (EEC) 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora ([4]) and to adapt it to reflect further decisions by the Conference of the Parties to CITES.

The Commission has actively participated in the elaboration of the Community biodiversity strategy.

In due course the Parliament will have the opportunity to consider the technical details of this proposal, and the specific objectives set out for each policy sector.

([1]) COM(98) 42 final.
([2]) SEC(98) 348.
([3]) COM(95) 619 final.
([4]) OJ L 384, 31.12.1982.

(98/C 386/012)

WRITTEN QUESTION E-0323/98

by Riitta Myller (PSE) to the Commission

(17 February 1998)

Subject: Requirement to notify changes to national banknotes

The European Union has an internal market within which there is free movement of services, persons, workers and capital. However, there is no requirement to notify a change of banknotes even among European Union governments. For example there was no notification to the other Member States of Belgium's changes to its thousand and ten thousand franc notes. This causes unjustifiable problems for travellers.

Given that there may still yet be changes to banknotes even before the transition to the single currency, what action does the Commission propose taking to introduce a requirement that changes to banknotes must be notified within the European Union?

Answer given by Mr de Silguy on behalf of the Commission

(1 April 1998)

According to Article 105a of the EC Treaty and Article 16 of the Protocol on the statute of the European system of central banks (ESCB) and of the European central bank (ECB) the governing council of the ECB shall have, as from the start of the third stage of economic and monetary union (EMU), the exclusive right to authorise the issue of banknotes within the euro area. This right is independent from the fact that during the transitional period, running from 1 January 1999 to 31 December 2001, only banknotes denominated in the national currency units will be in circulation. It is therefore ensured that national banknotes will not be introduced in one Member State of the euro area without the involvement of the ECB.

Moreover, according to information obtained from the European monetary institute which supervises the technical preparation of euro banknotes, national central banks do not intend to issue new or re-designed banknotes during the transitional period. Therefore, the Commission does not see a need to take any action in this area.

(98/C 386/013)

WRITTEN QUESTION E-0341/98

by Nel van Dijk (V) to the Commission

(17 February 1998)

Subject: Equal opportunities in the internal market for gas and electricity

Now that the Council of Ministers has adopted guidelines for the internal market for gas and electricity there is concern that the internal market will be at the expense of employment in the sectors concerned.

Falling employment affects women in particular. According to Eurostat data, in 1993 19.6% of employees in the sector were women, in 1994 the figure had fallen to 18.9% and in 1995 it was 18.6%.

Has the Commission examined the possible impact of the internal market in gas and electricity on employment in the sector, with particular reference to women?

Has it looked at the operation of the internal market in gas and electricity in the light of the policy proposals made in its communication 'Incorporating equal opportunities for women and men into all Community policies and activities' (COM(96) 67 of 21 February 1996)?

Answer given by Mr Papoutsis on behalf of the Commission

(5 May 1998)

Under Directive 96/92/CE ([1]) of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity Member States have to liberalise during a first stage one quarter of their domestic electricity market. This figure will be increased progressively over a six year period. On 12 February 1998 the Council adopted a common position on a draft directive for the liberalisation of the natural gas sector. The common position provides for the progressive liberalisation of this sector over a ten year period. During the initial stage, Member States will be obliged to liberalise at least 20 % of their national market. The common position has been communicated to the Parliament for its second reading and it will then go to the Council for its final adoption, probably during the first half of 1998.

It is clear that the liberalisation of the electricity and gas sectors will bring about structural changes in these industries. These changes can have consequences for the ex-monopolies operating in these sectors, in particular with regard to employment.

The Commission is concerned by the effects of liberalisation on employment and is considering what actions might be taken on this issue. In this respect, the Commission considers that it is important to study the social effects of liberalisation in the electricity and gas sectors and, if and where possible, to take the necessary accompanying measures to mitigate these effects. Whilst a full picture regarding the employment effect of this process will necessarily need to take account of the employment enhancing effects of liberalisation — creating new jobs in energy intensive industries and with new entrants into the electricity sector — the Commission is determined to monitor the social effects of liberalisation in the electricity industry.

The Commission plans to launch a study on the effects of electricity and gas liberalisation on employment in the Community. The objective of the study will be to present, in qualitative and quantitative terms, the employment effects of the directives including the consequences for women employed in the sector. Furthermore, the Commission will examine the possibility of encouraging the adoption of accompanying measures and programmes to assist re-employment, including the reorientation of employees, and retraining and facilitating the cross-border exchange of information with regard to employment opportunities. The specific needs of women employees will be taken into account in this exercise.

([1]) OJ L 27, 30.1.1997.

(98/C 386/014)

WRITTEN QUESTION E-0349/98

by Amedeo Amadeo (NI) to the Commission

(17 February 1998)

Subject: Environmental taxes

The Commission has issued a communication entitled 'Environmental Taxes and Charges in the Single Market' (COM(97) 0009).

Will environmental taxes be set at such a level that they will not increase the total tax burden in any Member State? Will the possible effects on the competitiveness of the Community economy and its job-creating capacity be taken into account?

Answer given by Mrs Bjerregaard on behalf of the Commission

(8 April 1998)

The objective of the communication is mainly to clarify the Community legal framework for the use of environmental taxes or charges by Member States within the framework of the single market. The communication therefore does not contain any proposal for new environmental taxes at either Community or Member State level.

Member States are free to use any type of environmental taxes or charges, and set whichever rates, provided they respect the Community legal framework. The Member States normally take competitiveness aspects into account when implementing new environmental taxes or charges.

If the Member States so wish, they can use the revenues from environmental taxes to reduce other taxes, such as taxes on labour. Such an approach, so called green tax reform, has been recommended by the Commission in other documents such as the white paper on growth, competitiveness and employment ([1]) and the proposal for the taxation of energy products ([2]).

([1]) COM(93) 700 final.
([2]) OJ C 139, 6.4.1997.

(98/C 386/015)

WRITTEN QUESTION P-0354/98

by Georg Jarzembowski (PPE) to the Commission

(6 February 1998)

Subject: Secret service activities inside the Union

According to reliable news reports, both the Commission and the European Parliament are the targets of secret service operations by the US National Security Agency, which has official electronic eavesdropping facilities in several EU Member States, for example in Bad Aibling in Germany. It appears that one aim of these activities is to discover the Union's negotiating position in advance of world trade talks.

This being so:

1. Does the Commission agree that such activities should not be tolerated, even if they are carried out by states which the EU regards as partners?
2. Is the Commission aware of intelligence operations of this kind? If so, what countermeasures has it taken? If not, does it consider that any action is required?

Answer given by Mr Santer on behalf of the Commission

(12 March 1998)

1. The Commission is aware of the existence of the United States base referred to, but has no knowledge of its activities. They fall outside its competence as defined by the Treaty on European Union.

2. No. However as far as the protection of Community interests against unwarranted risks, whatever their origin, is concerned, the Commission remains vigilant and takes the appropriate security measures.

(98/C 386/016)

WRITTEN QUESTION E-0367/98

by Stefano De Luca (ELDR) to the Commission

(24 February 1998)

Subject: Free competition and market rules in the Italian civil aviation sector

The airline Alitalia enjoys rather unusual conditions in the Italian aviation sector. The Italian airline has financial assets in excess of 3 000 billion lire, including state aids, changes of flag completed or pending, and financial benefits deriving from management reorganization involving capitalization of labour costs through the distribution of around 20 % of share capital to employees.

This financial position has enabled Alitalia to conclude a series of agreements with small operators under 'code-share' arrangements. However, other airlines such as Air One and Air Europe have been unable to expand their operations since they do not possess financial assets on the same scale.

1. Is the Commission aware of this anomalous situation?

2. Does it consider that the capitalization of Alitalia was carried out in accordance with the rules of competition laid down in the Treaty?

3. Does it consider that small Italian airlines are fully enjoying the benefits of free competition and the free market?

Answer given by Mr Kinnock on behalf of the Commission

(20 April 1998)

On 15 July 1997, the Commission authorised the granting of 2 750 billion Italian lira State aid to Alitalia. All aspects of the case were very thoroughly taken into consideration by the Commission before taking its decision. In accordance with the guidelines published by the Commission ([1]), and since the aid was considered to be purely for the purpose of restructuring that would secure return to viability, eight strict criteria had to be fulfilled by Alitalia. The Commission insisted, in particular, on the need to prevent the aid from distorting competition and the authorisation is, therefore, conditional on Alitalia respecting ten conditions which include restrictions on the number of seats offered and on its pricing freedom. The Commission will ensure that these conditions, which are intended to prevent Alitalia from having unfair competitive advantage in any market, including the Italian domestic market, are fully respected.

([1]) OJ C 350, 10.12.1994.

(98/C 386/017)

WRITTEN QUESTION E-0369/98

by Nuala Ahern (V) to the Commission

(24 February 1998)

Subject: Report by the British Government's Radioactive Waste Management Advisory Committee

Have the Commission's relevant energy, environment and transport directorates assessed the proposals set out by the British Government's Radioactive Waste Management Advisory Committee (RWMAC) in its September 1997 report on the import and export of radioactive waste involving the United Kingdom, and will the Commission make a statement on the interpretation made by the RWMAC report on Directive 92/3/Euratom ([1]) Member States and into and out of the Community with regard to its implementation in the United Kingdom?

([1]) OJ L 35, 12.2.1992, p. 24.

Supplementary answer given by Mrs Bjerregaard on behalf of the Commission

(4 May 1998)

Further to its reply on 16 March 1998 ([1]), the Commission is now in a position to provide the following information.

Under Council 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 ([2]), the granting of authorisation or approval of shipments of radioactive waste is the duty of the national authorities. The Directive, however,

requires (Article 6.2) that reasons shall be given for any refusal to grant approval, or the imposition of conditions to approval in accordance with Article 3. Article 3 states that 'The transport operations necessary for shipment shall comply with Community and national provisions and with international provisions on the transport of radioactive material'.

Article 11 further states that the authorities shall not authorise shipments to a third state that, in their opinion, does not have the technical, legal or administrative resources to manage the radioactive waste safely.

The report on the import and export of radioactive wastes by the Radioactive waste management advisory committee published by the United Kingdom Department of the environment, transport and the regions, in September 1997 gives detailed guidance to the United Kingdom authorities as regards granting authorisation or approval of shipments of radioactive waste. This guidance is not in contradiction with the provisions of Directive 92/3/Euratom.

(1) OJ C 354, 19.11.1998.
(2) OJ L 35, 12.2.1992.

(98/C 386/018) **WRITTEN QUESTION E-0399/98**

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

(24 February 1998)

Subject: Impact of the new Argentinian Fisheries Law on EU fishery interests

The promulgation of a new Argentinian Fisheries Law demanding that the crews of joint-venture fishing vessels operating in Argentine waters should all be of Argentinian nationality could have extremely grave consequences for employment and Community joint ventures fishing in Argentinian waters.

Can the Commission tell me how many European vessels and fishermen belonging to European joint ventures would be affected if such a measure were to be implemented?

How many of these vessels and fishermen are operating under the present Fisheries Agreement between the EU and the Argentine Republic?

In the latter instance, does the Commission not believe that a change in legislation which so drastically affects the status quo under which the Agreement was negotiated is an adequate reason for denouncing the said Agreement?

Did the Argentinian authorities consult the Commission about the application of these new conditions to vessels belonging to European joint ventures, in view of the fact that the vessels would be subject to them under the new legislation the authorities were seeking to promulgate?

What measures has the Commission taken and what measures does it intend to take in order to resolve the major problem which the new Argentinian legislation could pose to European fishing interests?

Answer given by Mrs Bonino on behalf of the Commission

(2 April 1998)

The most recent information that the Commission has on fishing vessel crews relates to the ships belonging to the joint enterprises formed under the agreement.

At its meeting on 9 and 10 February 1998 in Buenos Aires, a Commission-Argentina working group set up to examine the agreement looked at how the projects approved by the Joint Committee were functioning. It transpired from this examination that 29 projects were operational, including three joint ventures.

For illustrative purposes, a study of the crews involved in a number of fishing voyages in 1997 that shipowners transmitted to the Argentinian authorities indicated that the 25 ships in the same number of joint ventures employed 931 sailors, of which 639 were Argentinian, 262 were Community nationals and 30 were of other nationalities.

The joint ventures are not affected by the new Fisheries Law since item H of Annex II of the agreement stipulates that at least 30 % of the crew of the vessels in such joint ventures must be Argentinian. In view of the fact that the agreement contains no equivalent provision on joint enterprises and they fall under Argentinian law, they are subject to the Argentinian rules and regulations in force.

That said, the Commission is carefully monitoring developments as regards fisheries policy in Argentina. In this context the Argentinian authorities and the Commission have on several occasions discussed the implications that the new Fisheries Law and the conservation measures recently adopted by the Argentinian Government may have on the joint enterprises and joint ventures.

The Commission-Argentina working group examining the agreement must complete its work before the Joint Committee meets around the end of April or at the beginning of May 1998. Both the working group and the Joint Committee will discuss these issues.

(98/C 386/019)

WRITTEN QUESTION E-0408/98

by Elisabeth Schroedter (V) to the Commission

(24 February 1998)

Subject: Municipal solid waste (MSW)

— Pursuant to Article 7 of Framework Directive 75/442/EEC [1] on waste, Member States are required to draw up waste plans, and, in the Autonomous Community of Galicia, responsibility for waste management was transferred to the Galician regional government (Xunta).

— In 1992, the regional government drew up a waste plan providing for the construction of an MSW transfer station in Vigo as part of an extensive network feeding the landfill site at Cerceda (province of La Coruña).

— In January 1997, it decided to move the Vigo transfer station, the only installation provided for by the 1992 plan that was operational, and which was built using ERDF funds, to the small municipality of Villaboa.

— In June 1997, it submitted to the EU an MSW management plan which does not correspond to any legislation adopted by the Galician government or parliament and differs from the 1992 plan, providing for the incineration of all waste and envisaging the building of two incinerators. It also differs from the plan on which the Galician environment committee gave its opinion, as the Villaboa transfer station is now to replace the one at Vigo. It did not feature in the plan on which the aforementioned committee gave its opinion because this decision had not yet been taken.

— In September 1997, the Galician government passed Law 10/97 on MSW, which, in its second transitional provision, lays down that the Galician MSW management plan in force until the submission of the next one, the date of entry into force of which had passed, is the 1992 plan.

— Also in September 1997, people living near the Villaboa site submitted a complaint to the European Commission, which has resulted in an inquiry, currently in progress, concerning the circumstances outlined above. They also criticize the plan, managed by the Sogama company, for encouraging waste production and discouraging waste reduction.

In view of this, is the Commission aware that the government of Galicia has wasted EU funds on building a facility which is now going to be dismantled? What progress has been made in dealing with the complaint filed by those living near to the Villaboa site? Does the Commission intend to subsidize the Galician government's MSW management project, which is based on incineration and thus encourages waste production and discourages waste reduction and does not provide any administrative or legislative certainty, since it was meant to have been passed by the regional government in December 1997, but was not?

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[1] OJ L 194, 25.7.1975, p. 39.

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

(20 April 1998)

It should be noted that construction of the solid urban waste transfer station in Vigo was not part-financed by Community funds.

However, in June 1997 the Spanish authorities submitted a plan for the management of waste in Galicia to the Commission for part-financing by the Cohesion Fund (not by the European Regional Development Fund).

The Commission is currently carrying out a detailed evaluation of the project, with technical support from outside experts. A decision to provide part-financing could be taken only if this project complies with all Community policies, including that on the environment.

As part of its consideration of the complaint it received, the Commission has asked the Spanish authorities for more information. It will keep the complainants informed of developments in this matter.

(98/C 386/020) **WRITTEN QUESTION E-0420/98**

by Graham Watson (ELDR) to the Commission

(24 February 1998)

Subject: German tax regime

Two years ago the German authorities introduced an 'Ausländersteuer' on anyone working in Germany in sport or the arts. This levy is a flat rate at 25 %. A Briton working in Germany and paying 7 % 'Solidaritätszuschlag' on earnings has the right to reclaim 25 % from the Finanzamt since he is a UK national. In reality this is beset with many problems.

Is the Commission aware of the tax? What is their estimate of its effects and does the Commission believe it is a barrier to free movement which could be challenged in law?

Answer given by Mr Monti on behalf of the Commission

(5 May 1998)

The Commission is aware of the changes in German legislation whereby the special rate of 15 % withholding tax, which was levied on fees paid to non-resident artists and sportsmen, was abolished in 1996, with the result that such payments are now subject to the general minimum rate of 25 % charged in Germany on the income of non-residents. Depending on the individual's circumstances, this tax may be totally or partially reimbursed following the submission of a tax return.

Furthermore, the German taxes give rise to a tax credit against United Kingdom tax payable on this income under the existing bilateral tax convention.

Under these circumstances and taking into account the fact that income taxes are not harmonised within the Community, the Commission does not see a case for any legal challenge to the relevant legislation.

(98/C 386/021)

WRITTEN QUESTION P-0438/98

by Reinhard Rack (PPE) to the Commission

(16 February 1998)

Subject: Definition criteria for the new Objective 2

The current proposals for the reform of the Structural Funds and statements by the Commissioner, Monika Wulf-Mathies, at a number of Regional Policy Committee meetings appear to indicate that combatting unemployment is also to be one of the chief, and growing, concerns of the Structural Funds; however, much of the detail is still unclear.

The definition of the new Objective 2, which deals specifically with the economic and social conversion of areas afflicted by the most diverse structural problems, gives no further indication of the importance of the unemployment rate as a criterion for the selection of eligible areas or the formulation of strategy. Nor is it clear whether, in order to define an area as eligible for assistance, its unemployment rate should be compared with the national or the European average.

In view of this confusion, will the Commission state whether:

1. A higher priority should be attached to unemployment than to other definition criteria?

2. It takes the view that fundamentally different sectoral problems call for different selection criteria?

3. GDP, or other criteria such as low population density, migration, the proportion of commuters and an ageing population, would not constitute more reliable indicators of poor socio-economic situation in some regions?

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

(8 April 1998)

The Commission adopted on 18 March 1998 its proposals for a new regulatory framework for the structural funds for the period 2000-2006, based on its document Agenda 2000 [1] which was published in July 1997. The proposed regulations set out the criteria and delivery system in relation to the new objective 2. Parliament is being regularly informed on the development of the Commission's thinking with regard to structural policies in general and the new objective 2 in particular.

The Commission considers that the new objective 2 list should be determined according to simple, objective and transparent criteria laid out in the proposed regulations. These would be used to identify the areas worst affected by decline due to changes in the industrial or service sectors, declining rural areas, urban districts in crisis and areas dependent on fisheries. The final list of areas would be determined in partnership with the national authorities taking into account national priorities.

Clearly, however, no single criterion can capture the full range of structural problems, and the Commission therefore also proposed that, in order to underpin the notion that all Member States should contribute to concentration on an equitable basis, the fall in population coverage under the new objective 2 in any given Member State (including the objective 1 areas in transition that meet the new objective 2 criteria), compared to the coverage under objective 2 and 5b in the current period, will not exceed one-third.

In the Commission's view, unemployment is the key problem faced by the regions affected by structural changes. It reflects the failure of the region to make full use of its available resources and causes the loss of qualifications and social exclusion of the unemployed. Unemployment and social exclusion (measured by long-term unemployment) are therefore among the criteria proposed by the Commission for the selection of assisted areas.

The purpose of the Community's regional policy is to facilitate and assist structural change so as to promote a process of diversification. It is not a policy with a sectoral focus in the sense that it tries to support employment or activity in a specific sector or sectors in crisis. It seeks, rather, to create new opportunities in areas with longer-term potential. The criteria for the selection of assisted areas are therefore intended to identify regional problems.

Gross domestic product (GDP) is a broad measure of regional prosperity and development and, as such, an appropriate indicator for the selection of the least developed, objective 1, regions of the Community. It is particularly relevant to large regions where commuter flows tend to be limited, so that the GDP generated within the region can be attributed to the resident population.

On both counts, however, it is an inappropriate indicator for the new objective 2 proposed by the Commission in Agenda 2000. First, objective 2 areas are seriously affected by economic restructuring which is not directly related to their level of prosperity. Such areas experience other problems indicated (to quote Agenda 2000) by 'the rate of unemployment, the levels of industrial employment, the level and development of activity in agriculture and in the fishing industry, and of the degree of social exclusion'. Second, objective 2 areas would typically be significantly smaller than the large less developed regions eligible for objective 1. For smaller areas, the GDP statistic often poorly represents the level of prosperity because of the effects of commuter flows. Thus otherwise prosperous residential areas may have low levels of GDP per head of population because the enterprises responsible for wealth creation are located in an adjacent region.

(1) COM(97) 2000 final.

(98/C 386/022) **WRITTEN QUESTION E-0453/98**

by Roberta Angelilli (NI) to the Commission

(27 February 1998)

Subject: Telecom Italia and Rome municipality on fibre optics

Over a year ago, Rome Municipality, in cooperation with Telecom Italia, launched a campaign, which is still in progress, to publicise the ROMA NEXUS project (as part of the Socrates plan) for the establishment of a fibre optics public communication network. This project is proving extremely costly: the work completed so far has involved the digging of trenches over a distance of 1 000 km, causing considerable inconvenience to the general public. In May 1997, however, Telecom Italia announced as part of its industrial plan that, on the basis of the experience acquired at international level, it felt it necessary to replace the optical fibres with ADSL (Asynchronous Digital Subscriber Line) technology. The latter makes it possible for the communication network's cabling system to be based on the 'twisted wire pair' network already used for telephony instead of installing glass fibres which, among other things, require lengthy and costly digging operations, causing massive disruption to the city's streets. In January 1998, Telecom Italia therefore announced that, in the case of Rome, only one quarter of the digging operations planned for the installation of glass fibres would be carried out, given that from 1999 onwards telematics services would be installed solely on the basis of the ADSL system.

1. On the basis of European experience, since when has ADSL technology left the experimental stage and become competitive with and preferable to fibre optics networks?

2. In which countries of the Union has ADSL technology been applied and replaced programmes for the installation of fibre optic cables?

3. Has the Union laid down Community standards for the application of ADSL technology?

Answer given by Mr Bangemann on behalf of the Commission

(8 April 1998)

In the information society high-speed lines are required to deliver advanced multi-media services to the end user. New services like high speed Internet access and video on demand will require speeds of around 2 megabits per second (Mbit/s) to achieve satisfactory performance. A variety of technologies has been or is being developed for this purpose. The Honourable Member makes reference to two technologies, which are expected to contribute substantially to the development of the information society.

1. Asynchronous digital subscriber line (ADSL) technology has been developed since the end of the 1980's by US industry. It was discovered that one did not need new fibre optics for delivering medium to high-speed data to the end-user and that the usage of existing copper wire infrastructure could be optimised. It is typically a technology which is used over short distances (up to a few kilometres). Its performance over typical telephone line services in urban areas is at least 16 times higher than integrated digital network (ISDN) lines and enables the delivery of 2 Mbit/s (a speed required for video on demand) without the need for additional investments in wiring. When used over longer distances its performance deteriorates.

Fibre optics use light transmitted through glass or other fibres. This technology is capable of carrying extremely high-speed data over long distances. Although it can perfectly be used to deliver high-speed data to the end user it requires the installation of new lines. This is both costly and causes inconvenience to the public, notably in urban areas. Domestic users do not require the speed, which it supports, at least not at present.

2. At least 80 % of the value of telecommunication infrastructures is in the wiring. For this reason network operators seek to maximise the usage of existing infrastructure and only install new cabling when absolutely required. In this context the approach of Telecom Italia follows a global trend in which fibre optics are used for high speed long distance infrastructure links, and ADSL is an emerging technology of the last kilometre from the infrastructure to the end-user. In the Community, several operators are carrying out experiments with ADSL technology or have committed to investment in it.

3. ADSL is a de facto standard on which the European telecommunications standards institute has developed reports and recommendations. The Community has not laid down any standards as such for ADSL.

(98/C 386/023) **WRITTEN QUESTION E-0477/98**

by Richard Howitt (PSE) to the Commission

(27 February 1998)

Subject: Role of Community economic development in future structural fund programmes

What measures is the Commission currently taking to promote the role of Community economic development in structural fund programmes? What role does the production of guidelines, as agreed at the informal Council in Ireland on 14-15 November 1996, play in this, and what is the Commission's initial assessment of their impact? What further options is the Commission currently considering to enhance the role of Community economic development in the next programming period 2000-2006?

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

(22 April 1998)

The European strategy of encouraging local development and employment initiatives (ILDE) ([1]), proposed by the Commission, is gradually being applied.

To launch it, the ministers responsible for regional policy and spatial planning broadly reconfirmed at an informal meeting the guidelines they had adopted at the European Conference on local development organised by the Irish Presidency on 11-12 November 1996. These guidelines stressed in particular the need to enrich and strengthen the partnership between actors, to think up new, innovative, integrated strategies for local job creation and to use intermediary coordinating and promotional organisations to implement them. The guidelines were first applied in the new programmes adopted for the regions undergoing industrial restructuring (Objective 2), mainly in Spain, France, Italy and the United Kingdom They were also introduced to a great extent in the other programmes that underwent a mid-term review in 1997. By selecting 89 territorial pacts for employment as proposed by the Member States and as part of a broad partnership involving the private sector, the Commission also sought to give physical expression to these guidelines by introducing and exploiting new forms of local job creation. A global strategy covering personal services, local cultural development or the environment was chosen for most of these pacts.

In the 2000-2006 period, the development of endogenous potential must remain a priority for aid from the Structural Funds and from the European Regional Development Fund in particular. Its scope will be extended to include personal services. The Commission is also proposing a strengthened partnership.

([1]) COM(95) 273 final.

(98/C 386/024) **WRITTEN QUESTION E-0483/98**

by Richard Howitt (PSE) to the Commission

(27 February 1998)

Subject: Community Initiatives and the Structural Funds

Why did the Commission propose an increase in Community Initiatives from 6 per cent to 15 per cent of the Structural Funds in 1993? Given that it now proposes a reduction from 9 per cent to 5 per cent, why has the Commission changed its mind? In what sense was it wrong in 1993?

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

(2 April 1998)

Being aware of the importance Parliament attached to the Community Initiatives, in its 1993 Structural Fund reform proposals the Commission proposed granting 15 % of available resources to these Initiatives. The Council ultimately agreed on the figure of 9 % for the current programming period.

This 9 % was split between thirteen Community Initiatives. The implementation of these Initiatives in the Member States, with relatively small amounts of financing compared with measures carried out under the Community Support Frameworks (CSFs) and Single Programming Documents (SPDs), involved serious management and administration problems and sometimes impaired the effectiveness of the planned measures.

Nevertheless, experience of the approaches used in many Community Initiatives currently under way could be put to use and indeed consolidated when they are incorporated in the CSFs or SPDs under the new Objectives 1, 2 and 3.

In order to improve the effectiveness, visibility and innovative character of future Community Initiatives, the Commission plans, in its proposal for a regulation on the next programming period for the structural funds [1], to focus solely on three topics of common interest to be allocated 5 % of funding: cross-border, transnational and interregional cooperation; rural development; and human resources, paying special attention to equal opportunities. Despite a relative decrease in the share allocated to the Community Initiatives, the increased Structural Funds budget should facilitate better quality measures.

While reducing the number of topics, the Commission is aware that the quality of the method and the approach used by the Community Initiatives must be maintained in order to preserve, and indeed bring out more clearly, the innovative character of these measures and the value added by the Community, and to develop stronger partnerships.

[1] COM(98) 131 final.

(98/C 386/025) **WRITTEN QUESTION E-0503/98**

by Dominique Souchet (I-EDN) to the Commission

(2 March 1998)

Subject: Prohibition on the use of driftnets

The United Nations Resolution of 22 December 1989 clearly lays down the principle that, as a precaution, ' large-scale pelagic driftnet fishing' should be prohibited whatever the region or fishery.

The Community has already settled the question of the definition of large driftnet by fixing its upper limit as 2.5 km in the Atlantic and the Mediterranean by the Regulation of 27 January 1992 issued in application of that resolution.

Why does the Council wish to prohibit the use of driftnets in the Atlantic although they are already restricted to 2.5 km and it is allowing fishing with 21 km driftnets to continue in the Baltic Sea?

Does the Council believe that this measure is fair, non-discriminatory and just?

(98/C 386/026) **WRITTEN QUESTION E-0505/98**

by Dominique Souchet (I-EDN) to the Commission

(2 March 1998)

Subject: Prohibition on the use of driftnets

According to the Commission's latest proposals, the use of driftnets would be prohibited on the high seas in the Atlantic and still be authorised in coastal waters.

In these circumstances, driftnets would be prohibited for French fishermen fishing for deep-sea albacove tuna (Azorean area) and solely authorised for Spanish fishermen, since one of the migration routes of this species passes along the Spanish Cantabrian coast (Iberian area).

In other words, driftnets would be regarded as 'good' fishing gear (in other words selective not harmful to shipping or the natural migration routes of tuna, etc.) within the twelve-mile limit and 'bad' fishing gear beyond that limit in the international zones situated more than 500 km offshore.

Can the Commission explain the scientific, ecological or technical arguments justifying these different rules so that French fishermen are not under the impression that the latter favour Spain and Portugal to their detriment?

(98/C 386/027)

WRITTEN QUESTION E-0507/98

by Dominique Souchet (I-EDN) to the Commission

(2 March 1998)

Subject: Prohibition on the use of driftnets

According to the statements made by Mr Morley before the Committee on Fisheries on 3 February 1998, it would seem that the Council's intention is to use Community funds to stop French, British and Irish albacove tuna netters from fishing in the Atlantic.

Mr Morley referred to the diversification policy in Italy as an example to follow. Before even thinking about applying this principle in the Atlantic, should not the Council first ascertain the outcome of the Italian plan? Does the Council have irrefutable evidence that fishing with driftnets of an illegal length has actually stopped in the Mediterranean, that boats which have received aid have not changed their Fag State and that the owners and crews concerned have in fact stopped their previous activities?

(98/C 386/028)

WRITTEN QUESTION E-0509/98

by Dominique Souchet (I-EDN) to the Commission

(2 March 1998)

Subject: Prohibition on the use of driftnets

The Scientific, Technical and Economic Committee for Fisheries, a Commission expert body, has acknowledged both the aptness of the methods chosen and the quality of the results of the study carried out in 1993 by Ifremer (Institut Français de Recherche pour l'Exploitation de la Mer — French Oceanographic Institute) on the environmental impact of driftnets in the Atlantic.

In its conclusions, it merely notes that driftnet fishing requires 'close monitoring'.

Since 1993 net length has been limited to 2.5 km, the number of boats using this fishing gear has been reduced and net technology has improved, so that it is certain that the mortality rate has greatly diminished.

In view of these developments, does the Council believe that it is reasonable to accept the Commission's proposal to abolish the use of driftnets in the Atlantic (outside coastal waters)?

(98/C 386/029)

WRITTEN QUESTION E-0511/98

by Dominique Souchet (I-EDN) to the Commission

(2 March 1998)

Subject: Prohibition on the use of driftnets

It is certain that other species are accidentally caught in driftnets in the Baltic Sea. Information gathered by the ICES shows that these include several species of birds (guillemot and razorbill) and marine mammals (seals and porpoises). The populations of some of these species in these areas have been considerably reduced (porpoises and common seal). In addition, the wild salmon stock in the Baltic Sea is threatened.

In light of this information, does the Council believe that it is logical to prohibit the use of 2.5 km driftnets in the Atlantic (outside coastal waters) and to authorize 21 km driftnets (not counting the reserve net) in the Baltic Sea?

Joint answer to Written Questions E-0503/98, E-0505/98, E-0507/98, E-0509/98 and E-0511/98 given by Mrs Bonino on behalf of the Commission

(21 April 1998)

The Commission proposal drafted in 1994 [1] covered the Baltic Sea, but this did not get the approval of Parliament. Generally speaking, it has been impossible to achieve a qualified majority in the Council, inter alia because of the inclusion of the Baltic. The UK Presidency plans to put forward a compromise, excluding the Baltic, which is covered by special rules. The Commission considers this reasonable, in view of the development of the situation and the knowledge gained since 1991. Indeed, in the Baltic, by-catches, and in particular those referred to by the Honourable Member, are mainly taken by fishing gear other than driftnets, which are used in the central zone, while the species concerned are primarily coastal. As regards the target species, namely salmon, the Commission is indeed worried by the situation, but welcomes the adoption of a plan to safeguard wild salmon stocks in the Baltic, giving appropriate consideration to all the problems threatening the stock.

As regards possible separate treatment of coastal waters, and more particularly of the 12 — mile zone, the Commission proposal made no reference to this. Moreover, although Parliament's resolution (A-0009/94) provided for such a possibility, as far as the Commission is aware, the UK Presidency has no plans for different rules inside and outside the 12 — mile limit.

On the other hand, the Commission continues to hold the view that fishing with oceanic driftnets should be discontinued. The continuation of this type of fishing would pose ecological and socio-economic risks, risks that the Commission analysed in its communication to the Council of 1994 (COM(94) 50 final). Allowing this method would therefore go against the precautionary approach which debates in both Parliament and the Council have shown to be supported by a large majority within the Community. Reserving this method for the fleets of one or more Member States would furthermore be unfair. The Commission therefore continues to hold that steps must be taken to convert the driftnet fleet. Albacore fishing will obviously continue to be allowed but using methods other than gill nets. Indeed, the French albacore fleet makes great use of the pelagic trawl. Generally speaking, the Commission is convinced that aid is necessary to facilitate the move to methods other than driftnets.

As regards the situation in the Mediterranean, the Commission welcomes the adoption by the Italian authorities of arrangements, supported unanimously by the Council, for the conversion of the Italian 'spadare' fleet. The Commission is pleased with the progress made in 1997 on inspection, but believes more needs to be done.

The Commission is not yet in a position to evaluate the results of the Italian plan for the diversification of the driftnet fleet, since it covers several years, only ending in 1999. It is therefore impossible at this stage to draw conclusions concerning the disappearance of this segment of the Italian fleet. In any event, implementation of the plan for the conversion of the 'spadare' vessels was delayed by uncertainty, recently cleared up, over the status of the conversion premiums under the Italian tax system.

[1] COM(94) 131 final.

(98/C 386/030) **WRITTEN QUESTION E-0551/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(4 March 1998)

Subject: Regional operational programme for Attiki — sub-programme 2, measure 1

Sub-programme 2, measure 1 of the regional operational programme for Attiki is concerned with transport. According to the timetable, ECU 129 583 million of the public funds earmarked for this purpose should have been utilized by the end of 1997.

1. What projects are being envisaged and what progress has been made in achieving the overall objectives?

2. If there are delays, in what areas are they occurring and what are the principal reasons for this?

3. Did any modifications occur during the CSF review and what were the budgetary implications thereof?

4. What funds had been utilized by 31.12.1997?

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

(27 April 1998)

According to the financial tables amended on 21 October 1997, public expenditure on measure 2.1 of the Operational Programme for Attiki (transport) programmed until 1997 amounts to ECU 191.32 million.

No changes were made to the regional programmes at the last meeting of the Monitoring Committee for the Community Support Framework (CSF) held on 31 October 1997.

For technical details of work programmed, progress made therein and the causes of possible delays, the Commission refers the Honourable Member to the Attiki regional authorities responsible for implementing the CSF.

Appropriations utilised at the end of 1997 amounted to ECU 182.4 million.

(98/C 386/031) **WRITTEN QUESTION E-0555/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(4 March 1998)

Subject: Regional Operational Programme for Attiki — sub-programme 1 measure 3

Sub-programme 1, measure 3 of the Regional Operational Programme for Attiki concerns flood protection measures, including the consolidation of coastlines, the provision of rainwater ducts and the channelling of watercourses. According to the timetable, ECU 35 222 million of the public funds earmarked for this purpose should have been utilized by the end of 1997.

1. What progress has been made by the projects in question?

2. Which of the projects are presenting the most serious problems concerning the utilization of the funds, where are these problems situated, and what are the principal reasons for the delays?

3. The actions contained in the sub-programme also include the opening of footpaths and parking spaces. What progress has been made with these particular projects?

4. What funds had been utilized by 31 December 1997?

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

(27 April 1998)

According to the financial tables amended on 21 October 1997, public expenditure earmarked for measure 1.3 of the Attica operational programme (flood-prevention, coastline-restoration, etc.) until 1997 totals ECU 42.1 million.

No changes were made to the regional programmes when the Community Support Framework Monitoring Committee last met, on 31 October 1997.

For technical information and a progress report on the work, and the reasons for any delays, the Honourable Member should contact the regional authorities in Attica that are responsible for the implementation of the CSF.

By the end of 1997 a total of ECU 37.9 million in appropriations had been utilised.

(98/C 386/032) **WRITTEN QUESTION E-0571/98**

by Graham Watson (ELDR) to the Commission

(4 March 1998)

Subject: Shellfish waters directive 79/923/EEC

On 17 December the High Court in London handed down a judgement pertaining to the Shellfish Waters Directive 79/923/EEC ([1]). The dispute centred on a mussel fisherman's claim that owing to the failure of South West Water Services to treat its effluent effectively, he was driven out of trade.

The judgement infers that EU citizens who suffer loss as a result of European environmental standards cannot sue the state authorities, including water companies, in European law.

The duties of the state, therefore, are too general to allow the public to have legally enforceable environmental rights. However, the judgement appears to be at a variance with the ECJ's decision of December 1996 relating to the Shellfish Waters Directive which confirmed that persons concerned with a directive which has implications for human health 'must be in a position to rely on mandatory rules in order to be able to assert their rights'.

Does the Commission consider that, in view of the ECJ ruling, shellfishermen do have rights and that their shellfish waters, and livelihoods, are protected from pollution?

Can the Commission confirm that this is the first such judgement by any EU court on the liability of states to individuals arising out of any such directive?

Following a Commission communication dated 22 October 1996 which expressed the need for more environmental claims to be dealt with in the national courts and in view of the Hight Court's decision, will the Commission re-examine current transposition of EU environmental legislation in the UK to ascertain whether it is indeed being enforced appropriately?

([1]) OJ L 281, 10.11.1979, p. 17.

Answer given by Mrs Bjerregaard on behalf of the Commission

(20 April 1998)

The Honourable Member has drawn the Commission's attention to a recent judgement in the High Court in the United Kingdom concerning Directive 79/923/EEC on the quality of shellfish waters. The Commission has not has not seen the text of this judgement and so is not able to respond to the Honourable Member's question in detail. As the Commission is not aware of the exact nature of the High Court's judgement it is not in a position to confirm whether it is the first such judgement of its type in any European court.

The Honourable Member also refers to a judgement of the Court of justice delivered in December 1996. The Commission assumes that the Honourable Member is referring to the judgement in Case C-298/95, Commission v. Germany, which concerned the failure to adopt within the periods prescribed by Directive 79/923/EEC all the measures necessary to comply with Articles 3 and 5 of that Directive. The Court held that 'in all cases where

non-implementation of the measures required by a directive could endanger human health, the persons concerned must be in a position to rely on mandatory rules in order to be able to assert their rights'. This judgement is primarily concerned with the non-transposition of Community law and so should be considered in this context. Thus the principle reconfirmed by the Court is that Member States must transpose certain provisions of directives in order to allow citizens to rely upon mandatory rules in national legislation. It is distinct from the principle mentioned by the Honourable Member whether directives themselves can confer rights on individuals. Therefore, this judgement does not appear to have a direct bearing upon the Honourable Member's first question.

In addition, the Commission wishes to remind the Honourable Member that Article 164 of the EC Treaty states that the Court of justice shall ensure that in the interpretation and application of this Treaty the law is observed. Therefore the interpretation of Community law falls to the Court and it is ultimately for the Court to interpret the provisions of Directive 79/923/EEC.

As the Honourable Member is aware, the Commission is responsible for ensuring that the provisions of the EC Treaty establishing the Community and the measures taken under it are applied by the Member States. The Commission investigates allegations that Community law is not being properly applied in Member States. In this regard, the Commission is able to inform the Honourable Member that it is currently examining the United Kingdom's implementation of Directive 79/923/EEC.

The Commission would be pleased to receive a copy of the High Court judgement, and any further information from the Honourable Member which indicates that the United Kingdom is failing to apply Directive 79/923/EEC.

(98/C 386/033) **WRITTEN QUESTION E-0578/98**

by Roberta Angelilli (NI) to the Commission

(4 March 1998)

Subject: High-speed trains

In the light of the answers to previous questions on high-speed trains, with particular reference to the Rome area (E-0508/97 ([1]) and E-2351/97 ([2])) because of failure to comply with European legislation on environmental impact assessment, the Commission might like to know that legal proceedings are currently being brought in Italy against people involved in the mismanagement of the high-speed train network. Can the Commission therefore say:

1. whether the measures mentioned in the additional answer of 5 June 1997 from Mrs Bjerregaard on behalf of the Commission and confirmed in answer E-2351 of 9 September 1997 have been carried out;

2. whether, in the light of non-compliance with the directives and the numerous episodes already mentioned which cast doubt on the execution of the high-speed train project in Italy, it does not consider it appropriate to ask the Court of Justice, in accordance with Article 186 of the EC Treaty, to adopt temporary measures, including suspension of the work?

([1]) OJ C 391, 23.12.1997, p. 15.
([2]) OJ C 82, 17.3.1998, p. 62.

Answer given by Mrs Bjerregaard on behalf of the Commission

(24 April 1998)

The Commission is not competent for complaints concerning criminal law. Since it aims to ensure the observance of Community law, the Commission is entitled to undertake interventions only when a provision of Community law is concerned.

Further to the information provided by the Honourable Member regarding the Rome – Naples high speed railway project, a formal request was sent to the Italian authorities in order to know whether an environmental impact assessment (EIA) had been carried out in accordance with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment ([1]). The Italian authorities answered in the affirmative. They communicated that on the basis of the EIA carried out by the 'EIA Commission of the Italian Ministry of environment' in 1992, the above mentioned Ministry had already given in 1993 an opinion in favour of the project. Nevertheless, since two short sections of the project appeared to have been excluded from the assessment, new information concerning the EIA of these sections was requested from the Italian authorities. On the basis of the new information communicated by the Italian authorities, the Commission can now conclude that, in fact, the approval given in 1993, relying on an environmental impact assessment approved by the EIA Commission of the Ministry of the environment in 1992, concerned only the general project and did not include the two junctions of Rome and Naples. However, the projects of the two junctions and the executive projects of the entire work were later submitted to an environmental impact study which was assessed by Regione Lazio in 1994 and by the Ministry of the environment (EIA Service and Citizens Information) in 1995. They approved the whole project. The stage of public information and consultation appear to have been correctly carried out.

In the light of the above, a possible application of Article 186 of the EC Treaty is not relevant.

([1]) OJ L 175, 5.7.1985.

(98/C 386/034) **WRITTEN QUESTION E-0585/98**

by Sören Wibe (PSE) to the Commission

(4 March 1998)

Subject: Publicity campaign for tulips

According to reports in the Swedish media, the Commission is helping to fund a publicity campaign for tulips, which has been organized as a way of dealing with the tougher competition faced by EU flower producers following the 1992 GATT agreement on imports of cut flowers.

How much money has the Commission put into this campaign, which is aimed at boosting sales of tulips, and how much money has been put into the campaign in Sweden?

Answer given by Mr Fischler on behalf of the Commission

(6 April 1998)

The campaign to promote tulips is part of the Community campaign to promote flowers and live plants, 60 % of which is funded by the Community while the flower trade funds the balance.

Dutch flower traders have launched the tulips campaign in several countries, including Sweden. The campaign's entire budget is ECU 417 157, including the Commission contribution of ECU 250 294. The Commission has allocated ECU 88 200 in support of the measure in Sweden.

Two programmes presented by Swedish trade organisations were also approved in 1997 and have a total budget of ECU 193 808.

(98/C 386/035) **WRITTEN QUESTION E-0589/98**

by Mirja Ryynänen (ELDR) to the Commission

(4 March 1998)

Subject: European framework for foresty certification

There is growing pressure within the market for the introduction of various forestry certification systems. There is a danger that, because of their competitive position, the EU Member States may be compelled to adopt in haste a certification system which aspires to a monopolistic position and is not appropriate to all the various circumstances. The EU's forestry industry would be placed in a weaker position than others as a result.

In its resolution on the forestry strategy, the European Parliament called on the Commission to develop a certification system which is internationally recognized, transparent, voluntary and non-discriminatory and which moreover takes account of the specific ecological, biological and socio-economic characteristics of each country, including forest ownership patterns. (Thomas report)

1. What will the Commission do to accelerate the establishment of a certification framework of the kind proposed by Parliament, the formulation of which should take adequate account of the general views of the forestry industry?

2. Will the Commission ensure that, according to the certification framework adopted under the auspices of the EU, national certification systems are treated as equal?

Answer given by Mr Fischler on behalf of the Commission

(30 April 1998)

The Commission is monitoring current developments with regard to forestry certification, including the aspects concerned with markets for forestry products. While continuing dialogue with all the parties concerned, the Commission is also considering whether it would be appropriate in practical and legal terms to take a Community initiative in this area. Depending on the outcome of its assessment, it will make appropriate proposals as part of its response to Parliament's resolution on the European Union's forestry strategy.

The Commission would also request the Honourable Member to refer to its answer to Written Question No E-164/98 by Mrs Pollack on systems of forest certification. ([1])

([1]) OJ C 310, 9.10.1998, p. 31.

(98/C 386/036) **WRITTEN QUESTION E-0604/98**

by Carlos Carnero González (GUE/NGL), Laura González Álvarez (GUE/NGL), Pedro Marset Campos (GUE/NGL) and Alonso Puerta (GUE/NGL) to the Commission

(4 March 1998)

Subject: Madrid-Valladolid high-speed train project drawn up by the Spanish Ministry for Development and recently submitted for public consultation

The Madrid-Valladolid high-speed train project drawn up by the Spanish Ministry for Development and recently submitted for public consultation has generated much disquiet amongst the population of the Madrid Autonomous Community (MAC) and, in particular, in Valle del Lozoya and other localities through which the route will pass, such as Tres Cantos. Rejection of the project (and also of the one which was drawn up at the same time by the MAC Government) on account of the serious environmental impact which it would have on the Valle del Lozoya (which is of great ecological value) and the poorer quality of life of those living in the localities which would be affected has been expressed in speeches opposing the project made by the leaders of ten local councils in the area, by the coordinator of Asociaciones de Montaña de la Sierra Norte, by various regiona

lparliamentary groups and by trade unions. On Sunday, 15 February, thousands of people held a demonstration against the project along the projected route. Moreover, many people consider that the transport benefits which the Ministry has claimed for the proposed project could be achieved by alternative environmentally acceptable and economically viable means which would improve the existing rail links between Madrid, Segovia, Avila, Burgos and Valladolid.

1. Is the Commission aware of the serious situation described above and of the public's rejection of the planned high-speed rail link between Madrid and Valladolid?

2. Does the Commission not consider that the statutory environmental impact assessment should be carried out immediately?

3. Does the Commission consider the implications of the project in question to be compatible with the directives on the conservation of natural habitats (including Directive 92/43/EC) ([1]), of which the Valle del Lozoya is certainly one?

4. What action could the Commission take in order to ensure compliance in this particular case with Community environmental law, including Directives such as 85/337/EC ([2]) and 92/43/EC?

5. Could the Commission make available any information it has obtained from the Spanish authorities in order to ensure freedom of access to information on environmental issues?

([1]) OJ L 206, 22.7.1992, p. 7.
([2]) OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(20 April 1998)

1. The Commission was not aware of the situation described by the Honourable Members.

2. Article 2 of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment stipulates that projects likely to have significant effects on the environment by virtue inter alia of their nature, size or location must be made subject to an assessment with regard to their effects.

This provision applies to the projects listed in Annexes I and II. Point 7 of Annex I mentions the construction of lines for long-distance railway traffic. Under the terms of Article 4(1) of the Directive, projects of the classes listed in Annex I must be made subject to an assessment in accordance with Articles 5 to 10.

If it transpires that the project in question can be described as a line for long-distance railway traffic within the meaning of Point 7 of Annex I to the Directive, it ought to be made subject to the environmental impact assessment procedure set out in Articles 5 to 10 thereof before consent is granted.

3. Under the terms of Article 4 of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, the Member States must propose a list of sites liable to be designated sites of Community importance. The Valle del Lozoya is included on the list transmitted by the Spanish authorities in accordance with the Directive. Without more precise and detailed information on the project in question, the Commission is unable to say whether its effects would be compatible with Directive 92/43/EEC.

4. and 5. The Commission will make the necessary contacts to gather full details of the situation and ensure that all applicable Directives are complied with.

(98/C 386/037)

WRITTEN QUESTION E-0605/98

by Angela Sierra González (GUE/NGL) to the Commission

(4 March 1998)

Subject: Closed season for breeding purposes in the waters of Morocco

Recently the Moroccan Government extended the closed season for breeding purposes in the waters of the Saharan fishing bank to include the months of March and April.

According to various representatives of the fisheries sector, this decision constitutes an infringement of the fisheries agreement between the European Union and Morocco, which allows adjustments to be made to the closed season but not extensions. Moreover, Morocco has not implemented the fisheries plan which was intended to restrict fishing for pregnant female cephalopods in the breeding area.

Instead, it appears that Morocco has actually increased its fishing activities, thus jeopardizing catch sizes as a result of over-exploitation of the stocks in the area and hence going against the recommendations of scientists as regards preserving the richness of the fishing bank's resources.

What does the Commission think of the action taken to increase the 'closed season for breeding purposes' by two months in the Saharan fishing bank?

Does this closed season apply to Morocco's cephalopod fishing fleet? Is Morocco complying in this respect with its fisheries agreement with the European Union?

What action is the Commission prepared to take in order to prevent discrimination against other fishing fleets (particularly the Spanish one) when 'closed seasons for breeding purposes' are imposed in the area?

What reports or studies are available which recommend an extension of the closed season for breeding purposes in the fishing grounds concerned?

Answer given by Mrs Bonino on behalf of the Commission

(20 April 1998)

The Community has always attached the greatest importance to the conservation and rational management of fishery resources. Under its agreement with Morocco, the Community has always been in favour of developing an approach to responsible fishing that is capable of guaranteeing the long-term viability of the sector, in particular the cephalopod fishery which is of recognised importance to the fleets on both sides.

In this context, the Commission considers that the biological rest period is only part of an array of protective measures for conserving resources. This is why this measure must take its place within an operational context of safeguard measures which Morocco has committed itself to implementing and which affects both its industrial-scale and its small-scale cephalopod fleets, in the interests of both sides as already stated.

This view has always had the support of scientists and research workers in the field, who agree that periods of biological rest can reduce fishing pressure on young recruits to the stock but add that supplementary measures remain necessary.

With regard to the unilateral application by Morocco of an extension to the period of biological rest, which will affect both the Moroccan and the Community cephalopod fleets, the Commission is continuing its action to ensure that contractual commitments are observed and that any possible discrimination is avoided.

(98/C 386/038)

WRITTEN QUESTION E-0617/98

by Nikitas Kaklamanis (UPE) to the Commission

(9 March 1998)

Subject: Inclusion of islets in the Interreg programme

It is reported that the Greek Government has, quite justifiably, included six Aegean islets in the Interreg programme.

Will the Commission give its official views on this matter and say whether it intends to fund projects on these islets which quite patently form part of Greek (and therefore European) territory?

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

(7 May 1998)

Since 1981, when Greece acceded to the Community, the Commission has been part-financing measures and projects throughout that country.

Through the Structural Funds, the Commission part-finances measures and projects to assist the development of peripheral areas of mainland Greece and the islands under various sectoral and regional programmes in the 1994-1999 Community Support Framework and under Community initiative programmes such as Interreg II.

(98/C 386/039)

WRITTEN QUESTION E-0646/98

by Monica Baldi (PPE) to the Commission

(9 March 1998)

Subject: Species that may be hunted

The species listed in Annex II to Directive 79/409/EEC [1] of 2 April 1979 may be hunted under the legislation of the Member State.

The species listed in Annex II/2 however may be hunted only in the Member State in which they are mentioned. Starlings are included in Annex II/2 for all the Union's Mediterranean countries except Italy.

In a letter dated 6 August 1997 (ref. 23.035) the Ministry for agricultural policies requested that hunting be authorized for species excluded from the list of those that can be hunted under Article 18 of Law No 157 of 11 February 1992. The National institute for wild fauna gave its assent, taking account of the satisfactory level of conservation, the widespread distribution and migratory tendency and the estimates and damage caused to crops.

1. What urgent measures does the Commission intend to take to accede to Italy's request that starlings be included in Annex II/2?

2. What initiatives does it intend to take in order to grant a general system of derogation for the purpose of containing the damage caused to agriculture until adoption of the amended request?

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[1] OJ L 103, 25.4.1979, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(8 April 1998)

Annex II.2 of the 'Birds) Directive 79/409/EEC was amended in 1994 to allow hunting of starlings (Sturnus vulgaris) in Greece, Spain, France and Portugal. During the discussions which led to the adoption of Directive 94/24/EEC of 8 June 1994 amending Annex II to Directive 79/409/EEC on the conservation of wild birds, [1] Italy made no request in this connection.

In order to include Italy in the list of countries in which starlings may be hunted, a further amendment would have to be made to Directive 79/409/EEC. However, in view of the fact that the directive has recently been amended again (Commission Directive 97/49/EEC of 29 July 1997 amending Council Directive 79/409/EEC on the conservation of wild birds [2]) to allow phalacrocorax carbo sinensis to be excluded and that Italy did not raise the case of starlings during these discussions, the Commission is not planning to propose further amendments in the immediate future.

It should be pointed out that, by way of derogation and under strictly determined conditions, Article 9 of Directive 79/409/EEC allows species not listed in Annex II to the Directive to be hunted. The application of this derogation is a matter for the individual Member State. However, the Commission ensures that the conditions for the application of the derogation have been met in each case and that the consequences of such a derogation are not incompatible with the Directive.

(1) OJ L 164, 30.6.1994.
(2) OJ L 223, 13.8.1997.

(98/C 386/040) **WRITTEN QUESTION E-0649/98**

by Daniela Raschhofer (NI) to the Commission

(10 March 1998)

Subject: Tax on beverages

The Austrian Administrative Court (Verwaltungsgerichshof) has found that the tax levied in Austria on all alcoholic beverages and beverages mixed with alcohol (Getraenkesteuer) might be incompatible with European law.

1. How many and which particular Member States levy similar excise duties?

2. Is this an infringement of the EU directive on excise duties?

3. Do beverage taxes constitute prohibited turnover taxes?

4. Does the levying of the tax on beverages amount to giving illegal preferential treatment to 'farmgate' sales, which are not subject to this tax?

5. If a breach of the Treaty were to have occurred and the Commission were to bring Treaty infringement proceedings against Austria, when would that decision probably be delivered?

Supplementary answer given by Mr Monti on behalf of the Commission

(18 June 1998)

Further to its answer of 27 April 1998, [1] the Commission is now able to supply the following information.

The Commission has had the opportunity to present to the Court of Justice its views on the Austrian tax on beverages.

As a preliminary remark, it would emphasise that, in its opinion, current Community legislation in no way prejudices the possibility for Member States to apply non-harmonised indirect taxes provided that the fundamental principles laid down in the in the Treaty and in Community secondary legislation are complied with.

However, when it examined the matter, the Commission noted that the relevant Austrian legislation does not comply with all the principles of taxation set out in Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products, [2] and in particular the principles contained in Article 3(2), in that the tax does not, in the Commission's opinion, pursue a specific purpose within the meaning of that Article.

The Commission also noted that exemption from the tax for direct sales of wine by growers cannot be considered compatible with Article 95 of the EC Treaty.

Lastly, it does not rule out the possibility that similar taxes are levied in other Member states. If this proved to be the case and if some aspects of incompatibility came to light, the Commission would, as in the case of Austria, have recourse to the instruments available to it under the Treaty to ensure that Community law was observed.

[1] OJ C 323, 21.10.1998, p. 60.
[2] OJ L 76, 23.3.1992.

(98/C 386/041) **WRITTEN QUESTION E-0708/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(98) 176 final and COM(97) 183 final),

can the Commission ensure the simplification and rationalization of food law, in so far as this does not prejudice essential safety standards?

(98/C 386/042) **WRITTEN QUESTION E-0709/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission consider recourse to fundamentally non-binding instruments before the creation of legislative provisions and give thought to the principle of mutual recognition in the sphere of optional instruments too?

(98/C 386/043) **WRITTEN QUESTION E-0710/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission ensure, by amending Directive 83/89/EC, that it is the task of the Member States to specify that national laws do not constitute barriers to the internal market?

(98/C 386/044) **WRITTEN QUESTION E-0711/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission ensure that only purely technical questions are dealt with by means of Committee procedures, whilst fundamental questions continue to be the subject of political decisions?

(98/C 386/045) **WRITTEN QUESTION E-0712/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission ensure that HACCP principles are valid for the whole food chain (from producer to consumer), irrespective of the type and size of firm concerned?

(98/C 386/046) **WRITTEN QUESTION E-0713/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission ensure that quality rules are harmonized only as regards health questions, whereas the barriers to trade created by national quality requirements should be tackled by consistently applying the principle of mutual recognition?

(98/C 386/047) **WRITTEN QUESTION E-0714/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: Food legislation — consumer health

In connection with 'The General Principles of Food Law in the European Union' (Commission Green Paper) and 'Consumer Health and Food Safety' (Commission Communication) (COM(97) 176 final and COM(97) 183 final),

can the Commission emphasize the growing importance of rules concerning the labelling of food products in the consumer's decision to buy, whilst also recognizing the limits of labelling and the need to find other ways of providing information? Can it also ensure that labelling concerning nutritional values is first of all made more effective and hence compulsory?

Joint answer
to Written Questions E-0708/98, E-0709/98, E-0710/98, E-0711/98, E-0712/98, E-0713/98 and E-0714/98
given by Mr Bangemann on behalf of the Commission

(28 April 1998)

As indicated during the debate on the Parliament's resolution on the green paper on the general principles of food law, the Commission intends to give its reply on the follow up to the debate in a communication. As the Commission has pointed out in the green paper it is committed to simplification and rationalisation of Community food legislation but this should lead to an increase of health protection and transparency.

In the green paper the Commission requested comments with regard to the potential of non-binding instruments in the area of food law. These comments are now being analysed by the Commission. The use of voluntary instruments can supplement usefully binding rules, for example, guidelines on good hygiene practice in a given sector. The Commission sees the main application of the principle of mutual recognition with regard to the functioning of the internal market. Member States may have diverging rules for food in areas not covered by Community rules but these rules should not be opposed to products that are lawfully produced or marketed in another Member State unless legitimate interests are at stake and those rules offer an equivalent level of protection.

The procedure laid down in 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 [1] aims at ensuring that national technical standards and regulations do not create barriers to trade. The Commission sees no need for a modification of this Directive in the sense suggested by the Honourable Member as the general prohibition for unjustified barriers to trade is already laid down in the EC Treaty.

The legal acts which confer implementing powers on the Commission specify the essential elements of these powers. It is, therefore, up to the Community legislator to define powers conferred on the Commission.

The Commission is of the opinion that the general principles of hygiene should apply to the entire food chain. The existing directives relating to hygiene are at present under review with the aim to ensure a coherent and constant body of hygiene rules 'from farm to table'. This legislation will lay an emphasis on the application of hazard analysis critical control points (HACCP) principles.

The Commission considers that health aspects will remain the major reason for legislative action at Community level. The recourse to the principle of mutual recognition will prevail in those areas, so far as the composition of foodstuffs is concerned. This policy, which has stimulated innovation and greater consumer choice, is not in contradiction with the development of quality standards for agricultural products, which increase the competitivity of these products, and therefore supports other aims of the common agricultural policy.

The Commission intends to review the Directive on nutritional labelling with a view to adapt it to scientific progress. This review will also aim at ensuring better and more easily understandable information for the consumer. Whether the information on nutritional properties should be mandatory is at present being considered. It has to be seen in the context of the general question of the best means, including new information technologies, to provide information which is of interest to the consumer.

(1) OJ L 109, 26.4.1983.

(98/C 386/048) **WRITTEN QUESTION E-0716/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: An overall view of energy policy and actions

In connection with the Commission Communication 'An overall view of energy policy and actions' (COM(97) 167 final) will the Commission draw up a common energy policy which is consistent and coordinated at EU level and is based on cooperation between national energy policies, without prejudice to individual countries' independence in the choice of primary energy sources?

It should be stressed that until the European Union has a title on energy in the Treaty, there is a risk that the common energy policy may be structured on the basis of many other Community policies.

Answer given by Mr Papoutsis on behalf of the Commission

(16 April 1998)

In its Communication of April 1997 'An overall view of energy policy and actions', (1) the Commission undertook to give a complete picture of all Community actions in the field of energy, including actions developed in cooperation with Member States as well as actions taken at Community level, either in the framework of the energy policy or under other Community policies. The Communication is the first stage of an integrated approach permitting a better response to strategic challenges facing the Community in the energy sector. It emphasises that the effectiveness of Community action would be increased were a specific legal basis taking account of all the energy policy priorities to be included in the EC Treaty.

As no clause of this kind was adopted at the 1997 Intergovernmental Conference, the Commission has proposed an integrated approach based on the implementation of a multiannual framework programme in the energy sector. (2) This would bring together different Community actions in the field of energy and guarantee their efficacy and coherence with regard to three priority objectives: security of supply, competitiveness and environmental protection. The coherence of different aspects of energy policy implemented in the framework of different Community policies, such as research, external relations or structural policies, will also be facilitated by the creation of a network, within the Commission, linking the Directorates General concerned.

(1) COM(97) 167 final.
(2) COM(97) 550 final.

(98/C 386/049) **WRITTEN QUESTION E-0718/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: The VAT Committee

In connection with the proposal for a Council Directive amending Directive 77/388/EEC on the common system of value-added tax (the Value-added Tax Committee) (COM(97) 325 final — 97/0186 CNS) [1], could the Commission ensure that the proposals that are to be submitted to the VAT Committee are published in advance? At present amendments to Community legislation on VAT require a directive or a regulation, and their publication in draft form offers all those concerned the opportunity to make comments on the subject. This public safeguard should also apply to the proposals submitted to the VAT Committee.

[1] OJ C 278, 13.9.1997, p.6.

(98/C 386/050) **WRITTEN QUESTION E-0719/98**

by Amedeo Amadeo (NI) and Salvatore Tatarella (NI) to the Commission

(18 March 1998)

Subject: The VAT Committee

In connection with the proposal for a Council Directive amending Directive 77/388/EEC on the common system of value-added tax (the Value-added Tax Committee) (COM(97) 325 final — 97/0186 CNS) [1], could the Commission ensure that the opinions drawn up by the VAT Committee, irrespective of whether it is acting as a regulatory committee or as an advisory committee, are published in the Official Journal?

[1] OJ C 278, 13.9.1997, p. 6.

Joint answer to Written Questions E-0718/98 and E-0719/98 given by Mr Monti on behalf of the Commission

(6 May 1998)

When implementing powers are conferred on the Commission, it exercises these powers pursuant to the procedures laid down by Council Decision 87/373/EEC of 13 July 1987 [1], in which case the Commission submits draft measures to a regulatory body composed of the representatives of the Member States.

The Commission does not publish the draft measures. It may, however, consult interested parties.

It follows from the Commission's proposal on the VAT committee [2] that any decision taken by the Commission, assisted by the VAT committee as a regulatory body, will be a legal act and as such, it will be published.

By contrast, the Commission cannot take legal responsibility for publishing opinions which have no legal value because they only result from discussions in an advisory committee which has no powers to interpret Community legislation or to approve specific rules of application.

[1] OJ L 197, 18.7.1987.
[2] OJ C 278, 13.9.1997.

(98/C 386/051)

WRITTEN QUESTION E-0730/98

by Maartje van Putten (PSE) to the Commission

(18 March 1998)

Subject: Indigenous languages spoken in the overseas territories of the European Union, with particular reference to French Guiana

Following the Euromosaic study carried out under the supervision of DG XXII, can the Commission answer the following questions:

1. Hitherto, in its Euromosaic report on minority and regional languages within the EU, the Commission has devoted little or no attention to the languages spoken in the overseas territories of the EU, even though there are facilities within the Euromosaic programme for looking into such languages. Does the Commission intend in future to devote more attention under Euromosaic to the minority languages in the overseas territories?

   If so, can the Commission say what initiatives it has taken or intends to take?

   If not, why not?

2. What specific initiatives has the Commission taken, or will it take, to support and recognise the indigenous languages in the overseas territories of the EU (in particular in the context of the cultural identity of indigenous peoples which is adversely affected if the indigenous language, one of the main elements in the cultural identity of a people, is marginalized)?

3. Is the Commission aware of the disadvantaged position of the indigenous peoples in French Guiana caused by the fact that the French constitution recognizes only the French language? Has the Commission taken any initiatives to reverse this infringement of the rights and the cultural identity of the indigenous peoples of French Guiana?

   If so, what initiatives?

   If not, why not?

Answer given by Ms Cresson on behalf of the Commission

(27 April 1998)

1. The Euromosaic study was initiated by the Commission to determine the position of minority or regional languages in the Community. As the time and resources allotted to the study were limited, it was decided to look only at minority languages in the Member States within continental Europe. A number of interesting regional and minority languages therefore had to be excluded from the initial study. This does not mean that the Commission is not thinking of extending the Euromosaic study to determine the current position of the regional or minority languages that are at present excluded.

2. As for the possibility that the Commission may take initiatives to support indigenous languages in French Guiana, it should be noted that French Guiana, as a French overseas territory, forms part of the Community and therefore takes part in the various Commission programmes. In the field of regional or minority languages, the Commission is implementing the programme 'Promotion and safeguard of regional and minority languages and cultures', funded under budget heading B-1006. Projects relating to the indigenous languages of French Guiana are therefore eligible for this programme provided they meet the objectives and requirements set out in the calls for proposals.

3. As to whether the Commission is aware of the discrimination against the indigenous peoples in French Guiana caused by the fact that the French constitution recognizes only the French language, and whether the Commission has taken any action to remedy this situation, it has to be pointed out that the matters covered by these questions lie outside the Commission's competence.

(98/C 386/052)

WRITTEN QUESTION E-0746/98

by Bill Miller (PSE) to the Commission

(18 March 1998)

Subject: VAT

On the assumption that current rates of duty and VAT are applied, what rate of duty and VAT will be levied on a bottle of spirits sold on board ship, following the proposed abolition of duty-free sales on a vessel en route:

1. from Dover to Calais and return:
   (a) when the vessel is in UK territorial waters
   (b) when the vessel is in French territorial waters
2. from Portsmouth to Santander and return:
   (a) when the vessel is in UK territorial water
   (b) when the vessel is outside territorial waters
   (c) when the vessel is in French territorial waters
   (d) when the vessel is in Spanish territorial waters?

What will be the cash sums charged in duty and VAT in these locations on a bottle of spirits of which the duty-free and VAT-free price is ECU 10?

Will the VAT charged, in cash terms, vary according to the relevant rate of duty? To which Member State or States will the duty and VAT be payable? What plans has the Commission to simplify the system?

Answer given by Mr Monti on behalf of the Commission

(12 June 1998)

The Commission confirms to the Honourable Member that the current Community provisions in the fiscal field ensure the appropriate taxation of sales at airports and on board aircraft and ferries which will be applicable on 1st July 1999, after the expiry of the transitional period allowed by the Council to the tax-free sector.

The elements provided in the question, which may appear specific cover nevertheless a large range of situations and products and require detailed explanation, which is not possible in this framework.

For this reason, the Commission invites the Honourable Member to contact its services (directorate C of DG XXI) who will provide him with an appropriate and complete answer.

(98/C 386/053)

WRITTEN QUESTION E-0748/98

by Allan Macartney (ARE) to the Commission

(18 March 1998)

Subject: Water and sewerage provisions

Can the Commission indicate which level of government or other body is responsible for the provision of water and sewerage in each Member State and how such provisions are financed?

Answer given by Mrs Bjerregaard on behalf of the Commission

(30 April 1998)

First of all, the structure of the water and sewerage services is the responsibility of each Member State in accordance with the principle of subsidiarity and there is no Community legislation on it.

According to the information available to the Commission, as a general rule the production and distribution of drinking water and the collection and treatment of urban waste water in the Member States is the responsibility of the municipalities concerned, groups of municipalities or municipal or regional bodies.

The management of the service may be provided by the public body itself or delegated to another public body or to a private or semi-public company. Exceptions are the cities of Athens and Thessaloniki in Greece, where the service is the responsibility of national publicly-owned institutions, and England and Wales, where the service is the responsibility of private companies.

Investment costs are covered by a combination of a specific payment by the user and financial aid awarded at local, regional, national or Community level, except in Ireland where there is no specific payment. Operating costs are generally covered by the specific payment by the user, again except in Ireland.

On this subject, it should be noted that the proposal for a Directive establishing a framework for Community action in the field of water policy ([1]) provides for the cost of the service to be recovered from users in accordance with the principle of rational use of water resources, while ensuring the quality of the service provided.

([1]) COM(97) 49 final, as amended by COM(98) 76 final.

(98/C 386/054)

WRITTEN QUESTION E-0756/98

by Outi Ojala (GUE/NGL) to the Commission

(18 March 1998)

Subject: Eliminating discrimination based on sexual orientation

In its decision in case C-249/96 (Lisa Grant v. South West Trains), the Court of Justice of the European Communities held that, under the Treaty of Amsterdam, the Council may, on a proposal from the Commission and having consulted the European Parliament, take certain measures to eliminate various kinds of discrimination, including discrimination on the basis of sexual orientation.

Although the Treaty of Amsterdam has not yet been ratified, it is already possible and indeed essential to begin making the changes it contains. What specific measures does the Commission propose to take to eliminate discrimination based on sexual orientation in the European Union, and how does it propose to involve Parliament in preparations for such measures?

Answer given by Mr Flynn on behalf of the Commission

(19 May 1998)

The Commission is currently exploring the possibilities offered by Article 13 of the draft Amsterdam Treaty and its implications for Community policy. A wide debate to identify the way forward on Article 13 will be launched during 1998, to ensure a broad consultation with all key actors on non-discrimination issues. Parliament representatives will be involved in this consultation process.

At the present time the Commission is not in a position to give the Honourable Member a precise answer concerning the possible priorities, in terms of types of discrimination and specific actions. This question will depend very much of the outcome of the consultation process.

(98/C 386/055) **WRITTEN QUESTION E-0758/98**

by Jonas Sjöstedt (GUE/NGL) to the Commission

(18 March 1998)

Subject: Compensation for injuries caused by wild animals

Both the EU and the Member States have rules for the protection of wild animals, including predators. The situation sometimes arises with large species of predators that people are injured when they are attacked by these animals. In my home region a man was very seriously injured a few years ago by a bear. Does the Commission consider that the requirements imposed by the EU and the Member States for the protection of predators species also imply an obligation to compensate people harmed as a result of attacks by predators? Who is responsible for ensuring that persons thus injured are fully compensated?

Answer given by Mrs Bjerregaard on behalf of the Commission

(23 April 1998)

According to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([1]), the so-called Habitats Directive, such big predatory mammals occurring in the Community as the brown bear, wolf (with the exception of some populations) and lynx are strictly protected among a number of other wild animals.

It has been necessary to provide such a protection regime for these species, which in many parts of the Community have been exterminated a long time ago. However, the Commission is aware that these species may sometimes pose a threat to human safety. The lowering of this threat is adequately covered in the Habitats Directive by making it possible to derogate from the strict protection provisions, when there is no satisfactory alternative, for specific reasons such as in the interest of public safety (Article 16(c)).

The provisions of the Habitats Directive when carried over to the national laws provide sufficient possibilities for overall regulation of the populations of big predatory mammals. The compensation for damage caused by predators is part of overall national responsibility concerning the regulation of these populations. The relevant decision and compensation arrangements have to be taken at a national level.

([1]) OJ L 206, 22.7.1992.

(98/C 386/056) **WRITTEN QUESTION E-0764/98**

by Nikitas Kaklamanis (UPE) to the Commission

(18 March 1998)

Subject: Problems encountered by refrigerated haulage firms

The refrigerated transport sector in Greece is encountering tremendous problems in the form of unfair competition from refrigerated transport with false documentation and the operation of foreign lorries which do not meet the most basic safety standards.

30 % of the refrigerated lorries on the roads have false registration plates and licences and no official documentation, while foreign lorries from Bulgaria, Rumania and Albania have broken plates and faulty indicators, fog lights and brake lights.

The Greek Union of Refrigerated International Transport Hauliers has repeatedly complained about this situation and that the policing and inspection of these vehicles is inadequate, which creates safety problems on Greek roads and unfair competition for Greek hauliers.

How will the Commission respond to ensure that the interests of Greek refrigerated haulage firms are safeguarded and to put an end to unequal competition which is forcing an entire sector out of business?

Answer given by Mr Kinnock on behalf of the Commission

(12 May 1998)

The issues relating to enforcement referred to by the Honourable Member come entirely within the legal competence of the Greek authorities. Checking foreign vehicles (Bulgarian, Romanian and Albanian) for the validity of the number plates and of documents and licences on board as well as for the presence and good working order of safety equipment is a task for the authorities of the state within which these vehicles circulate.

(98/C 386/057) **WRITTEN QUESTION E-0794/98**

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

(18 March 1998)

Subject: Transport of calves in the EU and the early slaughter premium

In the European Union a premium is paid for the early slaughter of calves (known in German as the 'Herod premium'). Even though some Member States have decided against paying this premium, this has not reduced the suffering of the animals. On the contrary, they suffer even more because they are bought up by cattle dealers in countries where the premium is not paid, and then transported long distances to other EU states which do pay it. Since the animals are destined for rendering plants, they are classed by the dealers and transporters as waste, and treated accordingly. According to the Commission, a ban on such transport would infringe competition law. However, the killing of an animal without a good reason is a criminal offence under Germany's Animal Protection Act.

1. Does the Commission consider that the early slaughter premium is morally justifiable?

2. How many animals per year are transported from Germany to France in order to cash in on the early slaughter premium?

3. What is the Commission's view of the payment of the early slaughter premium in respect of calves from beef breeds?

4. How does the Commission assess the chances of creating an EU-wide system of rules on the model of the German 'early marketing premium'?

5. What concrete measures has the Commission taken so far to act on criticism of the early slaughter premium and introduce improvements or innovations?

6. How does the Commission think the German Animal Protection Act can be reconciled with the European rules on the early slaughter premium?

Answer given by Mr Fischler on behalf of the Commission

(5 May 1998)

1. The Commission understands the concerns about the processing premium that have been voiced in certain circles.

2. The processing premium has only been in application in France since October 1996. Although no official statistics are available, the Commission estimates that in the first 12 months German farmers received the processing premium for approximately 40 000 calves sent to France.

3. The processing premium is not an ideal solution, but in accordance with the conclusions of the second report on the application of the two calf premium schemes ([1]), it must be recognised that this premium has been extremely effective during the BSE crisis in terms of reducing future production and in terms of cost-effectiveness. However, the Commission has already indicated in its 'Agenda 2000' ([2]) communication that it is not acceptable to provide a permanent solution to the problem of overproduction by slaughtering calves a few days after birth.

4. All the Member States, with the exception of the United Kingdom and Ireland, already apply the early marketing premium for calves. In view of the current positive trends on the beef and veal market and the progressive decline in the need for public intervention, it would not appear to make economic sense to extend this measure to the entire Community beyond November 1998.

5. By Regulation (EC) 2502/97 of 15 December 1997 amending Regulation (EEC) 3886/92 laying down detailed rules for the application of the premium schemes for beef and veal ([3]), the Commission has already modified the eligibility criteria for the calf processing premium to include compliance with Community standards on the protection of calves during transport. Moreover, this premium no longer figures in the proposed reform of the common agricultural policy recently presented by the Commission to the Council.

6. The provisions relating to slaughter and granting the processing premium for young calves have been harmonised at the Community level. These therefore have precedence over national standards.

([1]) COM(97) 461 final.
([2]) COM(97) 2000.
([3]) OJ L 345, 16.12.1997.

(98/C 386/058)

WRITTEN QUESTION E-0795/98

by Reimer Böge (PPE) to the Commission

(18 March 1998)

Subject: Staff shortages in DG VI

In the light of experience in dealing with BSE, the Commission has carried out a thorough restructuring of its departments.

Can the Commission state:

— what staff changes have been made within DG VI and DG XXIV?

— how many posts have been transferred from DG VI to DG XXIV?

The Commission's Special report to the European Parliament on the recommendations on BSE (30 January 1998), refers to the fact that, as a result of staffing shortages in DG VI it has not been possible to deal adequately with some issues (p. 7 para. C.: 'However, due to staff shortages a proposal could not yet be finalised, but remains one of the priorities of the BSE dossier')

When will the necessary selection procedure finally be set in motion to increase the staffing of the veterinary services? The problem cannot be solved satisfactorily by the appointment of temporary officials.

In addition to this procedure, is the Commission prepared to give greater consideration to this glaring problem in drawing up the Establishment Plan for the 1999 draft budget, or to resolve it by transferring posts when they come free?

Answer given by Mr Fischler on behalf of the Commission

(8 May 1998)

In the light of the experience in dealing with BSE, the Commission has transferred the entire personnel of the phytosanitary and veterinary office to DG XXIV, that is 42 A, 7 B and 13 C, plus 3 national experts attached to the office, as well as additional staff amounting to 5 A and 14 C. As compensation, 8 A posts were allocated to DG VI.

The measures for assuring the availability of a sufficient number of veterinarians for recruitment as permanent staff are currently being examined. In order to avoid short-term problems, an appeal has been made to Member States to provide lists of veterinary experts who would qualify for temporary agent status.

According to the 1999 draft budget, 10 permanent posts shall be made available to DG VI. DG VI planning foresees to allocate 4 of these posts for the clearance of accounts (increase of staff in this field is considered a priority also by the Parliament). Most of the remaining 6 posts will be used for reinforcing the units dealing with public health, animal health and phytosanitary matters, which are an absolute priority.

(98/C 386/059) **WRITTEN QUESTION E-0800/98**

by Nuala Ahern (V) to the Commission

(26 March 1998)

Subject: Second disposal shaft/silo at the Dounreay plant in Caithness, Scotland

In the light of the admission by the United Kingdom Atomic Energy Authority on 2 February 1998 that there is a second disposal shaft/silo at the Dounreay plant in Caithness, Scotland, into which unregulated radioactive waste has been dumped since 1971, will the Commission update the details provided to Parliament in its answer to written question P-3167/96 ([1]) on 16 December 1996?

([1]) OJ C 87, 14.3.1997, p. 124.

Answer given by Mrs Bjerregaard on behalf of the Commission

(22 April 1998)

The silo at Dounreay is an approved storage facility subject to regular monitoring by the British regulator, the Nuclear installations inspectorate (NII). A description of the silo and its contents are contained in the publicly available document ([1]) which was referenced in the reply to written question P-3167/96 by Mrs Bloch von Blottnitz ([2]). The British Government has also announced that the wastes are to be retrieved from both the intermediate based shaft and the silo at Dounreay for treatment.

The Commission would also like to draw the attention of the Honourable Member to the answer given to Written Question P-661/98 by Mrs Bloch von Blottnitz ([3]) on the same subject. The silo and its contents have been under Euratom safeguards since the accession of the United Kingdom to the Community and the Commission has been and is being provided with all the information required to perform the safeguards activities foreseen by the Euratom Treaty.

([1]) DOE/RAS/96.001 (UK Nirex Ltd Report No 695 of May 1996).
([2]) OJ C 83, 14.3.1997.
([3]) OJ C 310, 9.10.1998, p. 113.

(98/C 386/060) **WRITTEN QUESTION E-0810/98**

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

(26 March 1998)

Subject: Publication of customs rules in the Official Journal

Will the Commission ensure that all customs rules are published in the Official Journal before they may enter into force?

Answer given by Mr Santer on behalf of the Commission

(7 May 1998)

Pursuant to Article 191 of the EC Treaty, regulations are published in the Official Journal and enter into force on the date specified in them, or in the absence thereof, on the twentieth day following that of their publication. When the Commission adopts a regulation, it always endeavours to provide for a delay between publication and entry into force, so that those concerned can adapt to the new legal position. This same applies to customs duties. These are laid down in Annex 1 to Council Regulation (EEC) 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, [1] which is fully replaced every year by a Commission Regulation. This most recent was Commission Regulation (EC) 2086/97 of 4 November 1997. [2] This Regulation came into force on 1 January 1998. However, in the meantime, the Commission has adopted two amendments to Annex 1 to Regulation 2658/87; first, Commission Regulation (EC) 2472/97 of 11 December 1997, [3] which came into force on the sixtieth day following publication, and second, Commission Regulation (EC) 2509/97 of 15 December 1997, [4] which came into force on the twentieth day following publication.

This particular type of regulation, which adopts the legal position to constantly-changing markets, must obviously be adopted as short a time as possible before implementation if they are to be based on the most recent market prices. Such regulations, in particular the routine administrative instruments under Common Agricultural Policy, generally have a limited period of validity and consequently tend to provide for early entry into force — on the day of publication or the next working day. The Commission considers that economic operators active in these sectors are familiar with the situation, and expect the regulations to be amended at short notice, conceivably with effect from the date of publication.

The principle of certainty of legal positions precludes Community instruments from having effect from a date prior to publication. However, the Court of Justice has acknowledged that this might be acceptable in exceptional cases where the object pursued so requires, provided the legitimate expectations of those concerned are duly respected. [5]

(1) OJ L 256, 7.9.1987.
(2) OJ L 312, 14.11.1997.
(3) OJ L 341, 12.12.1997.
(4) OJ L 345, 16.12.1997.
(5) Case 98/78 Racke [1979] ECR 69 (paragraph 20), judgment given on 25.1.1979.

(98/C 386/061) **WRITTEN QUESTION E-0818/98**

by José Apolinário (PSE) to the Commission

(26 March 1998)

Subject: The Community initiative, Pesca, and tourism

Will the Commission give the total amount allocated, per Member State, in the 1994-1999 financial programming period to actions and projects specifically involving tourism within the framework of the Community initiative, Pesca?

Answer given by Mrs Bonino on behalf of the Commission

(28 April 1998)

As part of the Community Initiative 'Pesca', which is aimed in particular at diversifying economic activities in coastal areas dependent on fishing, several programmes contain projects explicitly related to tourism. These are:

— the 'Seafront' project for a maritime cultural centre in the fishing port of Zeebrugge (Belgium), with a total volume of around ECU 2.2 million; the 'Pesca' contribution is about ECU 550 000;

— in Denmark, the conversion of fishing vessels for tourist purposes in Loekken (total volume ECU 125 300; 'Pesca' contribution ECU 31 300) and in Bønnerup (the 'Refitour' project) (total volume ECU 285 400; 'Pesca' contribution ECU 50 000);

— a maritime cultural centre in Bremerhaven (Germany), total volume ECU 611 000; 'Pesca' contribution ECU 305 500;

— in Ireland a marina on Bere Island (total volume about ECU 158 000; 'Pesca' contribution about ECU 88 000), the development of sport fishing around Clare Island (total volume about ECU 38 000; 'Pesca' contribution about ECU 19 000) and, in the Dingle peninsula, the purchase of new seagoing vessels for tourism (total volume about ECU 398 000; 'Pesca' contribution about ECU 200 000);

— a European network of 'sea centres' designed inter alia to promote maritime tourism in a number of Member States (total volume about ECU 283 000; 'Pesca' contribution ECU 110 000).

In Portugal, the 'Pesca' programme does not cover any schemes specifically for tourism. However, under measure 2 'Occupational mobility', various projects for the retraining of fishermen and the reassignment of their vessels to other activities, in particular tourism, are eligible for support. The sum allocated to part-financing this measure for the whole of Portugal (mainland, Azores and Madeira) throughout the programming period (1994-1999) is ECU 5.76 million, to be provided by the European Regional Development Fund.

(98/C 386/062)

WRITTEN QUESTION E-0819/98

by José Apolinário (PSE) to the Commission

(26 March 1998)

Subject: Research and tourism

Will the Commission provide detailed information on actions related to tourism within the framework of the research budget and specify the aid, the amount provided and the allocation by Member State?

Answer given by Mrs Cresson on behalf of the Commission

(13 May 1998)

The fourth framework programme for research, technological development and demonstration (1994-1998), jointly decided by Parliament and the Council on 26 April 1994, ([1]) does not include specific actions as such in the tourism sector.

However, numerous research activities, such as 'telematic applications', have an impact on the tourism sector.

Since these activities' relatedness to the tourism sector varies widely, it is not possible to be specific as to their financial impact.

The Commission will take the opportunity of the fifth framework programme to evaluate the knock-on impact of research programmes.

([1]) OJ L 126, 18.5.1994.

(98/C 386/063) **WRITTEN QUESTION P-0822/98**

by Carmen Fraga Estévez (PPE) to the Commission

(9 March 1998)

Subject: New Argentinian fisheries law and EU-Argentina fisheries agreement

On 12 January 1998 the Republic of Argentina adopted a fisheries law which is to enter into force three months after its adoption. That law contains a number of articles which radically change the rules governing joint ventures by fixing the number of indigenous crew members, raising levies and setting new conversion coefficients for hake, without putting forward any arguments to justify such action. As the Commission itself has acknowledged, these new rules do not in any way comply with the terms under which the EU-Argentina agreement was signed and will lead to a drastic reduction in the profitability of Community enterprises, as well as in the number of jobs.

What steps is the Commission taking and what further action is it planning vis-à-vis the Argentinian authorities to ensure that they comply with the agreement, and what has been the outcome of its action to date?

Are there not grounds for holding in this case that compliance with the international obligations entered into takes precedence over a state's domestic legislation?

Answer given by Mrs Bonino on behalf of the Commission

(21 April 1998)

The Commission is following changes in Argentine legislation closely. The possible impact of such changes on joint ventures established in Argentina under the fishing agreement has been raised with the Argentine authorities on several occasions. With this in mind, a joint working group was set up to consider the agreement, including the new Argentine legislation. The working group has already met twice, in Buenos Aires on 9 and 10 February 1998 and in Brussels on 9 and 10 March 1998, and this work will be continued within the Joint Committee at its meeting scheduled for early May.

As regards the primacy of international obligations over domestic legislation, Article 67 of the new Argentine law stipulates that the latter applies without prejudice to Argentina's rights and obligations in this area under the international treaties to which it is a signatory.

(98/C 386/064) **WRITTEN QUESTION P-0823/98**

by Jan Sonneveld (PPE) to the Commission

(26 March 1998)

Subject: European model health certificate for exports of dry poultry manure

Intra-Community trade in dry, unprocessed poultry manure is in effect obstructed by the absence of certificates describing the veterinary aspects of the manure. The annex to Commission Decision 96/103/EC [1] of 25 January 1996 announces that the Commission will draw up a model health certificate. Two years have elapsed and there is still no draft European model. One Member state, Germany, has taken the initiative in drawing up a health certificate for trade in dry unprocessed poultry manure.

1. Is the Commission aware of the German health certificate for exports of dry poultry manure?

2. Does the German health certificate have any legal validity?

3. Would the Commission appreciate it if other Member States were to draw up their own health certificates?

4. Would the Commission be prepared to adopt the German health certificate as a basis for its own model?

5. How long would it take the Commission to present its own model health certificate for exports of dry poultry manure on the basis of the German health certificate?

(1) OJ L 24, 31.1.1996, p. 28.

Answer given by Mr Fischler on behalf of the Commission

(23 April 1998)

In the light of past experience with trade in manure, the Commission adopted Decision 96/103/EC of 25 January 1996 amending Chapter 14 of Annex I to Council Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC; (1) the Decision provides for a health certificate to be introduced, the model for which is to be drawn up by the Commission after it has consulted the Standing Veterinary Committee.

The Commission is not aware of a certificate drawn up by the Member States, but will find out whether one exists and — if so — whether it complies with Community law.

The Commission cannot give a precise time-scale for presenting a draft health certificate for trade in processed poultry manure, owing to current priorities in other areas of veterinary and zootechnical legislation.

(1) OJ L 24, 31.1.1996.

(98/C 386/065) **WRITTEN QUESTION E-0827/98**

by Ursula Schleicher (PPE) to the Commission

(26 March 1998)

Subject: Compatibility with EU law of the 'special spa tax' levied in Badgastein

Are the levying of a 'special spa tax' in Badgastein, as well as the provisions of the 1993 spa tax legislation on which it is based (Land Salzburg Official Gazette 1993, pp. 79 ff.), and the Spa Commission's corresponding implementing regulation (Section 18 of the Salzburg Therapy and Health Resort Legislation) compatible with the law of the European Union? Doubts also arise with particular regard to the absence of any special provision for the severely disabled and to the level of the taxes to be paid.

Answer given by Mr Monti on behalf of the Commission

(2 June 1998)

The Honourable Member asks about the compatibility with Community law of a tax levied in the commune of Badgastein in Austria. It seems that the tax ('Kurtaxe') is levied by the Land Salzburg on overnight stays in apartments and caravans in the district of Badgastein for spa administration ('Kurbezirk'). Revenues from the tax are paid into a fund ('Kurfonds') and subsequently used to promote local public interest in spa activity.

Because the tax mentioned by the Honourable Member is not harmonised at Community level, Member States are in principle free to use legislative powers in this field of taxation. This autonomy includes the freedom to legislate exemptions from the tax. However, the relevant provisions of the EC Treaty and of Community secondary legislation must be respected.

On the basis of the information provided to the Commission, the tax mentioned by the Honourable Member is not in conflict with Article 95 of the EC Treaty which concerns the taxation of products.

Further, as far as Community secondary legislation is concerned, the tax appears to be compatible with Community legislation on excise duties. Concerning the common system of value added tax, the conclusion is that Article 33 of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ([1]) does not preclude the levying of a tax like that mentioned by the Honourable Member.

Therefore, on the basis of the information in the possession of the Commission, there is no apparent conflict between the tax and Community fiscal legislation.

([1]) OJ L 145, 13.6.1977.

(98/C 386/066) **WRITTEN QUESTION E-0833/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(26 March 1998)

Subject: Democracy clause and the Lomé Convention

There is a clause in the Lomé Convention making it possible to suspend all or part of the Community support or aid provided under the Convention when a signatory state fails to respect human rights and democratic freedoms or rules.

To which states is this so-called 'democracy clause' in the Lomé Convention currently being applied?

What aid or support has been suspended or withdrawn from these countries?

Answer given by Mr Pinheiro on behalf of the Commission

(30 April 1998)

The Commission would first of all draw attention to the limited value of a list because the situation in a particular country can sometimes be very fluid.

The Commission would further point out that the democracy clause in Article 5 of the Lomé Convention, which makes respect for human rights, democratic principles and the rule of law a key element of the Convention, primarily fosters positive action in that framework and makes them points of common interest and a matter for dialogue. This approach must therefore be perceived first and foremost in a spirit of joint commitment to respect for and promotion of universal values. In that sense this clause is applied in a large number of African, Caribbean and Pacific (ACP) countries. Between 1994 and 1997 projects financed on this basis amounted to about ECU 200 million and related in particular to support for democratic processes, strengthening of the administration of justice, support for parliaments and an independent press, education in human rights and the culture of peace, human rights observer missions and protection of vulnerable groups.

The corollary of this positive approach is the ability to take appropriate action in the event of serious and persistent infringements of human rights or suspension of democratic processes.

At present, and with the exception of humanitarian aid or aid targeted on the poorest population groups, financial and technical cooperation has been frozen with Sudan since 1990, with former Zaire since 1992 and with Nigeria since 1995. More recently, conditions relating to respect for human rights have been laid down, directed towards the new authorities in the Democratic Republic of the Congo, for the resumption of full, unrestricted cooperation.

Cooperation with some countries runs into difficulties calling for appropriate treatment. These include Equatorial Guinea, where gradual resumption of financial and technical cooperation depends on progress with respect for human rights, democratic principles and the rule of law; also countries such as Somalia, Sierra Leone and Burundi, where special treatment is warranted by the crisis or conflict situation prevailing there.

(98/C 386/067)

WRITTEN QUESTION E-0839/98

by Ernesto Caccavale (UPE) to the Commission

(26 March 1998)

Subject: Systematic use of seasonal contracts by southern Italian motorway building firms

For the past ten years or more, southern Italian motorway building firms have continued to recruit workers under seasonal contracts. Although there are still staff shortages in some sectors, the number of 'casual labourers' has risen above four hundred. Since 1992, while they have been awaiting a final contract, they have continued to work for just three months a year without the benefit of social security contributions, incentives, or settlement at the end of each quarter. Moreover, because they have spent too long waiting for a proper contract, many of them have reached an age at which they have no prospect whatsoever of finding a job in any of the normal ways.

The firms in question resort to such practices even though they have obtained and are still receiving the Community funding provided for under European Regional Development Fund programmes to finance the expansion, reorganization, and modernization of motorway networks. It follows that such funding should enable the firms to recruit employees under permanent contracts and, at any rate, curb the policy of seasonal recruitment.

Can the Commission check whether the firms concerned are entitled to hire workers on a seasonal basis when they are benefiting from the plethora of money and advantages designed to combat southern Italy's endemic unemployment?

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

(24 April 1998)

This is not a matter for the Commission. The structural funds regulations contain no specific requirements in respect of the type of contract used to employ those engaged on the construction or management of infrastructure projects cofinanced by the funds.

(98/C 386/068)

WRITTEN QUESTION E-0868/98

by Ursula Stenzel (PPE) to the Commission

(26 March 1998)

Subject: Alpine transit

The Commission would like to submit a proposal for the harmonization of the prohibitions relating to the use of heavy goods vehicles at weekends and on public holidays. Only eight Member States have restrictions on the use of HGVs, which differ, Austria having the strictest legislation. This regulation will therefore have far-reaching implications.

Does the Commission see any way of retaining the prohibition of the use of HGVs on Saturdays, which is so important for Austria, and if not, in what circumstances might there be exceptions?

Austria has most public holidays in the EU, and a numerical ceiling would have lasting implications for Austria. Can the Commission say whether there are plans to take account of the large number of Austrian public holidays, and what form might this take in practice?

Answer given by Mr Kinnock on behalf of the Commission

(23 April 1998)

The Honourable Member refers to a recent Commission proposal for a directive to harmonise rules governing driving bans on heavy goods vehicles ([1]).

The proposal, if adopted, will allow Member States to have driving bans on Saturdays if they wish. Indeed, driving bans of any duration will continue to be permitted as at present on all roads other than the trans European road network.

However, the proposed legislation would only allow bans exceeding the period 07h00-22h00 (24h00 in summer) on Sundays and holidays on the trans European network after justification on objective grounds and following prior approval by the Commission. The proposal specifies the criteria on the basis of which bans can be justified. These can be on road safety, environmental or social grounds.

The proposal does not in any way affect the number of public holidays in Member States. It simply requires that any Member State wishing to impose driving bans on public holidays on the trans European road network should inform the Commission in advance of the days and roads affected.

(1) COM(98) 115.

(98/C 386/069)

WRITTEN QUESTION P-0879/98

by David Hallam (PSE) to the Commission

(11 March 1998)

Subject: Proposed United States Department of Agriculture Standards for Organic Produce

Is the Commission aware that the United States Department of Agriculture has released a 600 — page document setting out its standard for organic agriculture?

Could the Commission confirm that the United States Department of Agriculture's proposal would classify the following practices as 'organic':

— Genetically-engineered crops?

— Intensive animal husbandry?

— Routine use of antibiotics?

— Irradiation of food?

— Use of chemicals unacceptable under European organic standards?

— Liberal use of non-organic ingredients in processed organic food?

Will the Commission contact the USDA and indicate that these standards fall far short of European definitions of what is 'organic', that the introduction of such standards would cause enormous confusion for the consumer and that this could have an adverse impact on the reputation of organic products and damage most of Europe's small specialist organic farmers?

Answer given by Mr Fischler on behalf of the Commission

(24 April 1998)

The Commission would like first to refer to its answer to written question E-0325/98 by Mr Gahrton (1).

The Commission is currently studying in detail the proposed American regulations in view of its comments under the World trade organisation (WTO) agreement on technical barriers to trade. In the framework of this examination the Commission noted already that on certain issues such as the use of genetically modified organisms, irradiation, use of certain fertilizers and plant protection products, and incorporation of ingredients

from conventional agriculture in composed foodstuffs, the proposed American regulations seem to be less stringent than the provisions of Regulation (EEC) 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs [2] and the proposal [3] for including livestock production under the scope of that Regulation.

[1] OJ C 310, 9.10.1998, p. 50.
[2] OJ L 198, 22.7.1991.
[3] COM(97) 747 final.

(98/C 386/070)

WRITTEN QUESTION P-0889/98

by Mark Watts (PSE) to the Commission

(11 March 1998)

Subject: Illegal slaughter of sheep in France at the Eid-El-Kabir Festival

In my Question No 90 (H-0013/98) [1], I drew the Commissioner's attention to the fact that he had already agreed with me that the French authorities had infringed Community law by allowing thousands of sheep to be brutally slaughtered in fields outside Paris as part of the Eid-El-Kabir Festival in April 1997. I went on to ask the Commission to state what guarantees it had now obtained from the French authorities that they will comply with the European law and ensure that this barbaric and illegal slaughter will not be allowed to happen against this year.

In its reply, the Commission said 'it is quite possible for the celebration of 'Eid-El-Kabir' to take place in a manner which respects the relevant animal welfare rules,' which do not allow such slaughter to be carried out in the open air or other places outside slaughterhouses. However, although it says that 'the Commission has intervened further with the French authorities', it has failed to answer my specific question about the guarantees that the French authorities have provided.

Will the Commission now provide as a matter of urgency details of the guarantees that it has received from the French authorities that they will ensure that Community law is not broken and of the steps that the French authorities will take against any persons who break the law?

Will the Commission also state precisely the action it will take against the French authorities under Article 100 of the EC Treaty, and with what consequences, if it receives evidence that any breaches of the law take place at this year's festival?

[1] Debates of the European Parliament (February 1998).

Answer given by Mr Fischler on behalf of the Commission

(6 April 1998)

The Commission continues to monitor the situation with regard to the problem of illegal slaughter of sheep outside slaughterhouses in connection with the Moslem festival mentioned by the Honourable Member. At the end of 1997 the Commission intervened with the French authorities indicating that it would expect France to ensure that the relevant Community rules were correctly observed in respect of the slaughter of sheep during the celebration of the festival in 1998. A follow-up letter was sent on 13 March 1998, giving a deadline of two weeks to reply. So far the Commission has not received the information requested.

France was also warned that failure to ensure the respect of the rules would lead to the opening of the Article 169 EC Treaty procedure. The Commission has not up to the present time received any complaint concerning the celebration of the Eid-el-Kabir during the current year.

(98/C 386/071)

WRITTEN QUESTION E-0897/98

by Daniela Raschhofer (NI) to the Commission

(26 March 1998)

Subject: Telephone charges

Austria has the highest telephone charges of all the other EU Member States. Up until now the Austrian Post und Telekom AG has been the sole provider of fixed network services. In the next few days the Commission will be completing its survey of telephone charges within the Member States with the emphasis on the charges for connections between fixed and mobile units (interconnections).

1. Are other tariff structures, as well as those for interconnections, being examined?

2. What measures can and will the Commission take if it establishes that competition is being distorted?

3. What is the Commission's assessment of the impact on economic development and competitiveness if telephone charges for calls within the Community are higher than for calls in the USA?

Answer given by Mr Van Miert on behalf of the Commission

(5 May 1998)

1. In the framework of the third report concerning the implementation of the telecommunications regulatory package of 25 February 1998 ([1]), the Commission has examined not only the state of transposition of the Community liberalisation and harmonisation directives, but also a certain number of so-called economic indicators. Annex III to this report contains detailed tables for each Member State, showing, among other elements, the incumbents' prices, including the level of interconnection charges for telephone calls between two fixed networks or between fixed and mobile networks.

More particularly, in its recommendation of 8 January 1998 on interconnection in a liberalised telecommunications market ([2]), the Commission has determined the following 'best current practice' interconnection charges: 0.6 to 1.0 ECU/100 per minute at the local level, 0.9 to 1.8 ECU/100 per minute for single transit interconnection at metropolitan level, 1.5 to 2.6 ECU/100 per minute for double transit interconnection at national level. These figures refer to call termination on fixed networks at peak times. Call set up charges are included where they exist, but other non traffic related charges are excluded.

2. If it should turn out that the interconnection fees do not correspond to the underlying cost, there could be evidence of excessive pricing in violation of Article 86 of the EC Treaty. Therefore, the Commission examines the interconnection fees in the light of the above mentioned 'best current practice', in order to evaluate the potential grounds for own initiative procedures against incumbent operators.

However, price regulation falls within the province of national legislation, as it is laid down in paragraph 3, first indent, of the Annex to Council Directive 90/387/EEC of 28 June 1990 on the establishment of the internal market for telecommunications services through the implementation of open network provision ([3]), as amended by Directive 97/51/EC of the Parliament and of the Council of 6 October 1997 ([4]). Therefore, the Commission will not intervene if the interconnection charges are only slightly above the 'best current practice' or if the national regulator is investigating the case.

Notwithstanding the obligation of cost-orientation placed on operators having significant market power by Directive 97/33/EC of the Parliament and of the Council of 30 June 1997 on interconnection in telecommunications ([5]), the assessment of excessive pricing under Community competition rules requires a considerable disproportion between price and cost or between competing markets.

Concerning the fees for interconnection between fixed and mobile networks, the Commission has, on 20 January 1998, opened own initiative procedures against incumbent operators in all Member States. Information requests were sent out and the replies received are currently being evaluated. As concerns the fees for interconnection between fixed networks, the Commission has opened own initiative procedures on 20 March 1998 against the incumbent operators in Ireland and Portugal and has also sent out information requests.

3. The whole liberalisation process in the telecommunication sector aims at creating more competition for the benefit of both businesses and consumers in a continuously globalised market. The cost of information services is an essential element in this context. The above mentioned third report clearly shows that the liberalisation has already led to price reductions for telecommunications services and it is expected that this process will continue in the coming years.

(1) COM(98) 80 final.
(2) OJ L 73, 12.3.1998.
(3) OJ L 295, 29.10.1997.
(4) OJ L 192, 24.7.1990.
(5) OJ L 199, 26.7.1997.

(98/C 386/072)

WRITTEN QUESTION E-0899/98

by Daniela Raschhofer (NI) to the Commission

(26 March 1998)

Subject: Farm aid: green currencies

With the introduction of the euro, the green exchange rate currently used to pay agricultural aid in Austrian schillings will disappear. This will lead to a loss of aid in real terms for Austrian farmers.

1. Will there be accompanying measures to cover these losses?

2. If so, what form will these accompanying measures take in practice to compensate for the loss of aid?

3. Will the accompanying measures compensate for the losses in full? If not, why not?

4. How are the green exchange rates fixed?

5. What mechanisms are they influenced by?

Answer given by Mr Fischler on behalf of the Commission

(21 April 1998)

In its communication of 5 November 1997, 'The impact of the changeover to the euro on Community policies, institutions and legislation' (1), the Commission announced the elimination of the differences between the green rates and the fixed and irrevocable conversion rates, stating, with particular reference to the Member States participating in the single currency, that 'Commission proposals should be based on relatively reliable estimates of the aggregate gaps to be eliminated and thus notably take account of the list of participating Member States, as well as of the evolution of markets in the run-up towards monetary union. Specific proposals will be tabled towards the end of the first half of 1998'.

In the particular case of Austria, direct aid to farmers is converted on the basis of a green rate 'frozen' at ECU 1 = ATS 13 7190, and the green rate applicable to other aid and to farm prices was, in March 1998, ECU 1 = ATS 13 9485. Naturally, the fixed conversion rate of the schilling and the euro has not yet been determined, but, taking the representative market of the ECU against the schilling on 20 March of 13.9312 as a theoretical example, it appears that replacement of the green rates by the representative market rate would

increase direct aid by 1.5 % and decrease other aid by only 0.1 %. These figures give no grounds for presuming a fall in incomes. This calculation is intended simply to provide an explanation, but it draws attention to the need mentioned above for relatively reliable estimates of the gaps to be eliminated.

In view of the above, the five points raised by the Honourable Member may be answered as follows:

1. Since the introduction of the euro could result in reductions in aid expressed in national currencies, which can be assessed only for each Member State separately as the parities for each currency change, the Commission will propose appropriate transitional measures towards the end of the first half of 1998.

2. These transitional measures will be defined in the light of market movements during the period preceding monetary union.

3. The question of whether compensation should be total or partial in character depends on the broader problem of how to calculate income lost. This method of calculation must be as close as possible to reality and avoid over-compensation.

4. On 1 January 1999 the national currencies of the participating Member States will become non-decimal subdivisions of the euro, so there will be no scope for specific conversion rates. It will be possible to retain a system of specific rates for the non-participating Member States.

5. From 1 January 1999 there will no longer be mechanisms for varying the green rates for the participating Member States. Mechanisms for the other Member States will be adapted, with the aim of simplification.

(1) COM(97) 560 final.

(98/C 386/073) **WRITTEN QUESTION E-0927/98**

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

(26 March 1998)

Subject: Green light to hunt migratory species in Navarre

In the past year the Spanish national Congress amended Law 4/89 on the conservation of natural spaces and of wild flora and fauna, granting authorization for the hunting of certain game species, in small numbers, in traditional locations and in a controlled and selective manner provided this received the approval of the autonomous communities.

The amendment of Law 4/89 opened the way to the proposed regional law amending Regional Law 2/1993 of 5 March on the protection and management of wild fauna and its habitats in Navarre, which, when it enters into force, will allow the hunting of migratory species.

The above proposal for a regional law amending Regional Law 2/1993 has been submitted in Navarre and, if adopted, will lead to a dangerous increase in the already existing hunting pressure on migratory birds. This is particularly serious in the case of hunting of migratory species, since it will endanger those specimens which have survived the winter and are of high reproductive capacity and have the necessary food reserves for their return flight and subsequent breeding.

On 21 October 1997 the Commission expressed its opposition to the amendment of Law 4/89 and declared itself in favour of opening infringement proceedings against Spain if it was implemented.

Both amendments are in breach of Community legislation on migratory birds laid down in Directive 79/409/EEC (1).

1. What steps will the Commission take in view of the two-fold breach of the above directive?

2. What action will the Commission take to ensure that the transfer of competences in the area of the environment, as in this case, does not lead to European directives being breached?

(1) OJ L 103, 25.4.1979, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(23 April 1998)

1. The Honourable Member refers to the provisions of Spanish law 4/1989 on the conservation of natural habitats and wild fauna and flora, as amended by law 40/1997, of 6 November 1997, published in the Spanish official journal No 266 of 6 November 1997.

Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds, sets out a general protection regime for birds, covering the protection, management and control of these species and laying down rules for their exploitation. This protection regime is strict concerning migratory birds. Article 7(4) of the Directive states: '.... In the case of migratory species, they shall see in particular that the species to which hunting regulations apply are not hunted during their period of reproduction or during their return to their rearing grounds. Member States shall send the Commission all relevant information on the practical application of their hunting regulations'. However, derogations from Article 7(4) are possible, provided they comply with the the conditions of Article 9 of the Directive.

The Commission has examined Spanish law 4/1989 as amended by law 40/1997 and has considered it to be compatible with the provisions of Council Directive 79/409/EEC since the general prohibition concerning hunting migrant birds set out in Article 7(4) of the Directive remains in Article 34 b) of the Spanish law. Exceptions may be authorized, pursuant to the new disposicion adicional octava, but they must comply with the conditions set out in Article 28 thereof, which fully complies with Article 9 of the Directive.

2. The Honourable Member also refers to the draft amendment of Ley foral 2/1993, concerning hunting in Navarra. The Commission has not received this draft and therefore cannot comment upon it. However, it is evident that should the draft amendment in its final formally adopted form not comply with the provisions of Directive 79/409/EEC, the Commission will not hesitate to initiate the procedure provided in Article 169 EC Treaty should this prove necessary.

(98/C 386/074) **WRITTEN QUESTION E-0933/98**

by Giuseppe Rauti (NI) to the Commission

(26 March 1998)

Subject: Sale to private citizens of the 'historic remains' of the Kingdom of Naples

Can the Commission intervene to overturn an astonishing decision by the Italian government to sell off — in separate plots — the state property which survives in Gaeta (Lazio) as historic testimony to the desperate last stand of those who fought for the Kingdom of Naples?

A huge tide of public opinion is mounting against this senseless decision which is unanimously opposed by the Gaeta municipal council. It seems absurd, and an insult to the heritage of Italy, particularly Southern Italy, that buildings and structures such as the 'Philistal battery' with its magazines, the 'Trinità powder magazine' and the 'casemates on the bastions of Serapo' are to be sold off for a few hundred million Lire, dispersed amongst the highest bidders and 'privatized', with no regard for the fact — amongst others — that these historic remains are the main tourist attraction in Gaeta and a major subject of cultural exhibitions, meetings and conventions of great importance and interest.

Does the Commission not agree that Europe cannot be constructed solely on the basis of its markets and banks and that those are worth nothing unless the European Union intervenes to protect its 'roots' and its heritage?

Answer given by Mr Oreja on behalf of the Commission

(12 May 1998)

The Commission takes note of the Honourable Member's request concerning the sale to private citizens of the 'historic remains' of the Kingdom of Naples. It attaches great value to the safeguarding and development of features characteristic of Europe's artistic heritage and history, and lends its support through the Raphael programme. However, in accordance with the principle of subsidiarity, this is a matter for the Italian authorities, not the Commission.

(98/C 386/075) **WRITTEN QUESTION E-0934/98**

by Elena Marinucci (PSE) to the Commission

(26 March 1998)

Subject: Life programme

In December 1997, the Commission presented the Council, some three months late, with the report provided for in Article 7 of the Life Regulation No 1404/96 ([1]). The report was to provide the basis for discussions with the budgetary authority for the purpose of examining the reference amount with a view to possibly revising, i.e. increasing, the amount, taking into account the applications received. The discussion does not appear to have taken place in time and the Commission has actually proposed to reduce the reference amount from the level set in the initial financial plan.

Can the Commission indicate:

1. the level, in percentage terms, of the implementation of the budget for the three Life sectors, for commitment and payment appropriations?

2. The percentage increase in the number of projects received from the Member States for the 1998 financial year?

If the level of implementation of the budget proves satisfactory and the number of projects presented under the Life programme is shown to have risen, particularly in countries which have made consistent efforts to provide information on and disseminate the results of this instrument, what explanation does the Commission intend to give those who have submitted viable projects but cannot receive funding because of a lack of finance?

Does the Commission not agree that it deserves to be criticized for being lax about the environment as a result of its failure to guarantee the support that successful financial instruments such as Life deserve? What are the reasons for any loss of confidence in this instrument?

([1]) OJ L 181, 20.7.1996, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(25 May 1998)

The report provided in Article 7 of the Regulation No (EC) 1404/96 amending Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE) ([1]) was indeed late although the main conclusion was communicated orally on time to the Council. The conclusion was that LIFE would actually be able to use greater resources up to and beyond the current reference amount of 450 MECU. However, in the current public finance situation in Europe, the Commission considered it necessary to submit a preliminary draft budget requiring almost no increase in total appropriations in comparison the previous year. In the case of LIFE, as a direct consequence of this political choice, it would be impossible to attain the reference amount planned for the period as a whole.

The budget 1998 adopted by the budget authority essentially confirmed the political choice proposed by the Commission. The reference amount of the Regulation was actually not revised given that it is only an indicative figure.

The level of implementation of the 1997 budget was, for Life-Nature, 100 % of commitment appropriations, 86 % of payment appropriations. For Life-Environment it was 100 % of commitment appropriations, 100 % of payment appropriations. For Life-Third countries it was 96 % of commitment appropriations and 79 % of payment appropriations.

The percentage growth of project proposals in 1998 as compared to 1997 was for Life-Nature 10 %, for Life-Environment 23 %, for Life-Third countries 50 %.

The general aim of LIFE is to contribute to the development and implementation of Community policy and legislation in the field of the environment. It is obviously unfortunate that the limited financial resources of LIFE do not allow all viable proposals to be financed. This is even more true taking into consideration the improvement in quality of the proposals received, partly due to the information campaigns carried out by the Commission in collaboration with the Member States.

The Commission considers LIFE a very important and successful instrument. Nevertheless, in order to prepare the revision proposal foreseen under Article 14 of the Life Regulation, an external evaluation of its performance is currently taking place. The external evaluators' report is due in June this year.

Finally, and in the light of the above-mentioned explanations, the Commission can only underline its full confidence in the instrument that is and will be essential for the implementation of environmental policies in the present eligible countries, as well as in the countries candidate for accession.

(1) OJ L 181, 20.7.1996.

(98/C 386/076)

WRITTEN QUESTION E-0936/98

by Florus Wijsenbeek (ELDR) to the Commission

(30 March 1998)

Subject: Court proceedings in other countries

Does the Commission not agree that in principle infringements of the European rules in respect of Regulations 3820/85 (1) and 3821/85 (2) can be prosecuted in any Member State of the EU?

Is it the Commission's opinion that there should be an obligation on Member States that those of their subjects who infringe the rules outside their own territory can be prosecuted in their own country, so that the operational checks prescribed in Directive 88/599 (3) can extend to include infringement of the rules committed in other countries?

Can the Commission give a list of those Member States which have given extraterritorial effect to their national legislation on driving time and hours of rest, and those which have not?

When regulations 3820/85 and 3821/85 are revised, can the Commission take legislative action to ensure that Member States give extraterritorial effect to them?

Is the Commission prepared to take initiatives so that the system of guarantees and towing away of vehicles in third countries is not applied to subjects of Member States which have given extraterritorial effect to their legislation?

If so, how? If not, why not?

(1) OJ L 370, 31.12.1985, p. 1.
(2) OJ L 370, 31.12.1985, p. 8.
(3) OJ L 325, 29.11.1988, p. 55.

Answer given by Mr Kinnock on behalf of the Commission

(29 May 1998)

Under Regulations 3820/85 ([1]) and 3821/85 ([2]) on social conditions and recording equipment in road transport, offences against common rules on driving times and rest periods are punishable in all Member States.

The Commission agrees that enforcement of the regulations could be improved if Member States provided for the prosecution of nationals for offences committed in another Member State. However, under the current Community legislation, only Member States are legally competent to make such a decision.

The Commission has information on most but not all of the Member States' arrangements concerning the extra-territorial effect of the above-mentioned national implementation measures, and intends to secure complete details in the near future. The available information indicates that Belgium, France, Luxembourg, the Netherlands, Austria and Finland have taken the power to sanction, to a certain extent, their nationals for breaches committed abroad. Under current Community law, the Commission cannot compel Member States that do not adopt an extra-territorial jurisdiction over their nationals to do so. In such cases, once a road transport driver enters another Member State he is subject to the jurisdiction of that Member State.

In the context of a possible modification of the common rules, the idea of obliging all Member States to give extra-territorial effect to their legislation will be examined by the Commission. It is, however, obvious that prosecution both abroad and at home for the same offence should be avoided.

([1]) OJ L 370, 31.12.1985.
([2]) OJ L 370, 31.12.1985.

(98/C 386/077)

WRITTEN QUESTION E-0940/98

by Antonios Trakatellis (PPE) to the Commission

(30 March 1998)

Subject: Operation of the Kozloduy nuclear power station: reduction of Bulgaria's dependency on nuclear energy and safety and protection measures

Given that in 1997 nuclear power accounted for 46 % of Bulgaria's total electricity production and that the agreement concluded between the European Union and Bulgaria allocating ECU 24 million for improving the safety of units 3 and 4 of the Kozloduy nuclear power station contains a commitment by the Bulgarian Government to close down units 1 to 4 as soon as certain conditions of the agreement concerning the supply of adequate amounts of energy from other sources are met,

Will the Commission say:

1. When is it planned to shut down units 1 to 4 of the Kozloduy nuclear power station which are the most antiquated and pose a threat to the citizens of Europe, and notably of Greece, which is located a mere 225 kilometres from the site of a potential nuclear disaster?

2. What progress has been made on work to modernize units 5 and 6 and the other programmes aimed at securing supplies of energy from other sources and how much has been allocated by the EU for these purposes?

3. How long will units 5 and 6 be able to continue functioning, even after modernization, given that reactors of this type use obsolete Soviet technology?

4. How is radioactive waste from the power station transported safely, what specific measures have been taken — or must be taken in future — to ensure the safe disposal of liquid waste in the environment, given that the reactors in question are water cooled and there is a very real danger of pollution of the surface water and of groundwaters, and how close is Bulgaria's environmental protection legislation to Community legislation in this field?

5. What policy and measures has the Commission adopted — or does it intend to adopt in future — in conjunction with the Bulgarian authorities with a view to reducing Bulgaria's dependency on nuclear power which is steadily increasing as the Bulgarian economy grows?

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

(14 May 1998)

The agreement providing a grant of ECU 24 million for safety improvements at Kozloduy reactors 3 and 4 was signed between the Bulgarian government and the European Bank for Reconstruction and Development (EBRD) Nuclear Safety Account, to which the Community is a donor.

1. The agreement provides for reactors 1 and 2 to close as soon as the Chaira pumping station is in operation and either reactor 5 or reactor 6 is modernised. Units 3 and 4 will close when the energy-supply situation allows, or (in any event) once reactors 5 and 6 have been modernised and the Sofia, Kostov and Republika district heating plants have been converted to combined cycle co-generation.

2. The Bulgarian government has signed a contract for the preparatory phase of the reactor 5 and reactor 6 modernisation project. Preparation and planning are under way and work is due to begin when section 5 is halted in summer 1998. The government has requested a Euratom loan of about ECU 100 million. The Commission is in the process of readying the documents needed to examine the application.

3. Kozloduy 5 and 6 are VVER 1 000 reactors, considered the most advanced of the Soviet designs. All the experts believe that they can be brought up to Western safety standards. Their original lifespan is 30 years.

4. In the Commission's examination of Bulgaria's application for a Euratom loan, radiological environmental

aspects are specifically included in the wide range of considerations to be taken into account.

5. In line with Community energy policy, the Commission considers that the contribution to be made by nuclear power to Bulgaria's overall energy balance is a matter for national decision, provided international environmental and safety norms and obligations are respected. These policies and priorities are reflected in the accession partnership for Bulgaria, adopted by the Commission on 25 March, which gives priority in the short-term to establishment of a comprehensive long-term energy strategy, respect of nuclear safety standards and realistic closure commitments for certain units as entered into in the Nuclear Safety Account agreement. Specific objectives falling with these headings include reorganisation of government and state functions and structures to give clearer separation of policy and regulatory functions from commercial energy transmission, generation and supply activities; introduction of effective competition; establishment of heat and power prices which fully recover costs; elimination of cross-subsidisation between sectors and non-payment of accounts; promotion of energy efficiency; compliance with Community environmental standards and safety requirements; and improvement of Bulgarian interconnections within the regional energy transmission networks for electricity, gas and oil.

The Community provided over ECU 70 million of assistance between 1991 and 1996 towards achievement of relevant objectives and for short-term emergency measures in the conventional energy sector. In addition, nearly ECU 50 million has been provided to improve nuclear safety. Further substantial Community technical and capital assistance could be agreed in future, in association with other major donors, provided a comprehensive energy policy covering the aspects identified above is agreed nationally and effectively implemented, and the objectives of the NSA agreement are respected.

(98/C 386/078)

WRITTEN QUESTION E-0941/98

by Nikitas Kaklamanis (UPE) to the Commission

(30 March 1998)

Subject: Swingeing taxation on used lorries imported into Greece

The Greek authorities intend to impose swingeing taxes on used lorries imported into Greece, even recent models fitted with EURO II-type engines. The new high level of taxation which is proposed ('special registration tax') will mean an excessive increase in the cost of used vehicles and in particular of lorries over 3.5 tonnes in weight.

The Greek Government calculates the value of imported vehicles taking into account not the import invoice, but the retail sale value of a new lorry, subject to an annual depreciation which reaches 52 % after six years.

Will the Commission give its official views on this new swingeing taxation for used lorries and on the fact that the Greek authorities seem unwilling to accept import invoices for lorries (which are clearly official Community tax documents) but intend to take the retail sales price of new lorries as a basis for their calculations?

Answer given by Mr Monti on behalf of the Commission

(29 May 1998)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform him of its findings.

(98/C 386/079)

WRITTEN QUESTION E-0942/98

by Allan Macartney (ARE) to the Commission

(30 March 1998)

Subject: 'Ship-shaped' production facilities for oil exploration

Does the Council Directive of 17 September 1990 on the procurement procedures of entities operating in the water, energy, transport and telecommunications sector cover 'ship-shaped' production facilities for oil exploration?

Given the revised OECD Understanding on Export Credits for Ships which came into force in 1996, would such floating vessels be eligible for EU subsidies?

Answer given by Mr Monti on behalf of the Commission

(5 June 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 386/080)

WRITTEN QUESTION E-0947/98

by Cristiana Muscardini (NI) to the Commission

(30 March 1998)

Subject: Community directives on waste

The incorporation of Community directives in national legislation should be confined to faithful transposition of the definitions and provisions contained in the texts. Legislative Decree No 22 of 5 February 1997, which transposes Directives 91/156/EEC ([1]), 91/689/EEC ([2]) and 94/62/EC ([3]) introduces into Italian legislation interpretations of the definitions contained in the EU directives. Can the Commission say:

1. whether it knows the details of Decree No 22;

2. if so, whether it considers that a Member State is allowed to interpret definitions unequivocally, thereby altering the uniformity of their application;

3. whether it considers that in order to completely reorganize national rules on waste Directives 89/429 ([4])and 89/369 ([5]) on reducing air pollution from municipal waste incineration plants or Directive 94/67 on the incineration of hazardous waste should also be transposed;

4. what it thinks about the incongruity of Article 17 of the Italian decree, which refers to decontaminating and reclaiming polluted sites, an issue which is not mentioned at all in the directives which are being transposed;

5. it does not consider that contaminated sites — because of their very nature — should be dealt with in ad hoc legislation covering all aspects of the problem — the involvement of all sectors of the environment (water, air, soil, flora and fauna) and public health?

([1]) OJ L 78, 26.3.1991, p. 32.
([2]) OJ L 377, 31.12.1991, p. 20.
([3]) OJ L 365, 31.12.1994, p. 10.
([4]) OJ L 203, 15.7.1989, p. 50.
([5]) OJ L 163, 14.6.1989, p. 32.

Answer given by Mrs Bjerregaard on behalf of the Commission

(30 April 1998)

Decree 22/1997 is known to the Commission, and is the subject of infringement proceedings.

Interpretation of Community law must be the same in all Member States. Directives cannot be interpreted in different ways in the different Member States. The Court of justice ensures the consistent and uniform interpretation of Community law.

The choice of the appropriate instruments in order to implement Community directives in national law is a prerogative of the Member States, within the limits set by the EC Treaty. Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants and Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants, appear to have been implemented in Italy by means of Decree No 503 of 19 November 1997. As for Council Directive 94/67/EC on the incineration of hazardous waste, an infringement procedure is open against Italy for lack of communication of the transposition measures.

Concerning Article 17 of Decree 22/1997, at present there is no Community legislation on ‘reclamation of contaminated sites’. Member States may adopt the legislation they deem appropriate, on condition that the EC Treaty is respected. This kind of legislative action appears appropriate, in the light of the huge environmental impact of contaminated sites. The choice of the form of this legislation (autonomous legislation or included in the context of waste legislation) is also a full prerogative of the Member States. In conclusion, Article 17 of Decree 22/1997 does not include elements which are relevant for Community legislation, since the matter it regulates falls within the competence of the Member States.

(98/C 386/081)

WRITTEN QUESTION E-0958/98

by Lucio Manisco (GUE/NGL) to the Commission

(30 March 1998)

Subject: Agricultural funding

Can the Commission say what amount of direct and indirect funding is granted to Italian farmers' organizations, specifically the Confederazione Agricoltori Italiani (Federation of Italian Farmers), the Confederazione Coltivatori Diretti (Federation of Owner-Occupiers), and the Confederazione Italiana Coltivatori (Italian Federation of Growers)?

What budget headings are used to provide the funding in question, and for what services has payment been made in the current year and the last three years?

Have the above three farmers' organizations taken part in specific projects, for instance in the field of vocational training?

Answer given by Mr Fischler on behalf of the Commission

(21 April 1998)

Direct financing of the Italian farmers' unions:

Confederazione Agricoltori Italiani

1997 — Veneto Region 'SOS Mondo rura programme': ECU 102 500

1996 — Study trip: ECU 8 000

Confederazione Coltivatori Diretti

1997 — Seminar — Course for future managers 'Development of management skills': ECU 15 000

1996 — Training for those concerned with equal opportunities in rural areas: ECU 36 711

1996 — Study trip: ECU 8 000

1995 — Study trip: ECU 10 000

Confederazione Italiana Coltivatori: no application

These grants were made from budget item B2/514 in 1995 and 1996; this changed to B2/5122 in 1997. This heading concerns training, information and the raising of public awareness of the common agricultural policy.

(98/C 386/082)

WRITTEN QUESTION E-0959/98

by Lucio Manisco (GUE/NGL) to the Commission

(30 March 1998)

Subject: Human rights violations in Colombia

Colombia is a country plagued by extreme criminal and political violence. There are 30 000 criminal murders a year and 4 000 political assassinations. At least one person is declared 'missing' every day. More than a million internal refugees have been forced to leave their homes in order to flee death threats.

On 3 September 1995 the Cartagena police murdered Giacomo Turra, a Union citizen, after subjecting him to protracted torture. In the continuing trial of the officers responsible for the odious crime, the evidence against the accused is being manipulated and dishonestly misrepresented to their advantage.

1. What steps have the Commission and Council taken since the affair was brought to their notice? If they have done nothing so far, why have they ignored a case that so graphically illustrates the need for justice in Colombia and not sent an observer to ascertain that the trial is being properly conducted?

2. Does the Commission not believe that, as a matter of urgency, the Union should call for respect for human rights, which are being violated even by the so-called security forces, and insist on the immediate disbandment of the paramilitary groups that have committed thousands of murders in Colombia?

3. Does it not believe that bilateral relations between the EU and Colombia should be made subject to respect for civilized coexistence and cooperation activities should be curtailed unless they are intended to serve humanitarian purposes in the strict sense?

Answer given by Mr Marín on behalf of the Commission

(7 May 1998)

1. The Commission has repeatedly made clear that it shares fully Parliament's concerns at the situation in Colombia, which has grown steadily worse in recent months. It will spare no effort in seeking an end to the multiple crimes against the civilian population and the near total immunity currently enjoyed by the perpetrators.

With the Member States' diplomatic missions on the spot, the Commission is monitoring the trial of the presumed murderers of Giacomo Turra, the Italian national murdered by Colombian police in Cartagena on 3 September 1995. The Commission would refer the Honourable Member to its answer to Mr Dell'Alba's written question E-4108/97. ([1])

2. The Commission is likewise persuaded of the need for the international community to play a greater part in monitoring the situation in Colombia, notably by keeping a permanent watch on the human rights situation. However, any initiative aimed at isolating Colombia would simply increase the level of violence.

The Commission attaches the utmost importance to the role of the local office of the UN High Commissioner for Human Rights, and is following with interest the results of the presentation of its first annual report to the 54th session of the Human Rights Committee, which took place from 16 March to 24 April in Geneva. It has already taken steps to guarantee the continuation of its activities for another year. It should be remembered that the Commission is funding the provision of five international observers, who constituted the bulk of the Bogota office's staff throughout its first year of operations.

3. As regards the aid programme to which the Honourable Member refers, it should be stressed that under the terms of the rules governing humanitarian aid, such aid, given its objective, is not guided by or subject to political considerations. The other forms of aid Colombia receives from the Commission are largely targeted at the most disadvantaged sections of the population. The Commission enlists the help of a large number of local and international NGOs in implementing its aid.

The Commission is therefore not directly aiding the Colombian government, so any reduction in aid would hit the neediest hardest.

([1]) OJ C 196, 22.6.1998.

(98/C 386/083) **WRITTEN QUESTION E-0970/98**

by Robin Teverson (ELDR) to the Commission

(30 March 1998)

Subject: Delays in ESF payments for 1996

Can the Commission confirm that it is taking action to speed up final payment on outstanding ESF claims for 1996? Some project managers in my constituency are still awaiting final payment of their 1996 ESF claims which they submitted in December 1996 — a 15 — month delay!

Answer given by Mr Flynn on behalf of the Commission

(8 May 1998)

The Commission is pleased to confirm that it has taken all necessary action to speed up final payments on outstanding European social fund (ESF) claims for 1996. Moreover, the Commission welcomes the recent statement from the Minister for employment, welfare to work and equal opportunities, announcing the decision to pre-fund receipts from the Commission. The new arrangements will apply to all valid claims from the 1997 programme to the second payment for 1999 programme.

(98/C 386/084) **WRITTEN QUESTION E-0974/98**

by Gerardo Fernández-Albor (PPE) to the Commission

(30 March 1998)

Subject: Community action on behalf of the homeless under budget heading B-4103

In its detailed reply to my written question E-1169/97 ([1]) the Commission informed me that due to the United Kingdom's appeal contesting the legality of funding projects in 1995 and 1996 from budget heading B-4103, no subsidies under that heading were paid.

It is not apparent from the September 1996 order by the President of the Court of Justice whether this budget heading will be maintained, leaving the position of the homeless dependent on the Court of Justice's ruling on the United Kingdom's appeal.

Can the Commission therefore tell me what stage has been reached with regard to the problems raised by the appeal? Has there been a ruling on the matter? What other potential sources of funding could be found within the framework of Community initiatives such as Emploi and the new Integra programme within it, URBAN or Leonardo? What form does the Commission's continuing support for Feantsa and the associated Monitoring Centre actually take?

([1]) OJ C 319, 18.10.1997, p. 241.

Answer given by Mr Flynn on behalf of the Commission

(4 June 1998)

Concerning the use of budget heading B-4103, the Commission must wait for the relevant judgments of the Court of Justice and then act accordingly.

The final judgment in Case C-106/96 on the use of the budget heading in 1995 was delivered on 12 May 1998. The Court set aside the decision taken by the Commission in its communiqué of 23 January 1996 announcing grants for European projects to tackle social exclusion, though it did not call into question the payments made and commitments entered into under the 86 contracts that had been signed. The Court has not yet set a hearing date for Case C-240/96 concerning 1996.

The homeless, particularly from the point of view of eventually reintegrating them into the labour market, have been included among the most vulnerable people, targeted by measures co-financed under the Integra strand of the Community's 'Employment' initiative.

The promotion of social integration and equal opportunities for all as regards access to the labour market constitutes one of the priority action areas in the proposal for a Regulation on the European Social Fund ([1]) recently submitted to the Council and Parliament.

The activities of the European network 'Feantsa' are currently co-financed under budget heading B-4116 'Cooperation with non-governmental organisations and associations formed by the socially excluded and the elderly'.

Help for the homeless is not specifically mentioned in the definition of the criteria for the Community's 'Urban' initiative, but this does not rule out measures to assist them as part of the integrated approach proposed by the authorities responsible for a specific district.

(1) COM(98) 131 final.

(98/C 386/085) **WRITTEN QUESTION E-0978/98**

by Nel van Dijk (V) and Friedrich-Wilhelm Graefe zu Baringdorf (V) to the Commission

(30 March 1998)

Subject: Grubbing up premium for standard fruit trees

Is there a risk of the European grubbing-up premium for apple and pear trees being applied to fell not only low-stemmed trees, but also standard trees, in particular in the Netherlands province of Limburg? Is the Commission aware that the province of Limburg grants subsidies to encourage the planting and upkeep of standard fruit trees?

Can the Commission confirm that the planting and upkeep of standard fruit trees is also eligible for EU subsidies by virtue of Regulation 2078/92? Does the Commission agree that having two subsidy schemes — one at European, and one at provincial level — is very undesirable and that it leads to a waste of public funds? Does the Commission agree that encouraging the cultivation of standard fruit trees — preferable organically grown — instead of intensive low-stemmed fruit tree cultivation might help to counter the overproduction in this sector?

Does the Commission agree that grubbing up premiums for standard fruit trees should be dependent on an assessment of ecological, agricultural and tourist criteria? Is the Commission prepared to modify the criteria for the granting of grubbing up premiums, e.g. by increasing the minimum of 300 trees per hectare or by guaranteeing regional and local authorities a say in the granting of premiums?

What (other) action will the Commission take to prevent European subsidies from being used to fell standard fruit trees which are valuable from the ecological, agricultural or tourist point of view? Does the Commission envisage any possibility of supporting the upkeep of such trees in Limburg, too?

Answer given by Mr Fischler on behalf of the Commission

(5 May 1998)

The premium for the grubbing-up of apple-trees, pear trees, peach trees and nectarine trees created by Council Regulation (EC) 2200/97 (1) on the improvement of the Community production of these fruits aims to diminish the Community production capacity in order to obtain a better match of supply to demand and a decrease of the present withdrawals. This action is limited to orchards with a density of 300 trees per hectare or more (150 trees per hectare for parcels planted with apple trees of the Annurca variety). The Regulation provides that Member States shall designate the regions in which the grubbing-up premium is to be granted on the basis of economic and ecological criteria and shall lay down conditions ensuring in particular the economic and ecological balance of the regions concerned.

A programme under the agri-environment Regulation (EEC) 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside (2) could in principle include such measures to maintain standard fruit-trees (hoogstam fruitbomen). Regulation (EEC) 2078/92 is, amongst other things, aimed at change or maintaining extensive production methods and the usage of other farming practices compatible with the requirements of protection of the environment (e.g. organic farming) as well as maintaining the landscape. The Netherlands have adopted a programme on organic farming under which these orchards, when they are organic, could be supported.

To apply for these programmes means also that farmers are for a period of 5 years obliged to maintain these trees. In this period grubbing-up is not allowed.

These provisions were adopted in order to prevent the risks mentioned by the Honourable Members.

(1) OJ L 303, 6.11.1997.
(2) OJ L 215, 30.7.1992.

(98/C 386/086)

WRITTEN QUESTION P-0980/98

by Anna Karamanou (PSE) to the Commission

(18 March 1998)

Subject: Protection of children's health from dangerous toys

Research carried out by Greenpeace reveals that a large proportion of the toys designed for young children in the Union are made of PVC from which toxic phthalic compounds and heavy metals (lead, cadmium, etc) can enter a child's sensitive bodily system. The long-term effects are accumulative and cause abnormalities, even in the reproductive system. Concentrations of cadmium 460 times above US limits were detected on the surface of toys as a result of PVC degradation.

What measures will the Commission take to protect young children's health from hazardous toxic substances in toys and when will it lay down limits for the heavy metals used in PVC?

Answer given by Mr Bangemann on behalf of the Commission

(23 April 1998)

Detailed limits concerning the maximum daily bioavailability of certain substances, including lead and cadmium, are laid down in Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (1).

More specifically, these (daily) limits as set out in Annex II, point II.3.2 are 0.6 μg (micrograms) for cadmium and 0.7 μg for lead.

Moreover, toys 'must in all cases comply with the relevant Community legislation relating to certain categories of products or to the prohibition, restriction of use or labelling of certain dangerous substances and preparations' (Annex II, point II.3.1. According to the Directive, Member States have to take all steps necessary to ensure that toys cannot be placed on the market unless they meet the essential requirements set out in Annex II, and to withdraw from the market, prohibit or restrict the placing on the market of toys that might jeopardize the safety or health of the consumer or third parties. Member States must inform the Commission immediately when such measures are taken.

Concerning the phthalic compounds mentioned in the Honourable Member's question, reference should be made to the answers already provided by the Commission to questions H-114/97 by Mr Spencer during question time at Parliament's March 1997 part-session (2), H-423/97 by Mr Pimenta during question time at Parliament's June 1997 part-session (3), written questions 2474/97 and 2475/97 by Mrs Breyer (4) and H-921/97 during question time at Parliament's December 1997 part-session (5) by Mr Fitzsimons.

Furthermore, the scientific committee on toxicity, ecotoxicity and the environment is looking into the issue of phthalates and the Commission is assessing the first opinion of this committee, with a view to possible short, medium or long-term action relating to this matter.

(1) OJ L 187, 16.7.1988.
(2) Debates of the Parliament (March 1997).
(3) Debates of the Parliament (June 1997).
(4) OJ C 158, 25.5.1998.
(5) Debates of the Parliament (December 1997).

(98/C 386/087)

WRITTEN QUESTION E-0983/98

by Eryl McNally (PSE) to the Commission

(2 April 1998)

Subject: Jubilee 2000 — a debt-free start for a billion people

One of my constituents has enquired about Europe's position on supporting the campaign to make a one-off cancellation by the year 2000 of the backlog of unpayable debt owed by the world's poorest countries. This is a campaign known as Jubilee 2000.

In the light of the above, what commitment, if any, does the Commission feel Europe should make to assist such humanitarian initiatives?

Answer given by Mr Pinheiro on behalf of the Commission

(25 May 1998)

The Commission shares the concerns of the Jubilee 2000 campaign regarding debt problems in the poorest countries. It has been increasingly recognised that despite progress made during recent years in providing more generous debt relief measures and despite their efforts to implement economic reforms, a number of poor countries are still constrained by excessive external debt burdens.

It should be noted that the Community is primarily a donor of grant resources and a very small creditor in this context. Solutions to the debt problems of the poorest countries will require concerted action among all creditors in order to have the necessary impact. The debt initiative for the heavily indebted poor countries (the HIPC debt initiative) which was launched in 1996, is a framework for such co-ordinated action. The aim of this initiative is to reduce the debt burdens of the heavily indebted poor countries to sustainable levels and thereby to support their efforts to implement economic reforms and to reduce poverty. The Commission strongly welcomes this initiative and is politically very committed to participating and playing its part in it.

The Council confirmed, on 12 February 1998, the principle of such participation with respect to Community claims on HIPCs. It is now on the verge of adopting the legal basis for it. A formal proposal for a Council decision was transmitted by the Commission to the Council, which, when adopted, will allow for an actual prepayment of some Community claims on HIPCs.

It is to be noted that the Community decided to participate both as a creditor and as a donor in addressing the debt problems of poor indebted countries. It decided to reallocate the breakdown of the structural adjustment facility (SAF) allocation and to increase by 10 to 15 % the amount devoted to countries qualifying for the HIPC initiative. By doing so, the Commission created a link between HIPC qualification and enhanced support to social programmes implemented in the recipient countries (counterpart funds created by Community's structural adjustment programmes are generally devoted to social sector spending).

The HIPC initiative and the above-mentioned SAF reallocation are clearly in the spirit of the Jubilee 2000 campaign. It may be less far-reaching, but is also realistic, being based on an agreement by governments and multilateral creditors to take action in a concerted way to help countries making serious development efforts.

(98/C 386/088)

WRITTEN QUESTION E-0994/98

by Phillip Whitehead (PSE) to the Commission

(2 April 1998)

Subject: Pharmaceuticals

Can the Commission give a list of participants in the Round Table on 'Completing the Single Pharmaceutical Market' to assess the action needed to achieve harmonization on pharmaceutical prices?

In addition, can the Commission state whether any guidelines or procedures have been laid down to facilitate the parallel trade in pharmaceutical products?

Answer given by Mr Bangemann on behalf of the Commission

(8 May 1998)

The second round table 'Completing the single pharmaceutical market' took place in Frankfurt on 8 December 1997. It examined the steps that might be taken to complete the single market in this sector. A list of those who participated is sent direct to the Honourable Member and to Parliament's Secretariat.

In addition to a number of Court of justice rulings which have addressed the licensing and handling of parallel-traded pharmaceuticals, the Commission issued a communication on parallel imports of proprietary medicinal products for which marketing authorizations have already been granted ([1]).

([1]) COM(81) 803 final.

(98/C 386/089)

WRITTEN QUESTION E-0997/98

by Laura De Esteban Martin (PPE) to the Commission

(2 April 1998)

Subject: Community competitions

What has led the Commission to require that Mr Vicente Alonso Morales, holder of the Spanish Ingeniero Técnico qualification and candidate for open competition COM/A/1047 (OJ C 145 A, 13.5.1997), should have successfully completed the equivalent of a full-length Spanish degree course, given that such a requirement does not appear in the text of the notice of competition?

Answer given by Mr Liikanen on behalf of the Commission

(30 April 1998)

The Commission would point out to the Honourable Member that the candidate at competition COM/A/1047 lodged an appeal with the Court of First Instance on 1 December 1997. The case was registered under number T-299/97.

The Commission does not wish to intervene in a case which is sub judice.

The Commission would inform the Honourable Member that it has already given answers to written questions E-0644/98 by Mr Hernandez Mollar, E-0728 by Mr Méndez de Vigo and E-0678/98 by Mr Gutiérrez Diaz, ([1]) which were identical to his question.

([1]) OJ C 354, 19.11.1998.

(98/C 386/090) **WRITTEN QUESTION E-0999/98**

by Laura De Esteban Martin (PPE) to the Commission

(2 April 1998)

Subject: Community competitions

Is it true that the Commission is accepting or has accepted applications from persons holding a Fachhochschuldiplom for open competitions to fill category A/LA posts in the European civil service?

Which does the Commission consider the highest education qualification in Germany: the Fachhochschuldiplom, or the Hochschuldiplom (university-level degree)?

Does the Commission consider the Fachhochschuldiplom a higher qualification than that of Ingeniero Técnico? If so, why?

Why does the Commission assert that the situation vis-à-vis the Spanish Ingeniero Técnico diploma is similar to that of the diploma obtained at a Fachhochschule, when the latter is accepted for the majority of category A/LA open competitions?

(98/C 386/091) **WRITTEN QUESTION E-1000/98**

by Laura De Esteban Martin (PPE) to the Commission

(2 April 1998)

Subject: Community competitions

Is it true that the Commission has expressed its concern to the Spanish authorities that making holders of the Spanish 'Ingeniero Técnico' qualification eligible for A/LA category posts will mean having to do the same for holders of qualifications obtained from three-year courses in other Member States? Does that justify rejecting applications from holders of the Spanish 'Ingeniero Técnico' qualification?

Why are applications accepted from holders of the British 'Bachelor of Arts', 'Bachelor of Science' and 'Bachelor of Engineering' qualifications — all of which are obtained after three years — but not from holders of the Spanish 'Ingeniero Técnico' qualification?

Does the Commission take the view that the British 'Bachelor of Arts', 'Bachelor of Science' and 'Bachelor of Engineering' qualifications rank higher than that of the Spanish 'Ingeniero Técnico'? Why?

Joint answer to Written Questions E-0999/98 and E-1000/98 given by Mr Liikanen on behalf of the Commission

(30 April 1998)

The Commission would refer the Honourable Member to the answer to written questions E-635/98 by Mr Hernandez Mollar, E-724/98 by Mr Méndez de Vigo, and E-669/98 by Mr Gutiérrez Diaz, ([1]) which were identical to the question put by the Honourable Member.

The Commission would also refer the Honourable Member to the answers to written questions E-2749/97 by Ms Garcia Arias ([2]) on access by Spanish technical engineers to category A of the European public service and question E-4186/97 by Ms Dührkop Dührkop ([3]) on the qualifications which give access to the A/LA categories of the European public service. In these answers, the Commission made a full statement on the qualifications it accepts for category A of its public service.

([1]) OJ C 354, 19.11.1998.
([2]) OJ C 82, 17.3.1998.
([3]) OJ C 304, 2.10.1998, p. 15.

(98/C 386/092)

WRITTEN QUESTION E-1002/98

by Gianni Tamino (V) to the Commission

(2 April 1998)

Subject: Flouting of Community legislation in the contracting procedure for the 'Cispadana' road project

Following Commissioner Bjerregaard's reply to my Written Question (E-3972/97) ([1]) concerning the 'Cispadana' road project, I should like to inform the Commission that the stage of the contracting procedure at which the bidders submit their documentation was completed on 27 February 1998 but that this procedure was not carried out by the Italian authorities (Ministry of Public Works and ANAS) in accordance with the provisions of Directive 93/37/EEC ([2]).

Has the Commission received the information requested from the Italian authorities and what conclusion has it reached?

Does the Commission consider that, following the latest developments in this case, there are grounds for bringing Italy before the Court of Justice for failing to meet its obligations under the Treaty, pursuant to Article 169?

([1]) OJ C 196, 22.6.1998, p. 44.
([2]) OJ L 199, 9.8.1993, p. 54.

Answer given by Mr Monti on behalf of the Commission

(5 June 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 386/093)

WRITTEN QUESTION E-1018/98

by Rolf Berend (PPE) to the Commission

(6 April 1998)

Subject: Funding of Weimar's reign as European City of Culture in 1999

In 1999, Weimar in Thuringia will be the European City of Culture. To date, the City of Culture scheme has been financed through the Kaleidoscope programme. Weimar will be an exception in that the Kaleidoscope programme finishes in December 1998. It is uncertain how Weimar's reign as European City of Culture will be funded. The City of Weimar and the Land of Thuringia need clarification of the financing arrangements soon.

Will Weimar's reign as European City of Culture be financed as part of a pilot project and, if so, how, and how much funding will be allocated? Or is it planned in this case to extend the Kaleidoscope programme on a one-off basis?

When can a final decision be expected?

Answer given by Mr Oreja on behalf of the Commission

(14 May 1998)

Without prejudice to the decisions which will eventually be taken on this matter by the Community institutions and the budgetary authority in particular, the Commission is able to confirm that it is planning to continue in 1999 the financial support traditionally granted by the Community to the 'European City of Culture' project.

As regards the basis on which this grant will be paid, the Commission is proposing to use the preparatory stage of the framework programme on culture, currently in preparation within the Commission and scheduled to go before Parliament and the Council in May 1998.

An announcement on the exact amount of the Community grant to the 'European City of Culture' will be made, as usual, at the beginning of the budget exercise for the year in question. In view of the financial perspective for the culture budget, however, it is important to bear in mind that the Community's contribution to this event will necessarily be largely symbolic.

(98/C 386/094) **WRITTEN QUESTION E-1019/98**

by Freddy Blak (PSE) to the Commission

(6 April 1998)

Subject: Alcohol consumption amongst young people in Denmark

Is the Commission aware that young people in Denmark are amongst the world's heaviest drinkers?

What steps has it taken to combat alcohol abuse amongst young people in the Member States?

Will it take specific action to remedy the situation in Denmark, where the problem is seemingly more acute than in the other Member States?

Answer given by Mr Flynn on behalf of the Commission

(11 May 1998)

The Commission is well aware of the alcohol consumption figures in the Member States, including the situation in Denmark.

Alerted by the increasing problems of alcohol abuse amongst children and young people in many Member States, especially in relation to alcopops, the Commission has been discussing with Member States a code of practice on sales, marketing and advertising of alcohol to address the problem of underage drinking. This is considered as the soundest way to deal with the problem at this stage.

The Commission has no competence to take specific measures in individual Member States.

(98/C 386/095) **WRITTEN QUESTION P-1022/98**

by José Apolinário (PSE) to the Commission

(26 March 1998)

Subject: Structural Funds and the outermost regions

The text of the new Treaty on European Union — the Treaty of Amsterdam — refers to the concept of the outermost regions. An analysis of Agenda 2000 and the information available on the new Structural Fund regulations shows that this provision of the Treaty has not been taken into account in the texts proposed by the Commission.

This being the case, can the Commission say what specific approach it will take to the outermost regions, in particular the Azores, and whether, with the prospect of the Regis initiative coming to an end, it does not take the view that the treatment of the outermost regions in the proposed regulations is insufficient and incomplete?

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

(23 April 1998)

The new Article 227(2) of the Treaty of Amsterdam, Agenda 2000 ([1]) and the Commission proposals on the new Structural Funds regulations all pay close, and indeed specific, attention to the most remote regions by bringing them under the new Objective 1.

The Commission plans to integrate the measures hitherto carried out under Regis I and II into the programming for Objective 1 in order to promote thematic concentration, simplify management and administration and increase their effectiveness.

As proposed in Article 19 of the new General Regulation on the Structural Funds ([2]), in order to continue to promote cohesion and make the future Community initiatives more visible and more innovative, the Commission plans to concentrate on only three topics of common interest: cross-border, transnational and inter-regional cooperation, rural development and human resources in the context of equal opportunities.

([1]) COM(97) 2000 final.
([2]) COM(98) 131 final.

(98/C 386/096)

WRITTEN QUESTION E-1032/98

by Mark Watts (PSE) to the Commission

(6 April 1998)

Subject: Ramsgate Ferry Tragedy: failure of Swedish companies to pay fine

In September 1994, a walkway between a dock at Ramsgate ferry terminal and a ship waiting to depart suddenly collapsed; 6 passengers were killed and 7 others injured. The Swedish companies who manufactured the walkway, FEAB and FKAB, were subsequently found guilty in British courts, who imposed a fine of £1 million for negligence.

These Swedish firms have failed to pay this fine. The companies have recently stated on British television that they have no intention of paying it. They claim that, because the incident occurred before Sweden joined the EU, they are not bound by Community law.

Will the Commission join me in condemning these Swedish firms, FEAB and FKAB, for showing no respect for British law or for the victims of the diaster or their families? Will the Commissioner further join me in calling on the companies to pay the fine in full and apologize for their behaviour to date?

Answer given by Mr Kinnock on behalf of the Commission

(17 April 1998)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform him of its findings.

(98/C 386/097)

WRITTEN QUESTION E-1048/98

by Jesús Cabezón Alonso (PSE) to the Commission

(6 April 1998)

Subject: Subsidies for the metal-mining industry

In its forthcoming review of the regulations governing European Union subsidies, has the Commission made provision for special subsidies for areas that will be suffering the social and economic consequences of closure of the metal-mining industry? Such aid would be designed to encourage reconversion in these traditionally industrial areas.

Is the Commission aware that this situation is facing the metal-mining industry at Reocín in Spain, Kirnna in Sweden, Tara in Ireland and Pyhäsalmi in Finland, all of which are entering a state of crisis as a result of the exhaustion of their mineral reserves?

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

(28 May 1998)

In its proposals for a new regulation laying down general provisions on the structural funds presented to Council and Parliament on 18 March 1998 ([1]), the Commission has proposed a new objective 2 for areas 'facing structural problems of socio-economic conversion'. On the basis of the criteria in the regulation, a list of areas would be drawn up by the Commission, in close consultation with the Member States, which would be eligible for support under the structural funds to promote economic diversification and the creation of new employment opportunities.

The criteria contain specific provisions allowing areas with problems linked to their dependence on specific industrial sectors in decline to be included on the new objective 2 list. Such areas could include those where the problems relate to the decline of the extractive industry. However, final decisions on eligibility can only be taken once the regulations have been formally adopted and on the basis of the latest data available at that time. It is therefore too early at this stage to speculate on the eligibility of the individual areas to which the Honourable Member refers.

([1]) COM(98) 131 final.

(98/C 386/098)

WRITTEN QUESTION E-1054/98

by Josu Imaz San Miguel (PPE) to the Commission

(6 April 1998)

Subject: Cohesion Fund

The Spanish Government recently set up the ACESA public company (Ebro district water company) with a capital of ESP 43 000 million. The company's purpose is to carry out overdue hydraulic maintenance work in the Ebro valley. Much of this work concerns projects that have been waiting to be done for decades.

Through ACESA the Spanish Government aims to obtain the private finance needed to tackle these projects in a relatively brief time-scale.

The government of Aragón will be responsible for restoring the power lines, roads etc. that will be affected by the dams as a result.

Could ACESA, as a concessionary undertaking, receive funding from the Cohesion Fund without the need for mediation by the Spanish Government?

Could the Cohesion Fund finance the work to restore roads, power lines, residential developments etc. that might be affected by the dams?

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

(7 May 1998)

Under Council Regulation (EC) 1164/94 of 16 May 1994 establishing a Cohesion Fund ([1]), all applications for aid from the Fund must be submitted to the Commission by the Member State concerned (Article 10(3) of the Regulation). In the case of Spain, the authority responsible presenting applications is the 'Ministerio de Economía y Hacienda'.

The type of work mentioned by the Honourable Member is normally a part of major infrastructure construction projects and is in principle therefore eligible for part-financing as part of the project concerned. However, if the application for part-financing concerns only this part of the work, it would have to be examined on its own merits in the context of the overall project.

([1]) OJ L 130, 25.5.1994.

(98/C 386/099)

WRITTEN QUESTION P-1057/98

by Paul Lannoye (V) to the Commission

(30 March 1998)

Subject: Multilateral Agreement on Investment

The draft MAI currently under negotiation in the OECD, in which the Commission is taking an active part, contains certain basic provisions which might jeopardize implementation of the Community policy on the environment, the international conventions on the environment and the various implementing protocols which have been signed by the Union.

This applies particularly to the following measures:

— performance requirements;

— compensation for 'creeping expropriation', since a legislative or tax measure with an environmental objective may be regarded as equivalent to expropriation;

— the principle of national treatment applied generally to all types of investments;

— the standstill and roll-back principle.

Is the Commission in possession of an assessment of the foreseeable impact of these various provisions, not only on Community legislation on the environment but on the various Community policies which have a direct or indirect impact on the environment?

Furthermore, does the Commission agree that any multilateral agreement on investment must be subordinate in law to the international conventions already in force or to any future such conventions on the environment?

Answer given by Sir Leon Brittan on behalf of the Commission

(6 May 1998)

The issue raised by the Honourable Member is actively being discussed at this stage of the negotiation on a multilateral agreement on investment (MAI). It relates to achieving a balance between MAI disciplines (no expropriation without compensation, national treatment/most-favoured nation, standstill, roll-back and limitations on performance requirements) and other important areas of public policy of concern to MAI parties and to avoid unintended consequences on normal regulatory practices. In this sense the issue of the implications of the MAI is wider than the area of environmental policies and legislation.

Since the negotiations are still continuing, an evaluation of the environmental impact of the MAI is difficult to make. The Commission is committed to ensuring that the MAI will not put obstacles in the way of present Community environmental policies and legislation and their further development.

So far the MAI negotiating group is discussing an incomplete package of proposals for a text that intends to deal with this issue in a comprehensive way. The different elements so far contained in papers before the group include:

— the preamble, indicating the resolve of the parties to implement the MAI in a manner consistent with sustainable development and with environmental protection;

— the affirmation in the text of the agreement of the right of contracting parties to regulate in a non-discriminatory manner to ensure that investment activity is undertaken in a manner sensitive to health, safety or environmental concerns;

— a provision preventing the lowering of domestic environment measures to attract an investment; and

— an exception in the prevention of performance requirements article covering such requirements that could affect compliance with laws and regulations, or that could affect health, safety or the environment.

For its part, the Commission has proposed to introduce in the agreement a general exception similar to the General agreement on tariffs and trade (GATT) Article XX which would apply to measures necessary to protect human, animal and plant health and life and to protect exhaustible natural resources.

On the basis of the same considerations, international rule-making in the field of environment can continue without being hampered by the MAI. For this reason a specific article to subordinate the MAI to international environmental agreements does not seem necessary.

(98/C 386/100)

WRITTEN QUESTION E-1063/98

by Glyn Ford (PSE) to the Commission

(6 April 1998)

Subject: Bull bars on vehicles

Will the Commission consider the use of new European legislation to ban the fitting of bull bars on all new vehicles at the earliest opportunity?

Answer given by Mr Bangemann on behalf of the Commission

(14 May 1998)

The Commission would refer the Honourable Member to its answer to written question No E-2965/97 by Mr Sindal ([1]).

([1]) OJ C 134, 30.4.1998, p. 45.

(98/C 386/101)

WRITTEN QUESTION E-1064/98

by Glyn Ford (PSE) to the Commission

(6 April 1998)

Subject: Agricultural grants for greyhound breeding

Will the Commission confirm that no agricultural grants allow for greyhound breeding in Ireland to be subsidized?

Answer given by Mr Fischler on behalf of the Commission

(29 April 1998)

As part of the Community policy for rural development the Commission has encouraged Member States to provide aid for the diversification of agricultural production towards non-food products.

In the case of Ireland Community aid was available to farmers and other rural dwellers to diversify into greyhound breeding under the operational programme for agriculture, rural development and forestry 1994-1999. An amount of Ir£ 870 000 of public expenditure was provided for schemes to improve breed quality and for marketing and promotion.

No claims have been made on Community funding and it has been decided to agree to withdraw the measures from the operational programme.

(98/C 386/102) **WRITTEN QUESTION E-1070/98**

by Allan Macartney (ARE) to the Commission

(6 April 1998)

Subject: WTO Ministerial Conference and the impact of GATT/WTO on animal protection

Has the Commission considered the implications of GATT and the World Trade Organization on the protection of animals and the European Community's ability to limit animal suffering and ban imports of products where there have been clear abuses on animals/cruel exports of live animals?

Does the Commission intend to raise this issue at the WTO Ministerial Conference in May and ensure adequate protection for animals within the EU?

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

(8 May 1998)

The Commission would refer the Honourable Member to its answer to written question No 949/98 by Mr Watts ([1]).

([1]) OJ C 354, 19.11.1998.

(98/C 386/103) **WRITTEN QUESTION P-1074/98**

by Roberta Angelilli (NI) to the Commission

(30 March 1998)

Subject: Irregularities in the tender procedure regarding computerization

I have requested in three questions, P-1972/97 ([1]), P-2841/97 ([2]) and E-3869/97 ([3]), an opinion on suspected irregularities in the procedure followed by the Italian Government in awarding the contract for computerization of the services of the Ministry for Education. The Commission has received from the Italian Government confirmation of my claim that the Tele Sistemi Ferroviari company belonging to the Ferrovie dello Stato group (FS — Italian State Railways) was sold by that group after a bid had been submitted in response to the invitation to tender but before the final award of the contract. The FS, which, together with the EDS, formed the temporary consortium which was the successful bidder, was thus divested of their only company specializing in the IT field. If all this were confirmed, the consequence would be that on the date on which the contract was awarded the FS

did not have any right to belong to the consortium and that the bid made by that consortium was formally invalidated by the failure on the part of one of the companies which had taken part in the bidding to meet the requirements laid down in the invitation to tender. The FS did not in fact have any qualifications and did not meet the requirements laid down. What must be clarified is whether it was correct to ignore that fact and to award the contract nevertheless to the EDS temporary consortium.

Will the Commission state:

1. Whether, on the basis of the situation set out above, it can be presumed that, for example, British Railways would at any time be free to form a temporary consortium with IBM in order to bid for public supply contracts for computerization services put up for tender by the Member States?

2. Whether that procedure could also be followed in the case of invitations to tender laying down specific requirements of proven experience in the IT sector?

3. Finally, whether the Member States intending to adopt the procedures followed by the Italian Government are not at the very least under a duty to specify right from the moment when the invitation to tender is drafted that there is no objection if the requirements stipulated cease to be met in the period between the invitation to tender and the award of the contract, such requirements applying only temporarily merely for the purpose of admitting bidders to the procedure for tendering for public supply contracts?

(1) OJ C 45, 10.2.1998, p. 132.
(2) OJ C 117, 16.4.1998, p. 76.
(3) OJ C 196, 22.6.1998, p. 24.

Answer given by Mr Monti on behalf of the Commission

(8 June 1998)

The information supplied by the Italian authorities in response to the Commission's requests does not show that the sale by Ferrovie dello Stato of its stake in TSF disqualified it from bidding, as a member of the grouping headed by EDS UK, for the contract for computerising the Italian Education Ministry.

It is clear on the contrary that, despite the sale of that company, Ferrovie dello Stato retained its essential identity and role within the grouping set up with a view to performing the tasks covered by the contract.

(98/C 386/104) **WRITTEN QUESTION E-1075/98**

by Kirsten Jensen (PSE) to the Commission

(6 April 1998)

Subject: Cooperation with the Mafia in Uzbekistan

1. A series of articles in the Politiken newspaper of 18 and 19 March 1998 (attached) states that the Danish brewery concern Carlsberg is cooperating with the Uzbek Gafur Rakhimov, who is involved in the drug trade and has close links to the Mafia in Uzbekistan. Gafur Rakhimov is blacklisted in all Schengen countries and cannot therefore obtain a visa in the EU. In the Commission's view is it a problem that European companies cooperate in this way with people who are blacklisted under Schengen?

2. It is reported that the European Bank for Reconstruction and Development has invested in the project, so that it is also cooperating with Gafur Rakhimov. Can the Commission confirm this?

3. Is there any possibility of something being done at Community level about this and similar cases?

4. Is the Commission considering intervening either in this case or in similar cases?

5. Will the entry into force of the Amsterdam Treaty in any way affect the answer to these questions?

Answer given by Mrs Gradin on behalf of the Commission

(7 July 1998)

Given that the Schengen Convention and the Schengen Information System are an entirely intergovernmental matter which falls outside the Treaty and given the strict data protection rules governing the Schengen Information System, the Commission has no access to data on individuals who are 'blacklisted under Schengen'.

The Commission obviously would always prefer to work with law abiding citizens and companies, but it has no particular view on the choice of business partners made by private enterprises, as long as they abide by Community law.

The European Bank for reconstruction and development (EBRD) has informed the Commission that it is committed to encouraging the highest standards of conduct in the countries in which it operates and, in particular, to ensuring that these standards prevail in the companies in which it invests. The Bank has full discretion to refuse funding if, as a result of its due diligence process, it is dissatisfied with the standards of a company or if the circumstances surrounding a proposed project show material cause for concern. In view of the seriousness with which EBRD treats such matters, external experts are used in the due diligence process.

EBRD has indicated to the Commission that it had discussions concerning funding of this project and that its due diligence process has not to date shown evidence to support the allegations made. Should the EBRD remain interested in this project then, as with all such projects, it will continue to apply the due diligence process to ensure that all relevant evidence in this matter is available to it. Until the EBRD has made a commitment in respect of a particular transaction such as this, it retains full discretion not to fund the project should the results of the EBRD due diligence be unsatisfactory.

The Commission intends to check the information provided by the Honourable Member to see whether any contracts financed by Community funds are involved. It goes without saying that, if irregularities are found, possible subsidies will be cut off and money paid out will be recovered. The Commission has, moreover, established an early warning system with regard to dubious operators within and outside the Community. Its services are asked to show the utmost care when dealing with such operators in order to ensure fraud-proof execution of contracts and avoid misuse of funds for criminal purposes.

The fight against organised crime in countries like Uzbekistan or in other Newly Independent States necessitates a broad international effort and co-operation. At the European Council in Amsterdam heads of state and government agreed on an action plan against organised crime which identifies 31 different initiatives to deepen co-operation. Recommendation No. 4 calls for a closer international collaboration in this respect.

The entry into force of the Amsterdam Treaty will considerably improve the possibilities to fight fraud affecting the financial interests of the Community and the decision-making process will become more efficient and more democratically accountable. Also co-operation concerning justice and home affairs will be improved.

(98/C 386/105) **WRITTEN QUESTION E-1092/98**

by Thomas Megahy (PSE) to the Commission

(7 April 1998)

Subject: Safety of baby walkers

In view of the recent report from BEUC indicating that all baby walkers currently on sale on the European market pose a danger to the health of young children, does the Commission intend to take, or propose to the Member States, any immediate action either to restrict their sale or publicize their dangers?

Answer given by Mrs Bonino on behalf of the Commission

(3 June 1998)

The Commission would refer the Honourable Member to its answer to written question P-229/98 by Mrs Breyer ([1]).

([1]) OJ C 304, 2.10.1998, p. 57.

(98/C 386/106) **WRITTEN QUESTION E-1093/98**

by Susan Waddington (PSE) to the Commission

(7 April 1998)

Subject: Mainstreaming and the internal market for electricity and gas

The Council of Ministers has adopted the Directive on the Internal Market for Electricity and a common position on the draft Directive on the Internal Market for Gas. There is concern that the Internal Market will have negative implications for employment in these sectors.

Data from Eurostat and the Commission's report on Employment in Europe 1997, the Public Services Privatisation Research Unit (UK) and the European Federation of Public Services Unions all show that there was, on average, a fall in employment of 3-4 % per year in these sectors between 1990-1996. Cambridge Econometrics predicts a loss of 250 000 jobs in the medium to long-term. Against this background of falling employment, women are hit harder. The number of women employed in the sector fell from 19.6 % in 1993 to 18.6 % in 1995. (Eurostat)

Has the Commission explored how the Internal Market for Electricity and Gas will affect employment, of especially women, in the sectors concerned; has it judged the implications of this Internal Market on the basis of its own policy as laid down in 'Incorporating equal opportunities for women and men into all Community policies and activities' (Com (96) 67 fin, 21.2.1996); and how does the Commission intend to address these negative consequences for women and will it consult with the appropriate social partners on this?

Answer given by Mr Papoutsis on behalf of the Commission

(5 June 1998)

The Commission would refer the Honourable Member to its answer to written question No 341/98 by Mrs van Dijk ([1]).

([1]) See page 10.

(98/C 386/107) **WRITTEN QUESTION E-1094/98**

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

(7 April 1998)

Subject: Infringement of the preamble to, and Article F of, the Treaty on European Union (Preamble to, and Article 6 of, the Treaty of Amsterdam)

Several months ago, RAI S.p.A., which is licensed to provide the Italian public radio and television service, took a disciplinary measure in the form of a 'written warning' against Dr Ermanno Corsi, editor-in-chief of the Naples office of RAI and Chairman of the Journalists' Association of Campania. This measure, which was heavy-handed both in form and in substance, was intended to penalize Dr Corsi for his occasional unpaid contributions to the front page of the daily newspaper 'Roma' where his 'views' were published in a special column devoted to the exchange of ideas and free expression of opinions. RAI has clearly confused the performance of professional duties, for which explicit prior authorization from the company is required, and freedom of opinion, which is

expressly and fully protected by Article 21 of the Italian Constitution and, as such, not subject to any censorship, authorization or control. Pointing out that the 'views' which always concerned the controversy over Southern Italy, do not constitute the performance of professional duties and producing a statement from the chief editor and publisher of the 'Roma' certifying that no remuneration was paid for Dr Corsi's contributions was, however, to no avail.

1. Can the Commission say whether, by restricting freedom of opinion and expression, RAI, the Italian state radio and television service, is in breach of legal and judicial principles which are universally recognized in the European Union and which form the basis of the legal orders of the Member States and of the Treaty on European Union?

2. Can the Commission also say whether it will call on the Italian Government and the Italian parliamentary watchdog committee which oversees RAI to adopt the necessary measures to prevent the infringement of a right recognized by the Italian Constitution itself and of the fundamental rights on which the European Union is based and to revoke the unjustly imposed disciplinary measure?

Answer given by Mr Oreja on behalf of the Commission

(20 July 1998)

Article F.2 of the Treaty on European Union imposes obligations regarding the acts and policies of the European institutions but does not confer any general or specific competence on the Union or the Community in this field (Opinion No 2/94 of the Court of Justice). The Commission therefore takes the view that there is no legal basis on which to satisfy the Honourable Member's requests.

(98/C 386/108) **WRITTEN QUESTION E-1103/98**

by Panayotis Lambrias (PPE) to the Commission

(8 April 1998)

Subject: Selection criteria for the site of the fourth European School at Berkendael in Brussels

The Belgian Government has opted to locate the fourth European School — the Uccle Annex — on a site next to the women's prison at Berkendael which it has decided to convert into a detention centre for sex offenders.

The proposed buildings are inadequate and the lack of the necessary facilities for school buses together with parents' cars will cause traffic chaos.

Will the Commission, therefore, say what immediate measures it will take:

1. to heed the general outcry from the European School parents, which also took the form of a demonstration outside the Borchette building on 27 January 1998, and to overturn the Berkendael plan, and
2. to address a recommendation to the governments of the Member States listing places in the vicinity of which it is ill-advised to situate schools, to include prisons and rehabilitation and detoxification centres which clearly endanger the mental development and physical integrity of pupils.

Answer given by Mr Liikanen on behalf of the Commission

(25 May 1998)

The two European Schools in Brussels are overcrowded, and significant renovation work is needed.

A new school will shortly open in the capital to solve these problems, and the outline plans for the redevelopment of the old sites has already been approved.

The Belgian authorities have offered the Board of Governors of the European Schools (the intergovernmental body responsible for these educational institutions) the Royal Athenaeum of Berkendael as a temporary alternative, to facilitate the partial relocation of the Uccle school while work is in progress. This offer was recently declined by the Board of Governors' Representative, given the possibility of housing part of the Uccle school's pupils in the new school.

The Commission, which is a member of the Board of Governors, will keep a close eye on the development of this project and will ensure that the European Schools can continue to operate properly.

(98/C 386/109) **WRITTEN QUESTION E-1104/98**

by Panayotis Lambrias (PPE) to the Commission

(8 April 1998)

Subject: Standardization in electronic commerce

Ensuring the compatibility of electronic commerce on a world scale is a matter of key concern among business circles in the Union. What measures does the Commission propose to take to step up the standardization of European electronic commerce following the views expressed in the communication concerning 'A European Initiative in Electronic Commerce'?

Answer given by Mr Bangemann on behalf of the Commission

(20 May 1998)

The Global standards conference, 'Building the global information society for the 21st century', hosted by the Commission in 1997, concluded that the main objective world-wide is to ensure interoperability in order to create an open electronic commerce framework. Voluntary standardization led by industry constitutes one of the most important ways to ensure interoperable solutions with a view to enhanced competitiveness of European industry.

The Commission as a follow-up of its communication in April 1997 'A European initiative in electronic commerce ([1])', is launching in the framework of a specific work programme for electronic commerce a number of actions regarding standardization:

1. Strengthening the European standardization system

   Initiatives have been launched to make the European standardization system more responsive to fast-moving changes mainly through open, flexible workshops with the participation of industry and users under the aegis of the European committee for standardisation (CEN) (CEN/ISSS).

2. Promotion of interoperable solutions

   A specific action, different from research and technological development (RTD) projects dissemination, has been launched to enhance sectoral interoperability and promote available standards and technical specifications for a rapid uptake of electronic commerce by the industrial sectors in cooperation with European standardization bodies.

3. Protection of public interest

   Standardization should be regarded as a specific form of self-regulation in support of public interest. A specific study on the role of standardization, electronic commerce and public interest was launched, in cooperation with consumers associations, to identify key areas where standardization could support legal or regulatory or voluntary agreements. In addition a transparency mechanism will be developed (observatory) for consumer related issues and standardized solutions.

4. International standardization

   Initiatives have been launched with regard to the promotion of European interests in the field of international information and communication technology (ICT) standardization and in particular in the area of electronic commerce.

5. Protect competition

   A specific study is being launched on classification of requirements for electronic commerce with a view to promote fair competition and remove impediments to the development of electronic commerce in Europe.

6. Information society standardization system — ISIS

   ISIS, a pilot initiative launched by the Commission, applies focused resources via industry-led shared-cost projects to complement and accelerate formal standardisation for ICTs, in particular electronic commerce. ISIS is a rapid-response mechanism, which validates and demonstrates standards for novel technologies leading to earlier availability of proven standards and which stimulates convergence where there are signs of fragmentation. ISIS builds awareness within industry of standards-based solutions. A new call for proposals for ISIS, including a strong electronic commerce theme, will be published on the 15 June 1998.

7. International standards and the World trade organisation (WTO)

   The communication from the Communities and their Member States to the WTO on electronic commerce, which was issued on 23 April 1998, recognises the importance of open and internationally agreed standards to promoting competition in electronic commerce.

(1) COM(97) 157 final.

(98/C 386/110)

WRITTEN QUESTION E-1105/98

by Panayotis Lambrias (PPE) to the Commission

(8 April 1998)

Subject: Electronic commerce and Member States' tax systems

Given the increasingly important role played by electronic commerce in the Union's economy and the rapidity with which it is developing, will the Commission say what immediate measures it will take to provide for effective and harmonized regulation of the Member States's tax systems and to avoid operational problems in the future in keeping with the views set out in the communication concerning 'A European Initiative in Electronic Commerce'.

Answer given by Mr Monti on behalf of the Commission

(12 June 1998)

The Commission has drawn the attention of the international community to the global dimension of a range of issues related to electronic commerce, including taxation, and to the need to strengthen international co-ordination, notably in the communication on 'Globalisation and the information society' (1).

The Commission has been working since March 1997 to examine the interaction between the new phenomenon of electronic commerce and indirect taxation, a task for which the directors general of Member States' administrations have pledged their support.

In the statement by the Community and the United States on electronic commerce of December 1997 the parties commit themselves to work towards not imposing any new sort of duties on the import of services provided across border by electronic means. This has also been reflected in the communication on electronic commerce (2) presented by the Community and its Member States to the World trade organisation (WTO) on 23 April 1998. However, there is general agreement that the basic principles of VAT should apply to electronic commerce, to tax

consumption within the Community, using procedures that should be as clear and simple as possible to avoid hindering the growth of this new trading medium. The Commission is therefore reviewing customs and VAT legislation and procedures in the light of electronic commerce development and closely following and studying the evolution of network protocols and business practices so that suitable tax solutions can be developed in detail and implemented as the need arises.

The Commission is actively participating in work in other international fora, in particular within the Organisation for economic cooperation and development (OECD) to ensure provision of the necessary international framework for taxation. Indeed work is on-going to prepare 'framework conditions' for taxation which could be presented to the OECD ministerial conference in Ottawa.

(1) COM(98) 50 final.
(2) COM(97) 157 final.

(98/C 386/111) **WRITTEN QUESTION E-1119/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(8 April 1998)

Subject: Closure of the department of archaeology at the University of Mannheim

The University of Mannheim in Baden-Württemberg, Germany, is to close down departments dealing with classical studies for 'financial reasons'. In view of the important contribution to the development of classical studies and research made by the departments under threat at the University and the importance that the European Union attaches to the 'common cultural heritage', will the Commission say whether programmes of aid are available for the departments concerned to continue their activities, should the University submit a request?

Answer given by Mrs Cresson on behalf of the Commission

(25 May 1998)

The Community funds intended to strengthen cooperation between Member States' education systems and give a European dimension to teaching at all levels are those provided for under the Community's Socrates programme.

The activities eligible under the Socrates programme do not include the funding of university departments.

(98/C 386/112) **WRITTEN QUESTION E-1122/98**

by Peter Crampton (PSE) to the Commission

(8 April 1998)

Subject: Coordination between DG1B and DGVIII

Following the creation of a new Common Services Unit in the Commission aimed at improving coordination between DG1B and DGVIII, further clarifications are required concerning the effect on the management and effectiveness of reproductive health assistance.

1. When will the new unit begin operating?

2. How will it be staffed (who will be responsible and how many people will be involved)?

3. What will its role be in coordinating the support of reproductive health policies and programmes?

4. How will the creation of such a unit dovetail with the Commission's Scoop programme?

Answer given by Mr Pinheiro on behalf of the Commission

(5 May 1998)

1. The creation of the common service will serve the global objective of improved consistency, coherence and efficiency in the management of the implementation of development cooperation programmes presently managed by the different directors general in charge of external relations (DG I, DG IA, DG IB and DG VIII). En ce qui concerne ECHO (aide humanitaire), le service commun assurera les aspects administratifs et financiers de la gestion du personnel d'assistance technique sur le terrain.

2. The common service will be staffed by around 650 officials and the personnel is to be transferred to it from the other directorate generals in charge of external relations. The director general of the common service will be Mr Philippe Soubestre.

3. The common service will be responsible for the technical, administrative and financial implementation of the programmes in all third countries, in different sectors, including the health sector.

4. The common service and the so-called « SCOOP » are the same organisation.

(98/C 386/113) **WRITTEN QUESTION E-1126/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(8 April 1998)

Subject: The spread of tubercolosis

According to recent information from the WHO, there are 16 States worldwide which have neglected measures to prevent and treat tuberculosis among their people. The WHO says that such negligence represents a threat to the whole world. Some of the negligent countries are close to the Union's external borders.

What will the Commission do to ensure that citizens of the Union can continue to be protected against tuberculosis, and how is it seeking to assist countries outside the Union with the aim of finally suppressing the disease?

Answer given by Mr Flynn on behalf of the Commission

(3 June 1998)

The Commission is aware of the increase in the incidence of tuberculosis (TB) and of the factors that are associated with this phenomenon, including crumbling medical systems, deteriorating socio-economic conditions, and inappropriate practices leading to anti-microbial resistance threats.

Through the Community programme on acquired immune deficiency syndrome (AIDS) and other communicable diseases the Commission is giving support to projects on surveillance and response on TB involving all Member States. These projects aim at enhancing the capacity of the Member States'authorities to fight against this disease. Within the Community's enlargement framework, applicant countries have been encouraged to participate in this programme.

The Commission is also co-operating on this issue with the United States in the context of the Community Task Force and with international organisations, in particular the World Health Organisation and the World Bank, and in some cases in providing financial assistance to developing countries to implement immunisation campaigns.

(98/C 386/114)

WRITTEN QUESTION P-1127/98

by Nuala Ahern (V) to the Commission

(30 March 1998)

Subject: The negotiations on an OECD Multilateral Agreement on Investments (MAI) and the impact of such an agreement on the Internal Market and the 'acquis communautaire'

As soon as the project for an OECD Multilateral Agreement on Investments (MAI) became known to a broader public, thanks to NGOs and the initiative of the REX Committee in the European Parliament rather than as a result of information from the Commission, a large number of concerns were raised. These include worries about lower standards and obstacles for development in the following fields of Community law and policy: the protection of health and the environment, social and labour law, the protection and promotion of cultural and biological diversity, as well as negative impacts on regional and development policy, including the promotion of human rights and the rule of law. On the basis of these — obviously rather well-informed — concerns.

I would like to ask the Commission the following interrelated questions:

What action has the Commission taken in order to ensure that the MAI negotiations are not closed on 28 April and agreement reached on the basis of a document which does not fully take account of these concerns?

Has the Commission evaluated the fairness and equitableness of the draft MAI rules on dispute settlement and the potential impact of the envisaged procedure on the sustainability of exceptions, especially in the light of experience from the framework of the WTO and other multilateral agreements with similar contents, such as NAFTA?

Has the Commission's legal service examined the draft MAI from the perspective of immediate or longer term impact on the acquis communautaire, including obligations, that the Agreement might set, to amend legislation in areas which now, and in the light of the Amsterdam Treaty, involve the European Parliament as co-legislator, and the implications thereof on procedural requirements (applicability of Article 228(3), second sub-paragraph)?

Has the Commission taken notice of the demand in the European Parliament's resolution A-0073/98, that any draft of the MAI should be submitted to the European Court of Justice for full examination, which obviously should take place before signing the Agreement on behalf of the Communities, and has the Commission already acted in this matter?

Answer given by Sir Leon Brittan on behalf of the Commission

(6 May 1998)

The Commission regrets that some of its negotiating partners are not ready to conclude the negotiations by the end of April as provided in the mandate given by Organisation for economic co-operation and development (OECD) ministers in May 1997. The Commission considers that successful conclusion of the multilateral agreement on investments (MAI) is in the interest of the Community. However, a credible commitment to conclude from our negotiating partners is needed to make it useful to continue the negotiating process. The Commission sees the next OECD ministerial meeting as the best opportunity for its partners to show their attachment to a timely conclusion of the negotiations. In the meantime the Commission will continue the dialogue on the best possible outcome of the negotiations with industry, trade unions and civil society, as well as with the Parliament.

The state-to-state and investor-to-state dispute settlement mechanism of the draft MAI is an important element in creating transparent, non-discriminatory and enforceable rules for foreign direct investment. The provisions of the dispute settlement mechanism, as well as the other aspects of the MAI, including the country-specific exceptions, are still under discussion. The Commission is confident that in the end an equitable mechanism will emerge. In addition, care will be taken in the formulation of exceptions, in order to ensure sustainability of the policies and measures these exceptions intend to protect.

The Community will launch the necessary exceptions to protect all existing Community rules. In addition, the regional economic integration organisation clause, as proposed by the Community, will ensure the continued development of Community integration. The acquis communautaire will therefore not suffer from any immediate or longer term impact from the MAI.

At the present stage of the deliberations on the MAI the Commission does not see any conflict between the agreement, on the one hand, and the EC Treaty and the acquis communautaire, on the other hand. The Commission intends to avoid such a conflict in the final text of the MAI. Therefore there is no need to consider obtaining the opinion of the European court on the MAI at this stage.

(98/C 386/115)

WRITTEN QUESTION E-1147/98

by Panayotis Lambrias (PPE) to the Commission

(24 April 1998)

Subject: Environmental protection — IMPEL network

What proposals has the Commission submitted for the reorganization and improvement of the IMPEL European environment network and what stage has been reached in setting up national coordinating networks and linking them to IMPEL via the national coordinating bodies?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 May 1998)

In its communication on implementing Community environmental law [1] which was adopted on 22 October 1996, the Commission recognised the need for co-ordination in matters of implementation of Community environmental law not only at the level of the Community and the Member States but also within the Member States themselves. It was acknowledged that the strengthening of existing networks such as IMPEL (the informal Community network for the implementation and enforcement of environmental law) and the setting up of national networks could help diminish the problems which arise from decentralised implementation and enforcement of Community environmental legislation. Thus, it was stated that:

'The Commission will consider the existing position of the informal IMPEL network as a useful instrument of co-operation and capacity building and it will make proposals for improving, developing and reorganising its tasks. It will encourage the creation of national co-ordination networks to be linked with IMPEL through the national co-ordinators'.

Since the communication and the associated resolutions of the Council and the Parliament in June and May 1997 respectively, the role of IMPEL has become more and more prominent. Since May 1997 the network consists of plenary meetings, two standing committees and ad hoc working groups for specific topics. Amongst its achievements in 1997 was the adoption of a paper on minimum criteria for environmental inspections which will form the basis of a Commission initiative in the near future. The Commission will give more information on IMPEL's past activities and its 1998 work programme in its annual survey on the environment, which will be published this summer.

The creation of national networks is very much a matter for the Member States themselves, given that it is up to them to decide how best to organise their own internal inspections systems and mechanisms. So far as the Commission is aware, IMPEL itself has not yet undertaken any specific work in this area, though it is known that such networks do already exist in some Member States where inspecting tasks are shared between national, regional and local authorities as, for example, in the Netherlands, and Member States with a federal system, like Austria. The Commission was also informed that Italy is currently organising such a national network. Indeed, representatives from regional and local inspections authorities do participate in IMPEL meetings. The Commission will raise the question of the development of such national networks at the next meeting of the IMPEL plenary in December.

[1] COM(96) 500 final. .

(98/C 386/116)

WRITTEN QUESTION E-1160/98

by Roberta Angelilli (NI) to the Commission

(24 April 1998)

Subject: The involvement of organized crime in the illegal disposal of refuse in Southern Lazio, Italy

For some time, the Italian press has been publishing reports about the resumption of illegal discharges of toxic or hazardous waste in the Lazio, which is now third in line of the Italian regions most affected by illegal activities involving the disposal of rubbish, particularly in the provinces of Rome, Latina and Frosinone.

Some 60 % of the waste covered by the abovementioned categories is disposed of at unknown locations, as admitted by the chairman of the parliamentary committee of inquiry into waste disposal, Massimo Scalia. From 1994 to 1997, 36 633 breaches of criminal law or administrative rules were ascertained, while there have been reports of intimidation of those firms legitimately involved in disposing of waste in accordance with the relevant laws and European directives. It appears that organized crime has become involved in these illegal activities. The many investigations now under way apparently concern the unlawful disposal of about 500 000 tonnes of waste in the abovementioned areas.

In the light of the foregoing, would the Commission state:

1. whether it agrees that it should approach the Italian authorities, particularly the Ministry of the Environment and the Lazio regional administrative authorities, to request more stringent monitoring, not least in the light of European directives 91/156/EEC ([1]), 91/689/EEC ([2]) and 94/62/EC ([3]);

2. its views on the involvement of organized crime in the illegal and irregular disposal of refuse, particularly toxic or dangerous waste, with reference also to the wider European context;

3. whether the Commission documents about this problem exist;

4. whether, and if so, in which cases, the zones referred to have already given rise to studies or investigations by the Commission into the problem in question?

([1]) OJ L 78, 26.3.1991, p. 32.
([2]) OJ L 377, 31.12.1991, p. 20.
([3]) OJ L 365, 31.12.1994, p. 10.

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 June 1998)

There is no legislation, at the Community level, expressly addressing the involvement of organized crime in the illegal and irregular disposal of waste, this being a prerogative of Member States. Nevertheless illegal waste disposal and recovery is clearly prohibited by Directives 91/156/EEC on waste, 91/689/EEC on hazardous waste, and 94/62/EC on packaging and packaging waste. In accordance with its mission of ensuring the observance of Community law, including the above mentioned directives, the Commission, acting in the framework of the EC Treaty has already opened infringement proceedings against Italy concerning Community waste legislation. For details, the Honourable Member is invited to refer to the reply given by the Commission to her written question E-3412/97 ([1]).

On the basis of the limited information given by the Honourable Member, the Commission is not in a position to draw clear conclusions about her concerns. In general, the presence of concentrations of abandoned (and in that sense illegal) hazardous waste, besides being contrary to national and Community law, is to be considered as something having a potentially considerable environmental impact. The Commission agrees that it is necessary to prevent the development of such situations, and recognises that, in such cases, an effective intervention should be carried out promptly, in order to avoid negative environmental consequences, which may sometimes be irreversible.

On the other hand, in order to warrant a specific intervention against a Member State for bad application of Community law, the Commission needs detailed and precise information about the situation concerned (well defined facts and places). The Honourable Member is invited to furnish such specific and concrete information as would allow the Commission to start an inquiry.

The Member States have established an informal network on the implementation and enforcement of environmental law (IMPEL), which aims to monitor illegal cross-border waste transport. It also has a working group on environmental prosecutions, and is considering if it can address environmental crime in a wider context. The Commission takes part in the activities of this network. IMPEL has produced a report on transfrontier shipments of waste, known as 'TFS-2 project transfrontier shipment of waste, final report concerning European co-operation on the enforcement of Community Regulation (EEC) 259/93 on transfrontier shipments of waste – May 1996'. The Commission is sending this report direct to the Honourable Member and to the Parliament's Secretariat.

The Commission has not carried out studies or investigations in relation to the matters raised by the Honourable Member in the zones she mentions.

(1) OJ C 158, 25.5.1998.

(98/C 386/117) **WRITTEN QUESTION P-1178/98**

by Luisa Todini (PPE) to the Commission

(6 April 1998)

Subject: Compensation for the 'Bright' variety of tobacco between Umbria and Veneto (1997 marketing year)

In Italy more than 75 % of the 'Bright' variety of tobacco is produced in Umbria and Veneto. The 1997 crop in Veneto was some 4 000 tonnes below average because of serious virus diseases, whereas in Umbria there was a considerable quantitative increase of a top quality product.

Considering the 1995 precedent sanctioned by Article 14 of Commission Regulation (EC) 1066/95 (1) the agricultural policies ministry has requested that the end-of-year compensation for all varieties of tobacco be made permanent under the regulation in compliance with the nationally guaranteed quantitative limit.

Does the Commission consider it possible to authorize such compensation given that it would mean that the excess tobacco produced in Umbria would not have to be sold off or destroyed?

(1) OJ L 108, 13.5.1995, p. 5.

Answer given by Mr Fischler on behalf of the Commission

(4 May 1998)

The Commission is not in favour of the type of compensation called for by the Honourable Member. It believes that to grant such compensation would undermine the principle of the individual quota which is one of the bases of the common organisation of the market (COM) in tobacco. Furthermore, such compensation would do nothing to solve the problem of under-production in Veneto.

Implementation of such compensation would be likely to encourage producers to systematically produce more than their quota, leading them to believe believe that their over-production may always, after compensation, be eligible for the premium. Since the 1997 harvest is over, it is very difficult to check the source of tobacco receiving compensation.

(98/C 386/118) **WRITTEN QUESTION P-1179/98**

by Odile Leperre-Verrier (ARE) to the Commission

(6 April 1998)

Subject: Consequences of suspension of the Med-Media programme

Owing to the suspension of the Med-Media programme a number of organizations which were due to be subsidized did not receive the promised funds and have had to abandon their projects.

The damage caused by this decision is such that certain companies are now in a precarious situation.

Will the Commission state what it intends to do to provide the affected companies with appropriate compensation and to relaunch the Med-Media programme?

Answer given by Mr Marín on behalf of the Commission

(5 May 1998)

Following in-depth discussions with Parliament, the Commission has ascertained that the conditions laid down by Parliament for resuming decentralised cooperation in the Mediterranean have now been fulfilled.

The Commission has therefore decided to relaunch decentralised cooperation in the Mediterranean. Three programmes will be involved: Med Campus, designed to foster cooperation between universities; Med Media, which focuses on cooperation between the media (training); and Med Urbs, which is aimed at local authorities.

In line with the Barcelona Declaration, the Commission stresses the importance of direct cooperation between those involved in civil society — a cooperation which is essential for rapprochement and greater understanding between the peoples of Europe and the Mediterranean.

Although no commitment has been made with regard to the Med Media project promoters selected in 1995, some of them may receive financial support under the relaunched programmes.

(98/C 386/119) **WRITTEN QUESTION E-1183/98**

by Nikitas Kaklamanis (UPE) to the Commission

(29 April 1998)

Subject: Rejection of proposal by the Commission

On 18 February 1998, the Commission informed the European Centre for the Arts (EUARCE) that the proposal it had submitted under the Raphael programme entitled 'Music and Poetry in the Orthodox Era — the Patriarchal Style of Byzantine Chant, a Lexicography of Byzantine Music', had been rejected by DG X/C.4.

It should be noted that the proposal dealt with the extremely exacting and internationally recognized and commended task of identifying and interpreting the actual codes used in composing Byzantine chants, which is taking place under the auspices of the Ecumenical Patriarchate Bartholomew. The Centre which has submitted the proposal is one of the most respected in Greece and has never received funds from the Community budget. The decision to reject this proposal is extremely strange and the justification is conspicuous by its absence.

1. Can the Commission explain in detail the grounds for rejecting the above proposal?

2. Which institutions or centres have received funding under the Raphael programme? In which Member States? What were the subjects of their proposals and what were the precise sums donated?

Answer given by Mr Oreja on behalf of the Commission

(28 May 1998)

The Commission would like to inform the Honourable Member that there were 511 submissions within the framework of the particular Raphael action in which the 'European Art Centre' presented its proposal and that only 43 projects were selected mainly due to the very limited budgetary resources allocated to the Raphael programme. This was very clearly stated in the reply of 18 February 1998 given to the unsuccessful applicants. The selection of the projects was made on the basis of the recommendations of a group of independent experts as well as with the approval of the Raphael committee, which consists of representatives of the national authorities from all the Member States.

Furthermore, in a recent reply (25 March 1998) to a complaint by the applicant organisation the Commission explained that despite the positive appreciation of the project in question by a group of independent experts, it was not possible to support financially their proposal as well as many others due to the very limited available resources.

As to the selected projects and the amounts allocated to each one of them, the relevant documentation is forwarded directly to the Honourable Member and to Parliament's Secretariat.

(98/C 386/120)

WRITTEN QUESTION E-1184/98

by Graham Mather (PPE) to the Commission

(29 April 1998)

Subject: Human rights in the Dominican Republic

What action is the European Union taking to improve the human rights situation in the Dominican Republic? Will this action benefit Haitian plantation workers?

Answer given by Mr Pinheiro on behalf of the Commission

(11 June 1998)

Historically speaking, relations between the Dominican Republic and Haiti have been tense. The origin of it has been the presence of Haitian workers in the sugar production of the Dominican Republic.

The Commission is attentive to this situation and has over the years encouraged a dialogue between the two countries, which is slowly producing positive results. In fact, since 1995 one can notice an improvement in relations between Haiti and the Dominican Republic to which the democratically elected presidents of the two countries have largely contributed. President Préval visited Santo Domingo in March 1996 and President Fernandez Reyna is expected to visit Port-au-Prince in June 1998.

The Commission, with the support of the Member States, is financing through the budget line B-7020 (Human rights and democratisation) a campaign of civic education which was beneficial during the legislative and municipal elections of May 1998 in the Dominican Republic.

Under the responsibility of the Commission delegations in Santo Domingo and Port-au-Prince, technical meetings (headed by the national authorizing officers of the two countries) have taken place in the recent past with the objective to design common actions and programmes jointly benefiting the two countries in the areas of environment, transport and infrastructure (all of which will be financed by the European development fund). One of the most important and sensitive projects which the Dominican government has proposed to be funded by the Commission focuses precisely on the support to migrant workers (mainly Haitian labourers) in sugar production areas ('Bateyes') of the Dominican Republic.

(98/C 386/121) **WRITTEN QUESTION E-1197/98**

by Concepció Ferrer (PPE) to the Commission

(24 April 1998)

Subject: Human rights in China

On 16 March 1998 Mr Brittan, Commissioner, met the Chinese dissident Wei Jingsheng in order to discuss human rights in China. On that occasion he explained that the EU would not table or support any resolution critical of China within the UN Commission on Human Rights.

Could Mr Brittan explain why the Commission has declined to support or table any kind of resolution calling for human rights to be respected in China?

Does the Commission not consider that the European Union's human rights policy requires just such a resolution?

Answer given by Sir Leon Brittan on behalf of the Commission

(8 May 1998)

The Commission would refer the Honourable Member to its answer to written question E-1131/98 by Mr Salafranca Sánchez-Neyra ([1]).

([1]) OJ C 354, 19.11.1998.

(98/C 386/122) **WRITTEN QUESTION E-1207/98**

by José García-Margallo y Marfil (PPE) to the Commission

(24 April 1998)

Subject: Competitiveness

Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000) makes the point that prices for key services are higher in Europe than in Japan and the USA and that, despite the progress made since the establishment of the single market, there are still sectors, such as communications, to which access is restricted.

What action is the Commission intending to take in order to eliminate such restrictions?

(98/C 386/123) **WRITTEN QUESTION E-1208/98**

by José García-Margallo y Marfil (PPE) to the Commission

(24 April 1998)

Subject: Competitiveness

Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000) makes the point that prices for key services are higher in Europe than in Japan and the USA and that, despite the progress made since the establishment of the single market, there are still sectors, such as transport networks, to which access is restricted.

What action is the Commission intending to take in order to eliminate such restrictions?

(98/C 386/124) **WRITTEN QUESTION E-1209/98**

by José García-Margallo y Marfil (PPE) to the Commission

(24 April 1998)

Subject: Competitiveness

Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000) makes the point that prices for key services are higher in Europe than in Japan and the USA and that, despite the progress made since the establishment of the single market, there are still sectors, such as distribution, to which access is restricted.

What action is the Commission intending to take in order to eliminate such restrictions?

(98/C 386/125) **WRITTEN QUESTION E-1210/98**

by José García-Margallo y Marfil (PPE) to the Commission

(24 April 1998)

Subject: Competitiveness

Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000) makes the point that prices for key services are higher in Europe than in Japan and the USA and that, despite the progress made since the establishment of the single market, there are still sectors, such as energy, to which access is restricted.

What action is the Commission intending to take in order to eliminate such restrictions?

(98/C 386/126) **WRITTEN QUESTION E-1211/98**

by José García-Margallo y Marfil (PPE) to the Commission

(24 April 1998)

Subject: Competitiveness

Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000) makes the point that prices for key services are higher in Europe than in Japan and the USA and that, despite the progress made since the establishment of the single market, there are still sectors, such as public procurement, to which access is restricted.

What action is the Commission intending to take in order to eliminate such restrictions?

(98/C 386/127) **WRITTEN QUESTION E-1212/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: Competitiveness

In Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000), the Commission is asked to submit conclusions explaining why certain European sectors, such as food, drink, tobacco and furniture, outperform their US and Japanese counterparts in terms of industrial added value.

How do these sectors perform by comparison with the USA?

(98/C 386/128) **WRITTEN QUESTION E-1213/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: Competitiveness

In Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000), the Commission is asked to submit conclusions explaining why certain European sectors, such as food, outperform their US and Japanese counterparts in terms of industrial added value.

When is it intending to submit these conclusions?

(98/C 386/129) **WRITTEN QUESTION E-1214/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: Competitiveness

In Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000), the Commission is asked to submit conclusions explaining why certain European sectors, such as drink, outperform their US and Japanese counterparts in terms of industrial added value.

When is it intending to submit these conclusions?

(98/C 386/130) **WRITTEN QUESTION E-1215/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: Competitiveness

In Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000), the

Commission is asked to submit conclusions explaining why certain European sectors, such as tobacco, outperform their US and Japanese counterparts in terms of industrial added value.

When is it intending to submit these conclusions?

(98/C 386/131) **WRITTEN QUESTION E-1216/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: Competitiveness

In Parliament's report (A-0113/97) on the Commission Communication to the Council on benchmarking the competitiveness of European industry (COM(96) 0463 — C-0622/96) and the Commission staff working paper concerning European quality promotion policy for improving European competitiveness (SEC(96) 2000), the Commission is asked to submit conclusions explaining why certain European sectors, such as furniture, outperform their US and Japanese counterparts in terms of industrial added value.

When is it intending to submit these conclusions?

Joint answer to Written Questions E-1207/98, E-1208/98, E-1209/98, E-1210/98, E-1211/98, E-1212/98, E-1213/98, E-1214/98, E-1215/98 and E-1216/98 given by Mr Bangemann on behalf of the Commission

(14 May 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/132) **WRITTEN QUESTION E-1217/98**

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: European Central Bank

Pursuant to Article 109a(2)(a) of the EU Treaty the Executive Board of the European Central Bank is to comprise the President, the Vice-President and four other members. Paragraph 2(b) states that they are all to be appointed by common accord of the governments of the Member States at the level of Heads of State or Government, on a recommendation from the Council, after it has consulted the European Parliament and the bank's Governing Council.

Would the Commission say whether some other kind of executive post could be created so that all the EMU member countries are represented on the ECB's Executive Board?

Answer given by Mr de Silguy on behalf of the Commission

(11 June 1998)

The EC Treaty is clear in saying that the executive board of the European central bank (ECB) consists of the President and the Vice-President and of four other members (Article 109a (2) of the EC Treaty). If there are Member States with a derogation, the number of members of the executive board may be smaller, but in no circumstances shall it be less than four (Article 109l (1) of the EC Treaty).

It should be noted that the governing council of the ECB, which is the highest decision-making body, comprises the governors of the national central banks of all participating Member States and the members of the executive board of the ECB.

The ECB decision-making bodies also include the general council. Its competences are laid down in Article 47 of the European system of central banks (ESCB) Statute and it comprises the governors of the national central banks of all Member States.

(98/C 386/133)

WRITTEN QUESTION E-1218/98

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: European Central Bank

Pursuant to Article 109a(2)(a) of the EU Treaty the Executive Board of the European Central Bank is to comprise the President, the Vice-President and four other members. Paragraph 2(b) states that they are all to be appointed by common accord of the governments of the Member States at the level of Heads of State or Government, on a recommendation from the Council, after it has consulted the European Parliament and the bank's Governing Council.

Would the Commission say whether or not it is envisaged that representatives of non-EMU countries will be involved in the running of the ECB?

Answer given by Mr de Silguy on behalf of the Commission

(11 June 1998)

The executive board of the European central bank (ECB) comprises the President and the Vice-President of the ECB and four other members. Only nationals of participating Member States may be members of the executive board.

The governing council of the ECB comprises the members of the executive board and the governors of the national central banks of participating Member States. The governing council and the executive board are the decision-making bodies of the ECB which govern the European system of central banks (ESCB).

The general council is the third decision-making body of the ECB. It consists of the President, the Vice-President and the governors of the national central banks of all Member States. The responsibilities of the general council mainly comprise advisory tasks. The general council provides for the link between central banks of participating and non-participating Member States.

The EC Treaty and the ESCB Statute do not prevent the ECB from employing staff members from pre-in Member States.

(98/C 386/134)

WRITTEN QUESTION E-1219/98

by José García-Margallo y Marfil (PPE) to the Commission

(29 April 1998)

Subject: European Central Bank

Pursuant to Article 109a(2)(a) of the EU Treaty the Executive Board of the European Central Bank is to comprise the President, the Vice-President and four other members. Paragraph 2(b) states that they are all to be appointed by common accord of the governments of the Member States at the level of Heads of State or Government, on a recommendation from the Council, after it has consulted the European Parliament and the bank's Governing Council.

Would the Commission say how the selection procedure is to work, so as to ensure that suitable candidates are elected and that there is a balance amongst the various nationalities?

Answer given by Mr de Silguy on behalf of the Commission

(11 June 1998)

The EC Treaty provides that the members of the executive board shall be appointed from among people of recognized standing and professional experience in monetary or banking matters by common accord of the governments of the Member States at the level of heads of state or government.

The procedure leading to the appointment starts with a recommendation from the Council. In its recommendation the Council takes into account that the nominees must be people of recognized standing and professional experience in monetary or banking matters. The Parliament and the governing council of the European central bank (ECB) are consulted on the recommendation from the Council. When the ECB is being established, i.e. concerning the first executive board, the European monetary institute (EMI) council takes the role of the ECB council (Article 109a (2) of the EC Treaty, Article 50 European system of central banks (ESCB) Statute). Both the Parliament and the EMI council or the ECB governing council, respectively, give their opinion on whether the nominees fulfil the above-mentioned requirements.

The Commission has no formal role to play in this procedure.

It is to be noted that the heads of state or government at their meeting on 2 May 1998 stated that they will give appropriate weight and consideration, according to a balanced principle of rotation, in their future decisions under Article 109a (2) of the EC Treaty, to the recommendations for nationals of Member States which do not provide members of the executive board appointed in accordance with Article 50 of the ESCB Statute.

(98/C 386/135) **WRITTEN QUESTION P-1234/98**

by Ilona Graenitz (PSE) to the Commission

(9 April 1998)

Subject: Poultry farming

What improvements to the protection of animals in farming, in particular battery farms, has the Commission proposed in the reorientation of agricultural policy in Agenda 2000?

Answer given by Mr Fischler on behalf of the Commission

(4 May 1998)

Agenda 2000 ([1]) does not mention animal welfare specifically, but contains a number of general agricultural policy items, among which is the strengthening of the protection of the environment, including animal protection.

The Commission would like to refer to the protocol to the Treaty of Amsterdam which requires the Commission and the Member States to pay full regard to the welfare requirements of animals in the areas of agriculture, transport, internal market and research.

The Commission on 11 March 1998 presented a communication to the Council and a proposal for a new Council directive laying down minimum standards for the protection of laying hens kept in various systems of rearing ([2]).

([1]) COM(97) 2000 final.
([2]) COM(97) 135 final.

(98/C 386/136) **WRITTEN QUESTION E-1237/98**

by Allan Macartney (ARE) to the Commission

(29 April 1998)

Subject: Insurance Premium Tax in the United Kingdom

Has the Commission considered the impact of higher rate Insurance Premium Tax on the electrical rental and retail sector, the travel industry and the motor vehicle sector in the United Kingdom?

Insurance Premium Tax was introduced to avoid so-called value shifting. Has the Commission assessed the impact on the travel insurance market by the introduction of higher rate Insurance Premium Tax where there appears to be no possibility of value shifting? Is the Commission aware that since the introduction of this higher rate tax there has been a decrease in the number of people taking out travel insurance?

Furthermore, is the Commission aware that higher rate Insurance Premium Tax has led to an increase in non-insurance based warranties for motor vehicles and thus lower protection for car owners in the UK?

Is the higher rate Insurance Premium Tax for these sectors in conformity with the principle of freedom to provide services and EC competition law?

Has the Commission responded to complaints about the Insurance Premium Tax by the affected sectors and if so, what has been the response?

Answer given by Mr Van Miert on behalf of the Commission

(15 June 1998)

In 1997 the Commission received several complaints concerning the tax on insurance premiums in the travel industry and the electrical retail sector, and these are currently under examination, particularly in the light of Article 92 of the EC Treaty. The rates of the tax were increased by the United Kingdom authorities on 1 April 1997 as part of the effort to combat VAT fraud.

Following discussions between the United Kingdom authorities and the Commission in late 1997, the United Kingdom authorities informed the Commission, by letter of 6 May 1998, that the increased tax on insurance premiums would be extended to all trades selling travel insurance. This measure will take effect on 1 August 1998. In the Commission's view, this decision removes the discriminatory effect of the increased tax on travel insurance introduced in 1997 and any aid it might have given to trades not subject to the tax.

The Commission is still considering the measures to increase the insurance tax on electrical goods.

The Commission will reply to the complainants as soon as it has come to a conclusion on the effects of the measures in question.

(98/C 386/137) **WRITTEN QUESTION E-1247/98**

by Nikitas Kaklamanis (UPE) to the Commission

(29 April 1998)

Subject: Refusal to issue passports to Croatian refugees

During the war in the former Yugoslavia refugees from all the constituent states arrived in Greece and many of them are still in the country today. Under new legislation in Greece they are obliged to obtain a 'Green Employment Card' if they wish to find work and remain there. In order to obtain this card, these refugees must provide evidence of their identity by presenting their passports.

According to publications in the Greek press the Croatian Embassy in Greece is refusing to issue new passports in replacement for those that have expired. As a result Croatian nationals who are living in Greece and wish to work there are unable to obtain the Employment Card.

Will the Commission say: Is it aware of this action by the Croatian Embassy in Greece?

Given that it is the EU's policy to encourage the repatriation of refugees and given also that actions such as the above constitute human rights violations and that Croatia receives funding under the Community Programme PHARE, what measures does it intend to take to prevail upon Croatia to meet its obligations under this Community Programme?

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

(18 May 1998)

The Commission is not aware of the details of the particular case mentioned by the Honourable Member, but shares his concern in relation to the refusal by any state to grant passports to its citizens.

Since August 1995, Croatia has not been eligible for the PHARE programme. Conditions for eligibility for this programme, as well as other relations with the Community, were set out by the Council in its conclusions of 29 April 1997. In addition to democratic reforms and respect for generally recognised standards of human and minority rights, these conditions include compliance with obligations under the peace agreements including 'the offer of real opportunities to displaced persons... and refugees to return to their place of origin'. The Commission has recently stated that Croatia does not comply with these conditions, and that until it does so, general economic and financial assistance through PHARE will not be extended and nor will negotiations begin on a cooperation agreement.

In fact, as the Commission stated in its recent conclusions on compliance with these conditions, unless Croatia makes progress in relation to the relevant criteria, the justification of autonomous trade preferences presently enjoyed by Croatia may be questioned.

(98/C 386/138) **WRITTEN QUESTION E-1248/98**

by Glenys Kinnock (PSE) to the Commission

(29 April 1998)

Subject: Animal passports

Can the Commission clarify whether animal passports are utilized in other Member States, and where this is the case, who bears the cost, and approximately how much is this?

Answer given by Mr Fischler on behalf of the Commission

(27 May 1998)

In accordance with Article 3(c) of Council Regulation (EC) 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products [1], animal passports form part of the identification and registration system of bovine animals.

Under Community legislation, animal passports are only foreseen for animals of the bovine species and are a compulsory element of the identification and registration system of bovine animals in all Member States.

Regarding the question as to who bears the cost, reference should be made to Article 9 of the same Regulation, where it is mentioned that 'Member States may charge to keepers... the cost of the systems referred to in Article 3...'. In addition, reference should be made to Annex C, Chapter I of Council Directive 85/73/EEC of 29 January 1985 on the financing of veterinary inspections and controls covered by Directives 89/662/EEC, 90/425/EEC, 90/675/EEC and 91/496/EEC ([2]) (amended and consolidated) on the financing of veterinary inspections and controls where it is foreseen as a general rule to finance controls at origin and that a fee has to be charged. However, the scope and the level of the fee, the detailed rules for its application, including in particular the determination as to who is liable to pay, and any exceptions have not yet been fixed. Within this framework, it is up to Member States to define such provisions using their national rules.

Regarding the cost of such an exercise, the Commission does not have the relevant data.

([1]) OJ L 117, 7.5.1997.
([2]) OJ L 32, 5.2.1985.

(98/C 386/139) **WRITTEN QUESTION E-1253/98**

by Odile Leperre-Verrier (ARE) to the Commission

(29 April 1998)

Subject: European youth action programme

What progress has been made in the launch of a Euro-Mediterranean youth action programme apparently envisaged during one of the meetings of Euro-Mediterranean countries?

What guidelines have been established and within what time frame might the measures be implemented?

Answer given by Mr Marín on behalf of the Commission

(25 May 1998)

The Barcelona Declaration includes youth as a priority field of action between the EU and the twelve Mediterranean partners. The Work Programme states that 'a Euro-Mediterranean youth exchange programme should be established based on experience acquired in Europe and taking account of the partners' needs'.

The conclusions of the second Euro-Mediterranean conference of foreign ministers reiterate this aim, stating that 'specific initiatives for youth will be put forward shortly'. The Commission attaches particular importance to this sector and has established the necessary contacts for these initiatives, which it is working to set up in 1998.

(98/C 386/140) **WRITTEN QUESTION E-1262/98**

by Edith Müller (V) to the Commission

(29 April 1998)

Subject: Links and training programmes with the applicant countries

What administrative offers and programmes have been put in place by the Commission as a means of developing links with the applicant countries (training programmes, trainees, etc.), particularly in this period of pre-membership for the Central and Eastern European countries?

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

(25 May 1998)

The conclusions of the Copenhagen European Council, confirmed by the Essen European Council, stipulate that the countries of central and eastern Europe, which have Europe agreements with the Community, should be offered the possibility of participating in Community programmes, especially in the fields of education, training and youth, with the option of having recourse to Phare funds to cover part of the costs of their participation. The formal steps establishing the legal bases to implement this decision were concluded by September 1 1997 for Hungary and Romania, October 1, 1997 for the Czech Republic, March 1 1998, for Poland, and April 1 1998, for Slovakia.

As of these dates the countries are fully integrated into the Leonardo da Vinci, Socrates and Youth for Europe programmes. Those which joined at the end of 1997 have already had funding attributed to projects presented by them.

Bulgaria has asked to participate in the programmes partially. The preparation for the integration into the programmes of the Baltic countries is underway and will be initiated for Slovenia as soon as the Europe agreement enters into force.

Meanwhile the Tempus programme, which continues to be funded with Phare funds, albeit at a decreasing rate, remains in operation. It will be phased out gradually in parallel with the increasing participation in Community programmes of the candidate countries. Funding for these countries will cease completely as of the end of 1999.

The principal instrument in support of institution building in the candidate countries, one of the two priorities under the new orientation of the Phare programme, will be the establishment of twinning projects between the administrations of candidate countries and Member States. The purpose is to provide assistance from practitioners to the candidate countries' efforts in creating the institutional and administrative capacity to implement and enforce the acquis. The backbone of these twinning projects will be the long-term secondment of experts from the Member States in the candidate countries and the hosting of trainees from the candidate countries in the Member States. This will be accompanied by other appropriate components where targeted training activities will occupy a prominent position. Opportunities will be provided for civil servants to attend training programmes related to Community integration and the specific application of the acquis. Special programmes are being developed for the training of judges and diplomats.

(98/C 386/141) **WRITTEN QUESTION P-1269/98**

by Nikolaos Papakyriazis (PSE) to the Commission

(21 April 1998)

Subject: Financial cover for serious illnesses

Would you please tell me, on the basis of past practice, how the sickness insurance scheme deals financially with serious illnesses, for example bone cancer (100 % cover), when the treatment is administered in a non-member country such as Switzerland or the United States because of the particular nature of the case.

Have there been specific cases in the past of 100 % cover for cancer treatment in a non-member country? If so, would you please tell me:

— what countries were involved,

— what cover was provided and, if there were limits/ceilings on cover, on what basis they were applied and at what stage of the therapy,

— whether there was direct billing of the sickness insurance scheme,

— up to what level the costs of an accompanying person were accepted and reimbursed in the case of a minor or a seriously ill person,

— whether there were ceilings on payment in the case of:

1. emergency hospitalization
2. blood transfusion
3. intensive care in isolation
4. hospital treatment for immuno-deficiency,

— whether there were sliding scales based on a reference country for the calculation of reimbursements and, if so, which country and on what grounds.

If there is no information on any of the above questions because no actual cases have arisen to date, please reply on the basis of normal practice or the existing rules.

Answer given by Mr Liikanen on behalf of the Commission

(14 May 1998)

The Settlements Offices of the Joint Sickness Insurance Scheme apply the procedure set out as follows:

The medical expenses of a member suffering from an illness recognised as serious by the appointing authority are reimbursed at the rate of 100 % provided that the expenses relate directly to the illness. Patients may opt for the practitioner, hospital or clinic of their choice, even in a non-member country. Hospitalisation can, on request, be billed directly to the Joint Sickness Insurance Scheme, which will receive and pay the bills.

The costs of consultations, examinations, radiology, analyses, pharmaceutical products, surgical operations and other medical treatment (including emergency hospitalisation, blood transfusions, intensive care in isolation and treatment for immuno-deficiency) are reimbursed in full where they are directly related to the serious illness and where the costs do not fall within the scope of Annex I. XV.3 of the Rules on cover against the risk of occupational disease of officials of the European Communities, which specify that the Settlements Office, after consultation of the Medical Officer, may refuse to reimburse any expenses it considers excessive.

The costs incurred by a family member may be reimbursed at the rate of 85 %, after consultation of the Medical Officer and subject to a maximum limit of BEF 1 535 per day, where, in view of their age and the nature of their illness, patients require special family assistance and are accompanied to hospital by a member of their family on the practitioner's prescription (Annex I.III.3 to the Rules).

This amount, like all maximum limits specified in the Rules, is expressed in Belgian francs and is used as a reference for Belgium and countries outside the Community. Each year, equality coefficients based on the statistics available are used to adjust these maximum limits to the costs recorded in the various Member States but not in countries outside the Community.

The costs of transporting the patient and accompanying him or her from the country of residence to the country where the hospital is located and the costs of supplying services or products such as cosmetics, additional beverages, telephone or refrigerator rental, telephone bills, hairdressers' bills, subscriptions to newspapers or the purchase of periodicals etc. are not reimbursed.

In 1997, the Settlements Offices recorded a total of 5 cases where members who had been recognised as suffering from serious illnesses submitted claims for expenses incurred outside the Community (3 in Switzerland, 2 in the United States). In each case, the rules were applied in the manner described above. In one case, the Settlements Office, after consultation of the Medical Officer, considered certain expenses excessive and reduced the corresponding amounts in accordance with Annex I.XV.3.

It should be noted that diagnoses, being covered by medical confidentiality, are not communicated to the Settlements Offices, which cannot therefore reveal the nature of the illnesses in the abovementioned cases.

(98/C 386/142)

WRITTEN QUESTION E-1274/98

by Freddy Blak (PSE) to the Commission

(29 April 1998)

Subject: EU Member States obstruct recovery of child maintenance allowances

The Danish state is owed DKR 323 million (1993) in child maintenance allowances by fathers who have moved abroad abandoning their wives and children in Denmark.

Recovering this money is a very costly and cumbersome process. Germany is one of the countries obstructing effective collection of the sums in question. For example, each single document for the German child support agency must be translated by an authorized translator, so making the procedure very expensive and inconvenient.

Does the Commission not believe that a solution ought to be found to ensure that the opportunity for recovering public debts from persons moving between the Member States is not obstructed by cumbersome procedures in the Member States?

Answer given by Ms Gradin on behalf of the Commission

(24 July 1998)

Maintenance obligations come under the 1986 Brussels Convention on the Recognition and Enforcement of Judgments in Civil and Commercial Matters. This Convention lays down the rules applicable in this area (Article 5 (2)), provides for the recognition as of right of decisions by the courts and authorities of the Member States which have the power to take decisions on alimony and organises the procedure whereby decisions can be enforced in another Member State. This Convention, which has been ratified by all the Member States, applies to relations between Denmark and Germany. It does not, however, deal with all the procedural aspects in the Member State where the decision has to be enforced, and in particular allows Member States to demand a translation of documents.

The Council is in the process of reviewing this Convention. The Commission has presented a proposal for a revised Convention ([1]) simplifying and speeding up the mechanism for the recognition and enforcement of decisions by introducing a certificate accompanying the original decision and giving the authority of the Member State the necessary information for registration. The advisability of maintaining the right to demand translations of the judgment and supporting documents was discussed by the Council, but no decision has yet been taken.

It should be added that the Member States, acting in political cooperation, produced a Convention on the simplification of procedures concerning the recovery of maintenance payments (1990). The main feature of this Convention is the establishment in each Member State of a central authority responsible for tracing the debtor, having the judgment registered for enforcement and taking the necessary enforcement measures. The Convention has not, however, been ratified by all the Member States and has never entered into force.

A number of Member States, in particular Denmark and Germany, have ratified the Hague Convention of 1973 on the Law applicable to Maintenance and also the New York Convention of 1956 on the recovery abroad of maintenance. The latter, which establishes a system of central authorities, is in force, but unfortunately it provides that all file documents must be translated, thereby hampering the effective application of the Treaty in a number of cases.

([1]) COM(97) 609.

(98/C 386/143)

WRITTEN QUESTION E-1275/98

by Gerhard Hager (NI) to the Commission

(29 April 1998)

Subject: Differences between drugs policies

Very substantial differences exist between the drugs policies of the individual Member States. However, there have been repeated moves towards finding a common European approach in this area.

1. Does the Commission have the findings of investigations and detailed statistics on drugs consumption, drugs dependency and drugs-related crimes in the individual Member States?

2. Does it have any data showing the success or failure of changes in the drugs policies in the individual Member States?

3. Does it have any data showing that the drugs routes have changed following the enlargement to the East?

4. What information and statistical data does it possess about drugs consumption, drugs trafficking and drugs-related crimes in the candidate countries for accession?

5. Does it have any information which it could make available on punishments imposed in the case of drugs-related crimes in the individual Member States and in the candidate countries?

Answer given by Mr Flynn on behalf of the Commission

(19 June 1998)

1. and 2. The Commission wishes to draw the Honourable Member's attention to the terms of reference and the work of the European Monitoring Centre for Drugs and Drug Addiction (Emcdaa) (Council Regulation (EEC) 302/93 of 8 February 1993 ([1])) designed to provide the Community and the Member States with objective, reliable and comparable information at European level concerning drugs and drug addiction and their consequences. A summary of this work is presented in the Emcdaa's annual reports on the state of the drug problem.

These reports notably include an analysis of national strategies to combat drugs which highlight new trends and policy developments. The 1997 report also contains an analysis of public expenditure on combating drugs and the social costs of drug addiction. Finally, the question of evaluating prevention practices, and the associated policy orientations, is addressed both from the methodological and practical angle in the Observatory's work programmes and the Community action programme to prevent drug dependence within the framework of public health (Decision 102/97/EC of the Parliament and Council of 16 December 1996 ([2])).

3. As far as data on the drugs routes are concerned, useful information comes from Europol reports. Besides its annual report, the Europol drugs unit has prepared a strategic report on drug trafficking in South-eastern and Central Europe and the activities and structure of the Turkish criminal organisations in the Union, which will provide the basis for more effective operational cooperation between drug law enforcement services of the Member States.

4. In the framework of the Phare multi-beneficiary drugs programme information is being collected on the situation in the candidate countries for accession. Recent Phare expert reports have been established on the drug abuse situation, the drug demand reduction policies and structures in the Central and Eastern European countries (CEEC) and on the situation in the field of synthetic drugs. Additional information is collected in the framework of each Phare project, and country fiches are established which include data provided by the CEEC's. The United Nations international drug control programme (UNDCP) country profiles are also useful.

Furthermore, in the framework of this programme, specific attention is paid to the further development of cooperation between CEEC's, especially the candidate countries, and the European monitoring centre for drugs and drug addiction (Emcdda) including active participation in the Emcdda-European information network on drugs and drug addiction (Reitox) activities. In the 1998 annual report of the Emcdda, a special chapter will be devoted to the situation regarding the CEECs.

The Commission shares the Honourable Member's interest in learning more about enforcement of anti-drug criminal legislation in the Member States. To this end in 1995 and 1996 the Commission, in cooperation with the Parliament and the Council Presidency, organised conferences and seminars to study the criminal legislation in the Member States and its enforcement in practice. These studies were based notably on a Commission-funded study on the differences in anti-drugs legislation in the Member States. The conclusions, as well as the comparative report, were widely circulated and have been sent directly to the Honourable Member and to the Secretariat-General of the Parliament. Besides, a study containing a comparable analysis of the legal and institutional framework for the candidate countries is ongoing in the framework of the Phare multi-beneficiary drugs programme.

(1) OJ L 36, 12.2.1993.
(2) OJ L 19, 22.1.1997.

(98/C 386/144)

WRITTEN QUESTION E-1277/98

by Gerhard Hager (NI) to the Commission

(29 April 1998)

Subject: Convention on the protection of financial interests

The finances of the European Community are increasingly being targeted by criminals and particularly organised gangs. In July 1995 the Convention on the protection of the financial interests of the Community was signed in order to improve cooperation between the Member States in investigating crimes of this nature.

1. Which Member States have so far ratified this Convention?

2. Which follow-up measures have so far been taken by the Member States?

3. When does the Commission expect this Convention to be fully ratified by all Member States?

Answer given by Mrs Gradin on behalf of the Commission

(15 June 1998)

The Commission would refer the Honourable Member to its answers to Written Questions E-3349/97 by Mrs Torres Marques (1) and P-3615/97 by Mrs Kjer Hansen (2). The situation has not changed greatly since these answers were made. No Member State has up to now ratified the Convention on the protection of the financial interests of the Communities. The Member States should do so at the latest by mid 1998 (target date introduced by the Justice and Home Affairs Council on 28 April 1997 in the action plan to combat organised crime (3)).

Some Member States have started procedures in order to adapt their national law. As far as Austria is concerned, the Commission is aware that the ministry of Justice has prepared an initiative in order to amend the Austrian penal Code. In Germany the legal committee of the Bundestag has recommended ratification. Some other Member States have also kept the Commission informed of the internal procedures which have been launched to prepare ratification.

In addition, the Commission would like to point out that so far, it has received no communication on the basis of Article 10 of the Convention. The Commission will, once it has received these communications, evaluate the provisions transposing into domestic law the obligations imposed on Member States under the provisions of the Convention.

(1) OJ C 117, 16.4.1998.
(2) OJ C 134, 30.4.1998.
(3) OJ C 251, 15.8.1997.

(98/C 386/145)

WRITTEN QUESTION E-1280/98

by Daniela Raschhofer (NI) to the Commission

(29 April 1998)

Subject: Effects of Agenda 2000 on the existing Community of Fifteen

Thank you very much for the answer to E-0395/98 ([1]) of 19 March 1998. However, since the questions I asked have not been adequately answered, I have no option but to ask the same questions again:

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?

([1]) OJ C 304, 2.10.1998, p. 91.

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

(9 June 1998)

The Commission referred in its answer to Honourable Member's written question E-395/98, to the effect of enlargement on the overall economic development in the Community, which is fully documented as 'impact study' in the Agenda 2000 ([1]) documentation which was made available to the Parliament immediately after its adoption by the Commission.

As regards the effects of enlargement on regions close to the current Eastern border of the Community — that is the border area stretching from Stettin down to Trieste, as well as North Eastern Greece once Bulgaria joins — the Commission has not undertaken an analysis in the detail stated in the question. It would be very difficult to make serious forecasts on the wage levels in the new Member States (also because there is no certainty on the date of accession), or on migratory moves in the border areas (forecasts on the employment situation in this uncertain time horizon are difficult to establish and accession treaties might provide for lengthy transition periods restricting the freedom of movement for workers). Equally the requested forecasts of criminal activities cannot be established with reasonable accuracy.

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

(98/C 386/146)

WRITTEN QUESTION E-1287/98

by Gerardo Fernández-Albor (PPE) to the Commission

(29 April 1998)

Subject: Measures to promote self-employment for young people

A number of financial institutions have decided to set up various support structures to promote self-employment among young people as a way of helping the large number of unemployed young people to gain a foothold in the world of work.

The results of this initiative have been highly promising and the financial institutions have continued to allocate part of their non-operating income to promoting the functioning and development of these support structures as an innovative way of encouraging new opportunities for youth employment, particularly among young businessmen.

Does the Commission consider that efforts should be made to build on these successful initiatives to set up ways of enabling financial institutions to allocate part of their non-operating income to encouraging self-employment among young people, thus helping to return to society part of their profits in the form of a social dividend?

Answer given by Mr Flynn on behalf of the Commission

(25 May 1998)

The new European employment strategy initiated by the extraordinary European Council meeting in Luxembourg in November 1997 and the resulting adoption of employment guidelines clearly reflect the priority given to the problem of unemployment among young people. The European strategy, especially as regards improved integration of young people, places emphasis on the development of new partnerships, particularly with the social partners and the business world. The example quoted by the Honourable Member is a very interesting illustration of how economic agents can contribute to the integration of young people by helping them to create their own jobs.

The exchange of information, experience and best practices has always been a central feature of Community activity. This activity will be given new impetus as a result of Council Decision 98/171/EC of 23 February 1998 ([1]) on Community activities concerning analysis, research and cooperation in the field of employment and the labour market. Future implementation of Article 129 of the Amsterdam Treaty will also encourage innovatory projects in support of the European employment strategy. The subject of entrepreneurship and self-employment among young people has provided one of the examples of best practice described in the 1997 joint employment report ([2]). This is one of the areas in which exchanges could be encouraged, so that all Member States can benefit from those with significant practical experience in that area.

In addition to the exchange of experience, the Community action programme 'European voluntary service for young people', which is expected to be adopted soon ([3]), provides direct support for initiatives by young people who, following a period of European voluntary service, wish to take up an activity and in particular to create their own job. Based on the positive experience acquired under the 'Youth for Europe' programme, the mid-term assessment of which has shown that one third of young people's initiatives supported by the Community have led to the creation of jobs, Community aid to young people who have performed European voluntary service could constitute a major encouragement for the efforts of financial institutions to promote youth employment, as well as an appropriate supplement to the financial support those institutions provide.

([1]) OJ L 63, 4.3.1998.
([2]) SEC(97) 1769 final.
([3]) COM(98) 201 final.

(98/C 386/147) **WRITTEN QUESTION P-1289/98**

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

(24 April 1998)

Subject: Fraud involving aid for Chernobyl

Since the Chernobyl nuclear disaster vast sums of money have been channelled to Ukraine from a number of sources, including the European Union, in order to support or make possible clearance work and safety improvement measures at the site. However, according to the latest information from the EnviroNews Service, the bulk of all international financial aid has been used not to improve safety, but to line the pockets of various officials involved in the financial transactions. An overall sum of US$740 million is being quoted.

1. Is the Commission aware that a major part of the aid, including EU aid, intended to improve safety at Chernobyl has not really been used for this purpose, but has been pocketed by mafia-like organisations?

2. How high does the Commission estimate this share (as a percentage of all aid provided so far and also as precisely as possible in terms of monetary value)?

3. What steps is it taking to prevent European aid being misappropriated in this way, what success has it met with and what methods for the fraudulent use of EU aid has it established so far?

4. Is it correct that it has settlements of accounts and reports for only a third or so of all projects which have received EU aid in this connection and that EBRD has released funds even without the necessary information on projects and settlements of accounts?

5. How does it intend to prevent a large proportion of future aid allocated for improving the safety of the sarcophagus being pocketed by individuals instead of funding the project in question?

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

(15 May 1998)

In general, Community assistance to Ukraine in support of the closure of Chernobyl is channelled through the technical assistance programmes and payments are made on the basis of work performed and original invoices. Transparency in the management of Community funds is maintained on all levels, and the Commission is not aware of any misappropriations of these funds. In addition, the recent report of the Court of auditors did not detect any such fraud.

The existing system of controls is deemed to be sufficient to prevent the misappropriation of technical assistance funds provided to Ukraine in support of the closure of Chernobyl.

The Commission is in possession of all relevant reports with respect to the Community projects and activities. The Commission, as shareholder of the European bank for reconstruction and development (EBRD) and as a donor to the Nuclear safety account and the Chernobyl shelter fund, does not deem the EBRD's financial controls to be in any way less rigorous than its own and is not aware of any payments made by the EBRD on the basis of insufficient information.

The rules of the Chernobyl shelter fund are deemed to be sufficiently rigorous to prevent the misappropriation of the funds concerned. In addition, as the fund has been constituted only recently, almost no disbursements have yet taken place. There can be no question, therefore, of any misappropriation.

(98/C 386/148)

WRITTEN QUESTION E-1296/98

by Caroline Jackson (PPE) to the Commission

(29 April 1998)

Subject: Lower band of VAT on repairs to churches and religious buildings

Can the Commission confirm that it would be possible for the Government of the United Kingdom, if it wished to do so, to allocate to churches and religious buildings to the lower band for purposes of Value Added Tax?

Answer given by Mr Monti on behalf of the Commission

(3 June 1998)

Under current Community VAT legislation, Member States are not allowed to allocate repair, renovation and maintenance of churches and religious buildings to a reduced rate of VAT.

(98/C 386/149)

WRITTEN QUESTION E-1297/98

by Iñigo Méndez de Vigo (PPE) to the Commission

(29 April 1998)

Subject: Customs duties

The customs point at Algeciras (Spain) has to deal with about 35 000 EU goods lorries per annum en route to Morocco. Up till now, the export clearance for many of these lorries has had to be carried out by the customs officials on Monday mornings, since the customs points in the countries of origin are closed on Friday afternoons, when the lorries are loaded.

Does the Commission consider this practice to be compatible with the Customs Code? Does it consider this circumstance to fall within the scope of Article 790 of the implementing regulation?

Answer given by Mr Monti on behalf of the Commission

(2 June 1998)

Article 161(5) of Regulation (EEC) 2913/92 establishing the Community Customs Code ([1]) sets out the basic rules governing the place where export formalities must be completed. In principle, this must be the place where the exporter is established or where the goods are packed or loaded for export shipment.

Commission Regulation (EEC) 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) 2913/92 establishing the Community Customs Code ([2]) allows two exceptions to this general rule.

Article 790 thereof allows a derogation in cases where the general rule cannot be applied for administrative reasons. Such cases must be limited to situations in which a geographical restriction is imposed on a customs office competent for completion of the formalities in question.

Secondly, Article 791 allows derogations for duly justified reasons. In the interests of uniform application of the customs rules, the Customs Code Committee has frequently considered situations giving rise to the application of this provision.

It was decided, among other issues, that the fact that the opening hours of a customs office, competent under the terms of Article 161(5) of the Customs Code, do not correspond to the working hours of an exporter, can not constitute a duly justified reason permitting a derogation from the general rule. Indeed, under normal circumstances, an exporter's logistical organisation must expect to take account of such opening hours.

In the case of firms which frequently need to complete customs formalities outside normal opening hours, an authorisation to enable the application of simplified procedures would seem an appropriate solution, naturally on condition that all requirements are fulfilled.

(1) OJ L 302, 19.10.1992.
(2) OJ L 253, 11.10.1993.

(98/C 386/150)

WRITTEN QUESTION E-1300/98

by Franco Malerba (PPE) to the Commission

(29 April 1998)

Subject: Harmful substances (asbestos) in the buildings of the Brussels I (Uccle) European School

The presence of asbestos in the buildings of the Brussels I (Uccle) European School has already been pointed out on several occasions in the past, including in Written Question No 2203/92 (1) by Mrs Gröner. On that occasion the Commission underestimated the seriousness of the problem, acknowledging only that 'on a previous occasion, it had been necessary, in one building only, to replace materials which might have posed a problem in the long term'.

It has emerged, however, that according to the preliminary asbestos survey of 24 October 1997, which is still incomplete, at least 9 of the European School buildings contain asbestos, which urgently needs to be removed.

This being the case, is the Commission prepared to respond positively to the concerns expressed by the Brussels I Parents' Association, particularly as far as the following points are concerned:

— the absolute necessity to carry out the work (removal of asbestos, demolition, clearing debris) while pupils are absent;

— the need, before any work is begun, to draw up a detailed, comprehensive survey of the materials containing asbestos and a detailed plan of the work scheduled;

— the tender specifications for the firms carrying out the work must detail the procedures to be used and the frequency and nature of on-site checks (in the presence of independent experts);

— the parameters to be applied (tolerance thresholds) must be based on the most advanced standards of medical research and the most recent European laws, and reflect the increased awareness of the dangers of exposure to fibres (p.m. tolerance thresholds: in Germany, 0.5 fibres per litre; in Belgium, 10 fibres per litre);

— the need to sign a protocol of agreement between the Belgian Régie des Bâtiments, the Board of Governors of the European Schools and the parent representatives governing implementation of the above points and including the option of closing down the site and applying dissuasive penalties in the event of the terms being breached?

These points are set out in a letter of 16 March 1998 from the Commission representative on the Board of Governors of the European Schools to Mr André Flahaut, the Minister responsible.

Is the Commission prepared, if no undertaking is given as regards the above criteria, to deem Belgium to have failed in its statutory obligations under the agreement of 12 April 1957 establishing the European Schools?

(1) OJ C 86, 26.3.1993, p. 15.

Answer given by Mr Liikanen on behalf of the Commission

(4 June 1998)

The Convention on the Statute of the European School, signed by the original Member States on 12 April 1957, and the Protocols drawn up by reference to that Statute, are applied by the Board of Governors of the European Schools.

This intergovernmental body takes the necessary decisions for the efficient operation of the schools. In accordance with Article 12 of the Statute, it signed the agreement with the Government of Belgium on 12 October 1962 with a view to ensuring the best material and moral conditions for the operation of the European Schools located in Belgium.

The Belgian Government undertook to provide the schools with the buildings they need and to maintain and insure them in accordance with the rules which govern property owned by the Belgian State.

The Commission, which is a member of the Board of Governors, has already replied to a written question on asbestos found in the premises of the Brussels I European School (Uccle). (The Honourable Member is referred to the Commission answer to written question E-2203/92 by Ms Gröner ([1])).

Since the host State is directly responsible for some of these matters, the Commission merely supplied the information known to it.

The provision of information is not the same thing as the statement of a Commission position.

The Commission attaches great importance to the safety of the European Schools; it will be highly vigilant in ensuring that a complete inventory of the asbestos is made, that management programmes are implemented and that the work (removal of the asbestos, demolition, clearing débris) is carried out strictly in accordance with existing provisions. The work is planned for the Summer holidays.

Lot No 1 of specification No 98/30.2234/034/01 drawn up by the Régie des Bâtiments (Public Property Administration) for the construction of new classrooms and a gymnasium for the primary section included the removal of the asbestos prior to any demolition work. This specification includes taking all the precautions required by Belgian legislation for this type of work.

The specification also states that the parameters to be applied (the work plan to be drawn up before any demolition or removal of the asbestos takes place, signs and signals, the cordoning off of the work sites in question and the tolerance thresholds with regard to the concentration of airborne asbestos fibres on the work place) will be those laid down by the general regulation on protection at work. This regulation complies with Council Directive 83/477/EEC of 19 September 1983, as amended by Council Directive 91/382/EEC of 25 June 1991.

Since the legal provisions to be applied are mandatory, the Commission sees no need for an agreement to be signed between the Régie des Bâtiments, the Board of Governors and the parents' representatives regarding the application of the abovementioned points.

The Commission feels that it cannot pass judgment on alleged intentions. Failure to meet obligations must be proven before it can be criticised.

([1]) OJ C 86, 26.3.1993.

(98/C 386/151)

WRITTEN QUESTION P-1308/98

by Freddy Blak (PSE) to the Commission

(24 April 1998)

Subject: Make-up requirement for female employees

Maersk Air, a Danish-owned airline, has issued regulations on uniform which state that female employees must always wear make-up.

Special mention is made of lipstick, mascara and eye shadow. But the employer also warns against failure to use foundation, powder and rouge. Not only do female employees have to spend money on make-up, they are also exposed to a considerable risk of allergy and to daily inconveniences because the air in planes is very dry.

FTF, the trade union which represents men and women employed as cabin attendants by Maersk Air, has brought the matter before the court of justice in Denmark. A hearing is scheduled for 12 June 1998.

1. What is the Commission's reaction to a make-up requirement as part of the working conditions for women?

2. Does it not think that it conflicts with the EU directive on equal treatment?

Answer given by Mr Flynn on behalf of the Commission

(11 June 1998)

The Commission firstly notes that the union representing Maersk Air crew members has referred the obligation to wear make-up imposed on the airline's female employees to the relevant courts.

As a rule, the Commission does not comment on disputes brought before national courts. The Commission therefore considers that it is not for it to answer the first part of the Honourable Member's question. On the second part, the Commission considers that it is for the court hearing the case to determine whether the obligation to wear make-up falls within the scope of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions ([1]) and, if soe, whether this obligation creates direct or indirect discrimination against female employees. In case of doubt, this court may stay the proceedings and submit one or more requests for a preliminary ruling to the European Court of Justice.

([1]) OJ L 39, 14.2.1976.

(98/C 386/152) **WRITTEN QUESTION E-1323/98**

by Jean-Antoine Giansily (UPE) to the Commission

(29 April 1998)

Subject: European Union policy on tourism

In a few years tourism will be the most dynamic sector of the EU economy. Tourism not only helps to promote international understanding, it also creates many jobs for small and medium-sized businesses and is a sustainable long-term activity.

Does the Commission not therefore consider that it is vital and urgent to introduce a real Community policy on tourism and what measures does it think are appropriate, given that, as yet, there does not really seem to be a legal basis for tourism?

As part of an effective European policy on tourism, is it not essential to set up a European Tourism Office in one of the countries which is a major tourist destination?

Answer given by Mr Papoutsis on behalf of the Commission

(12 June 1998)

The Commission is aware of the economic, social and cultural importance of tourism, especially because of its contribution to employment in Europe.

The Commission shares the Honourable Member's opinion concerning the urgent need for a formal Community policy on tourism, on condition that it is based on the principle of subsidiarity and does not intrude upon the responsibilities of the Member States. With a view to establishing a legal basis which ensures the continuity and

effectiveness of Community measures in this area, the Commission will continue its efforts to obtain a Council Decision on a Multiannual Programme to assist European tourism, such as the one put forward in the 1996 proposal for a Council Decision on a First Multiannual Programme to assist European tourism — Philoxenia (1997-2000) ([1]) and the subsequent amended proposal ([2]).

Given its existing responsibilities, however, the Commission does not consider the creation of a European Tourism Office appropriate.

([1]) OJ C 222, 31.7.1996.
([2]) OJ C 13, 14.1.1997.

(98/C 386/153) **WRITTEN QUESTION E-1324/98**

by Jean-Antoine Giansily (UPE) to the Commission

(29 April 1998)

Subject: Establishment of a European climate agency

Following the position adopted by the European Parliament on the Commission's strategy paper on reducing methane emissions, what is the Commission's response to the suggestion from the Environment Committee that a European climate agency should be set up and when is such an agency likely to see the light of day?

Answer given by Mrs Bjerregaard on behalf of the Commission

(19 June 1998)

The question of creating a European climate agency was raised in the Parliament's resolution on the Commission's communication 'A strategy for reducing methane' ([1]).

In reply to this specific question during the debate on the above communication, the Commission said that the idea of creating a European climate agency was an interesting idea and deserved consideration. However, before the Commission could take a position, such a step would require further careful examination since it raises a large number of practical and institutional questions concerning the role of such an agency. The Commission is not at the moment pursuing this issue as it is concentrating its efforts on following up the Kyoto conference which is a top priority.

([1]) COM(96) 557 final.

(98/C 386/154) **WRITTEN QUESTION E-1328/98**

by Graham Mather (PPE) to the Commission

(29 April 1998)

Subject: Compulsory competitive tendering: case of Oldham Metropolitan District Council (UK)

Is the Commission aware of a recent case in the UK involving a building maintenance contract awarded by Oldham Metropolitan District Council to its own Direct Services Organization without the due competitive tendering process taking place? This case was subject to the issuance of a notice under Section 14 of the 1988 Local Government Act on Compulsory Competitive Tendering in August 1995, which was subsequently overruled (early in 1998) by the incoming UK administration.

It has been contended by the Public Contractors Association in the UK that in this case there has been a breach of the Services and Works Directive. Does the Commission have any comment to make on this case?

Answer given by Mr Monti on behalf of the Commission

(2 June 1998)

The Commission is not aware of the recent case in the United Kingdom involving a building maintenance contract in Oldham, to which the Honourable Member refers. He is therefore kindly requested to forward any specific information on the matter at his disposal to the Commission so that it may take appropriate action.

(98/C 386/155) **WRITTEN QUESTION P-1332/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(24 April 1998)

Subject: Possible non-payment of 1997 premiums to sheep and goat farmers in the Prefecture of Rethimnon

During on the spot investigations it carried out in the Prefecture of Rethimnon in May 1997 a team from the Commission's Directorate-General for Agriculture noted a number of failures to comply with the regulations and procedures governing sheep and goats; this led to an exchange of letters on this matter between the relevant Commission services and the Greek Ministry of Agriculture from which it transpired that Greece might be fined. However, a heavy share of responsibility for these omissions lies indisputably with the Ministry of Agriculture services which failed to carry out the required controls and draw up the necessary reports. Faced with the threat that Greece might be fined, the Greek Ministry of Agriculture has now made it clear that it is considering not paying premiums to sheep and goat farmers in the Prefecture of Rethimnon for 1997, arguing that it is the Commission that is responsible for this harsh measure. Although it is generally recognised that substantive measures must be taken to make the system more transparent, will the Commission confirm that it is ultimately at the discretion of the Ministry of Agriculture whether or not to pay premiums to sheep and goat farmers in the Prefecture of Rethimnon for 1997 and that, if it does not finally do so, this will be a purely political decision by the Ministry of Agriculture and not a penalty it has imposed?

Answer given by Mr Fischler on behalf of the Commission

(20 May 1998)

Findings arising from the audit of May 1997, conducted in the context of the clearance of the European agriculture guidance and guarantee fund (EAGGF) accounts, are still under consideration and subject to bilateral exchanges between the Commission and the Greek authorities.

Under the clearance of accounts procedure, the Commission does not impose fines but refuses Community financing of expenditure not incurred in accordance with Community rules. Payment of premiums in the Prefecture of Rethimnon for 1997 should be decided by the Greek authorities on the basis of their control findings.

(98/C 386/156) **WRITTEN QUESTION E-1334/98**

by Glyn Ford (PSE) to the Commission

(29 April 1998)

Subject: Final report of the international MOX assessment

With reference to the findings of the final report of the international MOX assessment — 'Comprehensive social impact assessment of MOX in light water reactors', can the Commission say what action is to be taken to account for these findings?

Answer given by Mr Papoutsis on behalf of the Commission

(24 June 1998)

The Commission has taken note of the report published in November 1997 by a non-governmental organization (NGO) to which the Honourable Member appears to refer. The assessments presented in this report differ from those of the G8 experts. Whatever comments the Commission might make with regard thereto, it would remind the Honourable Member that the decision whether or not to use mixed oxide fuel (MOX) rests with each Member State which produces nuclear electricity. These Member States must therefore assess the possible consequences of their choice.

(98/C 386/157) **WRITTEN QUESTION E-1343/98**

by José Salafranca Sánchez-Neyra (PPE) to the Commission

(29 April 1998)

Subject: Helms-Burton Act

In connection with the answer received on 13 March 1998 from Mr Brittan on behalf of the Commission (E-0236/98) [1] on the negotiations between the Community and the US on a number of subjects, including the Helms-Burton Act.Can the Commission provide some more precise information and indicate on what dates and at what level the preparatory meetings for the 15 January 1998 ministerial meeting were held?

Can the Commission specify the expected timetable for the forthcoming negotiations and meeting on the matter between the Community and the US?

In view of a number of recent statements by Mr Brittan to the effect that the negotiations are 'half-way through', and that there is no deadline for a settlement, can the Commission state which are the points on which agreement has been reached and which have still to be resolved?

Despite the fact that no deadline has been set for the conclusion of the negotiations, can the Commission state how long it believes the present situation can go on?

[1] OJ C 323, 21.10.1998, p. 29.

(98/C 386/158) **WRITTEN QUESTION E-1344/98**

by José Salafranca Sánchez-Neyra (PPE) to the Commission

(29 April 1998)

Subject: Helm-Burton Act and relations with the US

In view of the recent decision of the US Administration in favour of the partial lifting of the restrictions on travel, humanitarian aid and remittances to Cuba, does the Commission believe that this decision may have ben influenced by the positions of the EU in the negotiations on the Helms-Burton Act? Was this subject discussed at the ministerial meeting of 15 January 1998?

In relation to the proposal made by Mr Brittan on the liberalization of transatlantic trade, does the Commission consider this proposal to be compatible with the extraterritorial effects of the Helms-Burton Act? Does it consider this proposal to be viable as long as there is no solution to the disputes between the Community and the US on the matter?

Joint answer to Written Questions E-1343/98 and E-1344/98 given by Sir Leon Brittan on behalf of the Commission

(12 June 1998)

Since the Honourable Member submitted his questions on the Helms-Burton Act, there have been a number of important new developments.

At the Community/United States Summit of 18 May 1998, the Community and the United States reached agreement, after more than a year of intensive negotiations under the terms of the 11 April 1997 Understanding on the Helms-Burton Act and Iran-Libya Sanctions Act (ILSA), on a package of elements that offer the real prospect for a lasting resolution of the differences over these Acts, which so negatively affect the political and economic relations.

This includes agreement on disciplines for new investments into illegally expropriated property and on principles concerning the use of secondary boycotts, containing a United States commitment to future extraterritorial legislation. As set out in the Community's unilateral statement issued in parallel, these elements need to be complemented by waivers for the Community and for Community companies under both Acts. In this respect, there is a commitment that the American administration will seek authority for an open-ended Helms-Burton Title IV waiver without delay. The Community will not implement the agreed disciplines concerning investment until this waiver authority is exercised.

In addition, with respect to Title III of the Helms-Burton Act, there is now not only a United States commitment to continue to waive the right to file law-suits until the end of the President's term, but also, for the first time, a clear undertaking by the American Administration to consult Congress about obtaining an open-ended waiver.

The United States had determined under section 9(c) of ILSA to waive the imposition of sanctions against Total and the United States has expressed its expectation that similar cases would result in like decisions for Community companies. As regards Libya, the Community achieved at the summit an American commitment to 'engage with the EU in a sustained process for consideration of waivers under section 9(c) of ILSA to companies from the EU'.

As to the World trade organisation (WTO) case, the Community has made it clear that it has reserved its right to re-establish a WTO panel against the United States in respect of the Helms-Burton Act if the above-mentioned waivers are not granted or are withdrawn or if action is taken against Community companies or individuals under the Iran-Libya Sanctions Act or if, by the time of the expiry of the President's term of office, no waiver without specific time limit in respect of Title III has been granted.

(98/C 386/159) **WRITTEN QUESTION E-1347/98**

by Yves Verwaerde (PPE) to the Commission

(29 April 1998)

Subject: Measures to control mad cow disease

A cattle dealer in Alveringem (Belgium) is being prosecuted by the Veurne public prosecutor for changing the dates of birth, in collusion with a printer, of 300 cattle before selling them to a firm in the Netherlands. The fraudulent act was intended to circumvent the ban on putting cattle born before 1991 into circulation in the European Union, as part of the fight against BSE.

Does the Commission now have the necessary means in the fifteen Member States, as it stated to the European Parliament that it would have, to put an end to such practices? What are these means?

Answer given by Mrs Bonino on behalf of the Commission

(8 June 1998)

Member States are responsible for ensuring that Community legislation is properly applied in their own territories. The Commission, through the Food and veterinary office (FVO), monitors the manner in which Member States undertake this responsibility. For this purpose, the FVO carries out control and inspection missions to all Member States and a large number of third countries.

The staffing situation of the FVO has not been sufficient in the past. As indicated in the Commission communication to the Parliament and the Council on food, veterinary and plant health control and inspections ([1]), ([2]) as being necessary for its control services to meet their commitments.

The systems of bovine identification in Member States are subject to inspections by the FVO. The approach followed by the FVO during these inspections is to audit the controls performed by Member States. The FVO is thereby contributing to the target of controlling fraudulent bovine identification practices.

Community legislation for bovine identification has been strengthened recently by Council Regulation (EC) 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ([3]). Detailed rules have been laid down by the Commission in particular with regard to eartags, registration of holdings, passports (Regulation (EC) 2629/97 ([4])) minimal levels of controls (Regulation (EC) 2630/974) and administrative sanctions (Regulation (EC) 494/98 ([5])). These legal instruments will lead to improved systems of bovine identification in Member States. The systems will be more resistant to fraudulent attempts to change the identification of bovines.

([1]) COM(98) 32 final.
([2]) SEC(97) 482.
([3]) OJ L 117, 7. 5.1997.
([4]) OJ L 354, 30.12.1997.
([5]) OJ L 60, 28.2.1998.

(98/C 386/160) **WRITTEN QUESTION P-1350/98**

by Ernesto Caccavale (UPE) to the Commission

(27 April 1998)

Subject: Discrimination in open competitions COM/A/8/98 and COM/A/11/98

The notice of open competition for administrators (A6/A7) and assistant administrators (A8) at the European Commission was published in the Official Journal of the European Communities of 31 March 1998. The first of the two competitions, at the higher level, is for those who not only have a university degree, but have also had experience in the relevant field, whilst the second only requires a degree. However, there is a further requirement for access to the competition, namely that the degree must have been obtained after 4 May 1995. The previous notice of competition was published in 1993.

This means that, paradoxically, a person who is looking for his or her first job or is unemployed but who graduated before 4 May 1995 cannot apply to work as an A8 or as an A6/A7 at the Commission. Furthermore, anyone who graduated after 1993 would have been unable to take part in the previous competition.

Can the Commission:

1. say what steps it intends to take to put an end to this obvious discrimination;

2. if not, state fully and clearly the reasons why unemployed young people who graduated after 1993 and before 4 May 1995 cannot benefit from the equality of opportunities so widely publicized by the Commission in information campaigns paid for by the citizens of Europe;

3. finally, say who will bear all the administrative and legal costs of the vast numbers of appeals which will very probably be lodged against the provisions which exclude applications from graduates who at present do not qualify to be admitted to the competition?

Answer given by Mr Liikanen on behalf of the Commission

(19 May 1998)

On 31 March 1998 the Commission published notices of open competitions for economics/statistics, external relations/management of aid to non-member countries and law/European public administration. For the economics/statistics and law/European public administration fields, the competitions are being organised at A8 and A7/A6 levels; for external relations/management of aid to non-member countries, they are being organised solely at A7/A6 level.

These competitions have been designed to attract potential candidates of the highest calibre in terms of both university qualifications and relevant professional experience. Candidates for the A7/A6 competitions are required to have at least three years' experience after graduating, at least two of them relevant to the chosen field. Candidates for the A8 competitions, where no experience is required, must have obtained the degree giving access to the competition after 4 May 1995; this is to ensure that recent graduates apply, for they can share with the Commission the benefit of the latest developments in the subjects they have studied. The Commission uses these competitions to secure a balance between recruits with proven experience and those just out of university.

It is true that there may be people who did not have the required experience or obtained their degree before the cut-off date. But it should be borne in mind that the notices of competition provide for work placements and periods of specialist or further training, as well as additional periods of training, studies or research preparing for the duties to be performed, as specified in the notice, to count as experience. This is to enable candidates to apply who have no actual experience but have pursued further studies or vocational training, especially in the fields covered by the competition.

The Commission recruits to meet its staffing needs, and not on an annual basis; when competitions are organised, they may not necessarily be accessible to everyone who has graduated since the previous competition. It is also worth remembering that competitions like the ones in question attract a vast number of candidates: there were 55 000 applications last time round.

To conclude, the Commission considers that the notices of competition to which the Honourable Member refers are such as to attract candidates with the profiles best suited to its requirements and that all eligible candidates can count on equal treatment.

(98/C 386/161)

WRITTEN QUESTION E-1373/98

by Nikitas Kaklamanis (UPE) to the Commission

(7 May 1998)

Subject: Insurance cover for citizens working in one Member State and performing military service in another Member State

The European Court of Justice recently ruled that military service was a basic duty of citizens vis-à-vis the state, but that it also created obligations for the state. The judgment handed down by the European Court of Justice rules that the state must compensate for any adverse consequences arising during military service and is bound by Community legislation to oblige employers to provide insurance cover for workers called up to perform military service, providing the labour contract has not been terminated before military call-up.

The question that arises here is whether this benefit may also be granted to persons working in a Member State other than their Member State of origin who are obliged to perform military service in the country of which they are nationals.

Will the Commission say whether such workers may claim insurance cover from the country in which they are working for the duration of military service performed in their Member State of origin and, if so, under which conditions?

Answer given by Mr Flynn on behalf of the Commission

(8 June 1998)

Under Community Law, Community nationals are subject to the same conditions under the social security schemes of the Member State in which they are employed as the nationals of that State (Council Regulation (EC) 118/97 of 2 December 1996 amending and updating Regulation (EEC) 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) 574/72 laying down the procedure for implementing Regulation (EEC) 1408/71) ([1]).

With regard to military service in particular, the Court of Justice has developed case law which gives precise answers to the questions asked by the Honourable Member. According to this case law, if and to the extent that military service is recognised as a period of insurance by the legislation of the State in which it is performed, the other Member States must recognise it as such for the purpose of calculating the benefit due, even if those periods did not have to be taken into account under its own legislation (cf. Judgment of 15 December 1993, Fabrizii et al, C-113/92, C-114/92 and C-56/92, ECR I-6707). Conversely, if they recognise it as such for their nationals, military service performed in another Member State must be recognised under the same conditions (cf. Judgment of 25 June 1997, Romero, C-131/96, ECR I-3659).

Similarly, a 'social advantage' within the meaning of Council Regulation (EEC) 1612/68 of 15 October 1968 on freedom of movement for workers within the Community ([2]), which is accorded to nationals (length of military service taken into account when determining the length of service with the company), must also be granted to migrant workers who have performed their military service in their country of origin (Judgment of 15 October 1969, Ugliola, ECR 363).

Case law, however, is restrictive with regard to supplementary social protection. According to the Judgment of 14 March 1996 (De Vos, C-315/94, ECR I-1417), 'a worker who is a national of one Member State and is employed in the territory of another Member State is not entitled to have payment of contributions (employer's and employee's contributions) to the supplementary old-age and survivors' pension scheme for workers in the public service continued, at the same level as would have been payable if the employment relationship had not been suspended because of his call-up for military service, where nationals of that State employed in the public service are so entitled when performing military service in that State'. (For a detailed overview of the case law in this field, cf. Advocate General Cosmas' detailed analysis in Case C-248/96, Grahame, ECR 1997, I-6407).

([1]) OJ L 28, 30.1.1997.
([2]) OJ L 257, 19.10.1968.

(98/C 386/162) **WRITTEN QUESTION E-1374/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(7 May 1998)

Subject: Integrated control system for EAGGF aid

It is reported that the implementation of the integrated control system for EAGGF aid (Council Regulation (EEC) 3508/92) ([1]) in Greece has run into difficulties, resulting in delays in the payment of aid to eligible producers. Will the Commission say:

1. What specific problems are affecting the management of the integrated control system for aid in Greece?
2. What funding has Greece received so far for developing and implementing the integrated control system for aid?
3. Will this system be part of the new payments and control agency for Community guidance and guarantee aid which the Greek Government is currently setting up to replace the existing payments agency (Gedidagep)?
4. Do producers run any risk of losing Community aid, due to problems in the management of the integrated control system for aid?

([1]) OJ L 355, 5.12.1992, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(10 June 1998)

In the Commission's view the problems encountered in Greece at the time of the adoption of the integrated administration and control system should not cause any delays in the payment of aid to farmers.

Regarding the precise questions raised by the Honourable Member, the following should be pointed out:

1. First of all, there have been long delays in setting up the land registry. This land registry, which aims to establish an alphanumeric system of identification of agricultural plots, should have been operational by 1 January 1997 at the latest. Secondly, there have been failures at the level of certain administration and control procedures, involving a risk of expenditure not in conformity with Community legislation.
2. For the years 1993 to 1996, Greece benefited from financial aid of ECU 2.5 million.
3. To date, the Commission has received no official notification of the abolition of the body mentioned and the transfer of its responsibilities to other national authorities.
4. The problems noted should not involve a loss of aid to producers.

(98/C 386/163) **WRITTEN QUESTION E-1387/98**

by Jonas Sjöstedt (GUE/NGL) and Mihail Papayannakis (GUE/NGL) to the Commission

(7 May 1998)

Subject: Peat mines in the Polesia region in Belarus

Is the Commission aware of the importance of the peat mines in the Polesia region in Belarus as a carbon sink and as an area of outstanding importance for biodiversity?

What can the Commission do to help conserve this area as part of its strategies on climate change and biodiversity conservation? Is there an EU fund available for such support?

Has the Commission been approached by the Belarus authorities for such help or, conversely, for support to carry out destructive activities such as river management and drainage, and with what result?

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

(5 June 1998)

The Commission is aware of the existence of peat mines in the Polesia region of Belarus and their impact on the environment.

At this stage, given current bilateral relations with Belarus, the Commission is not envisaging specific action in relation to such peat mines.

(98/C 386/164) **WRITTEN QUESTION E-1388/98**

by Richard Howitt (PSE) to the Commission

(7 May 1998)

Subject: European race relations proposal on the basis of the Amsterdam Treaty

Following the Commission's welcome proposals for European-wide action on race relations on the basis of the unratified Amsterdam Treaty, when does it intend to come forward with a similar proposal on discrimination against disabled people?

Does the Commission accept that there should be no hierarchy of discrimination and that, therefore, other proposals should be brought forward to combat discrimination against groups referred to in the Amsterdam Treaty?

(98/C 386/165) **WRITTEN QUESTION E-1389/98**

by Richard Howitt (PSE) to the Commission

(7 May 1998)

Subject: Evaluation of Helios II: Preparations for a new disability programme

When does the Commission expect to consult the European Parliament on the evaluation of the Helios II programme for people with disabilities?

Given the fact that, in 1997, the Commission said it would delay any proposal for a new disability programme pending completion of this evaluation, in what timescale does the Commission now intend to make the proposal?

Given the European Parliament's support for such a programme and the restriction of the European Social Fund and equal Community Initiative to employment initiatives, can the Commission confirm its support for a new programme which promotes equal opportunities for disabled people in relation to all discrimination?

Joint answer to Written Questions E-1388/98 and E-1389/98 given by Mr Flynn on behalf fof the Commission

(22 June 1998)

The Commission is continuing to examine possible options concerning the future strategy in favour of people with disabilities. This examination coincides with the new proposals for the structural funds ([1]), the plans for a new Community initiative and the implementation of Agenda 2000 ([2]).

The evaluation of the third Community action programme to assist disabled people (Helios II) was the subject of a recent Commission report ([3]).

The issues arising under the new Article 13 of the Treaty of Amsterdam on combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation are being examined by the Commission with equal regard to all those facing discrimination.

The Commission remains firmly committed to the promotion of equal opportunity for disabled people.

([1]) COM(98) 131 final.
([2]) COM(97) 2000 final.
([3]) COM(98) 15 final.

(98/C 386/166) **WRITTEN QUESTION E-1392/98**

by Richard Howitt (PSE) to the Commission

(7 May 1998)

Subject: Disability actions (pilot project)

Could the Commission confirm its intended timetable for implementation of this budget line for 1998, including the issuing of guidelines, deadline for receipt of applications, likely date for issuing decisions and for first payments to be made?

How does the timetable compare with 1997 for the same actions?

Can the Commission confirm that it intends to maintain a further year of pilot disability actions in 1999? If not, why not?

Answer given by Mr Flynn on behalf of the Commission

(5 June 1998)

The Commission wishes to draw the Honourable Member's attention to the fact that two calls for proposals 'support for exchange and information actions on equal opportunities for disabled people' and 'support for non-governmental representative European coordination organisations for disabled people' ([1]) have been published in the Official Journal.

To sum up, applications for the first call must be sent by 12 June 1998 at the latest. The final selection of applications is fixed for 24 July 1998. Only actions initiated on 1 October 1998 at the earliest and by 31 December 1998 at the latest are eligible for Community cofinancing. As for the second call, requests covering the annual operating budget of a non-governmental organisation (NGO) from 1 April 1998 must be submitted by 29 May 1998 at the latest. The Commission will take its final decision on 26 June 1998. These dates roughly correspond to the dates decided for the 1997 calls for proposals.

The first payments will not be made until after the contracts have been signed.

In the preliminary draft budget for 1999, the Commission proposed the entry of appropriations for support to representative European coordination NGOs for disabled people and innovative measures to raise public awareness of the rights of disabled people.

([1]) OJ C 103, 4.4.1998.

(98/C 386/167) **WRITTEN QUESTION E-1394/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(7 May 1998)

Subject: Rapes by the Turkish army in Kurdish areas

According to reports by various human rights organizations, gang rapes are a central element in the Turkish troops' tactics for hounding the country's Kurdish minority.

What will the Commission do to bring pressure to bear on the Turkish Government to give an exhaustive account of its troops' operations against the Kurds, in order to verify the claims concerning these appalling crimes?

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

(11 June 1998)

The Commission has received information from the Turkish Foundation for Human Rights and the Turkish Human Rights Association concerning several complaints involving rapes committed in the south-east of Turkey. According to the Turkish Foundation for Human Rights, two women have won their case at the European Court of Human Rights.

In its report on Developments in relations with Turkey since the entry into force of the Customs Union, [1] adopted on 4 March 1998, the Commission noted a lack of progress in Turkey in respect of human rights and moves towards greater democracy. In the same report, the Commission refers also to the situation in south-east Turkey, stressing the necessity of observance of the rule of law in that region, as well as the importance of reaching a civil, non-military solution to the problem.

In the more general context of relations between the Community and Turkey, the European Council, at its meeting in Luxembourg in December 1997, emphasised that a strengthening of links between the Community and Turkey would depend also on furtherance of the political reforms already begun in the country, particularly in the alignment of human rights standards and practices on those in force in the Community, and also on the question of respect for and protection of minorities.

The Commission will continue to make known to the appropriate Turkish authorities its concerns over these matters.

[1] COM(98) 147 final.

(98/C 386/168) **WRITTEN QUESTION E-1404/98**

by Cristiana Muscardini (NI) to the Commission

(11 May 1998)

Subject: Bureaux de change

With the introduction of the single currency the estimated volume of foreign exchange transactions should fall, reflecting the disappearance from the market of the currencies absorbed by the Euro. Bureaux de change authorized to carry on their business by national central banks will therefore be forced to reduce the scale of their business and many of them will cease trading altogether.

In the same way that provisions were made for customs officers when the single market was introduced:

1. Has the Commission planned measures aimed at dealing with the phenomenon?
2. Does the Commission not consider it advisable to envisage an incentive in the form of compensation for people who, because of this situation, would be willing to take early retirement?

3. Could the Commission not prevail upon the Member States to ensure that any 'authorizations' that are no longer used because the operator has ceased trading are not put back on the market but made available to operators still trading, thereby giving them the right of pre-emption?

4. Does the Commission not consider it appropriate to use the Social Fund for projects aimed at retraining staff employed in this particular sector, whose trade association, the Associazione Italiana Cambiavalute (AIC) [Italian Association of Bureaux de Change], could perhaps collaborate on developing such a project?

Answer given by Mr de Silguy on behalf of the Commission

(22 June 1998)

1. The Commission presented a green paper on the practical aspects of the introduction of the single currency in May 1995. This document together with a number of subsequent recommendations, sets out the Commission's proposals for the organisation of the transition to the euro. In particular, it has been clear since at least December 1995 that euro-denominated bank notes and coins will be introduced at the start of 2002.

All the Commission's preparatory work has been based on the principle that the necessary changes should be the responsibility of the individual sector concerned. While the introduction of the single currency will bring substantial overall benefits for the European economy, the transition will clearly involve bigger changes in some sectors than others.

2. The Commission is fully aware that bureaux de change will face greater challenges than many other businesses in adapting to the introduction of the euro. However, there is at present no legal or regulatory basis for the Commission to propose specific action to assist this sector. The measures taken in 1992 in favour of customs officials were based on a specific Council decision.

3. Member States have sole responsibility for authorization of bureaux de change.

4. The Commission believes that projects for retraining staff in bureaux de change could be eligible for support from the European social fund. However, the selection of projects which benefit from aid from the fund is a matter for national authorities in Member States.

(98/C 386/169) **WRITTEN QUESTION E-1414/98**

by Joan Colom i Naval (PSE) to the Commission

(11 May 1998)

Subject: Languages used in providing information on the euro on the Internet

On accessing the Spanish version of the Commission's web page on the euro and consulting the topics 'Citizens and Consumers' and 'Enterprises and Finance', one finds that with the exception of a description of the information campaign, its aims and its internal organization, practically all of the information therein is available only in English, French or German, and in one instance in Dutch.

Does the Commission not consider it a matter of urgency that the information on the euro, and above all the information under the said topics, should at least be available in the languages of the EU? If it does, what timetable has it set to achieve that end?

Answer given by Mr Oreja on behalf of the Commission

(15 July 1998)

All the reference texts shown are available in the eleven languages.

The most technical and specialised texts are always available in English, are usually available in French and German, and are available where resources allow in the other languages. This is the case for the for the Euro Papers series. The list of Euro Papers available and the languages covered is being sent direct to the Honourable Member and to the Parliament's Secretariat.

Obviously, the best way of reaching an audience is, firstly, to use its language and, secondly, to use style and vocabulary which are as widely accessible as possible. The Commission is mindful of this objective, but the complexity and number of texts makes it difficult to completely fulfil this legitimate expectation, given the human and financial resources available.

The Commission will try to better target those documents which should be translated into all languages, particularly those to which the Honourable Member refers.

(98/C 386/170) **WRITTEN QUESTION E-1419/98**

by Cristiana Muscardini (NI) to the Commission

(11 May 1998)

Subject: Inspections and checks relating to Directives 93/43/EEC and 96/3/EEC

The Italian legislative provisions laid down in DL155 of 26.5.1997, implementing Directives 93/43/EEC ([1]) and 96/3/EEC ([2]), require companies, particularly farms and farm-based tourism companies, to comply with onerous regulations. These measures relating to the hygiene of foodstuffs and to the 'healthiness' of agricultural products for human consumption, together with provisions on safety at work and environmental protection, form a sizeable and onerous set of regulations for companies. Producers in many regions have been inundated with inspections carried out by the excessively large number of monitoring organizations, whose responsibilities overlap owing to a lack of coordination (NAS and NOE (police units responsible for combating food contamination and pollution), USL (local health units), municipal police, customs/tax evasion officers, provincial police, regional inspectors, etc.). These inspections are often oppressively frequent and repetitive, with inspectors from the various investigating authorities who visit the same companies sometimes differing in their conclusions, judgments or viewpoints on the same subject. Nevertheless, the checks usually end in fines, financial penalties or even criminal charges for 'crimes' (or alleged crimes), which are totally inappropriate, given the requirements and peculiarities of production conditions and of the social context in question.

1. Does the Commission not think that a system of prevention based on providing information could help avoid the detrimental effects described?

2. Does the Commission not think that these checks are very damaging, since in addition to the considerable expenditure firms have to sustain to comply with legislation, the delicate financial health of small companies is harmed, although they typically have limited resources and have to fight for their economic survival?

3. Does the Commission not think that training programmes aimed at raising cultural awareness, in order to remedy the lack of training among the staff of inspecting organizations, could avoid damage to the production system?

([1]) OJ L 175, 19.7.93, p. 1.
([2]) OJ L 21, 27.1.96, p. 42.

Answer given by Mrs Bonino on behalf of the Commission

(12 June 1998)

In May 1995 the Commission transmitted to the competent authorities its report on the evaluation of the systems for the official control of food in Italy pursuant to Directive 93/99/EEC on the subject of additional measures concerning the official control of foodstuffs ([1]). On this occasion the Commission said it would welcome greater coordination between the various departments responsible for control and inspection. However, it should be noted that the organisation of control services is a matter for the Member States. At any rate the Commission considers that when infringements are ascertained, measures must be taken to protect consumers and, more generally, to ensure compliance with the legislation.

([1]) OJ L 290, 24.11.1993.

(98/C 386/171)

WRITTEN QUESTION E-1425/98

by Karin Jöns (PSE) to the Commission

(11 May 1998)

Subject: Proposals on certain employment relationships

In Official Journal C 40 of 7 February 1998 the Commission announced that it was withdrawing the proposal for a European Parliament and Council Directive on certain employment relationships with regard to distortions of competition, although not all the elements contained in the proposal were to be covered by Community rules.

1. Will the Commission state the reasons that led it to withdraw the above proposal?

2. What steps does the Commission intend to take to make those elements of the proposal which remain unregulated subject to rules?

3. Does the Commission share the view that, particularly with regard to social protection, Community rules on part-time work, fixed-term employment and temporary work should be sought as a matter of urgency, so as to ensure non-discrimination vis-à-vis permanent full-time employment?

Answer given by Mr Flynn on behalf of the Commission

(6 July 1998)

1. The proposal concerning distortions of competition was on the table of the Council for more than seven years. It was clear from the discussion at Council level that this proposal had no chance of ever being adopted by the Council.

2. There is still on the table of the Council a proposal for a directive on certain employment relationships with regard to working conditions based on Article 100 of the EC Treaty ([1]). Social partners have embarked on negotiations on fixed-term contracts as a follow-up of their agreement on part-time.

3. The Commission will await the outcome of the debate on non-standard employment contracts before considering any further action.

([1]) OJ C 224, 8.9.1990.

(98/C 386/172) **WRITTEN QUESTION E-1430/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Commission say what percentage of the funds earmarked for cooperation has been allocated by DG VIII to the development of the fisheries sector in third countries over the past five years?

(98/C 386/173) **WRITTEN QUESTION E-1431/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Commission say what percentage of the funds earmarked for cooperation has been allocated by DG VIII to the development of the fisheries sector in West African countries over the past five years?

(98/C 386/174) **WRITTEN QUESTION E-1432/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Of the total number of projects financed from the funds earmarked for cooperation allocated by DG VIII to West African countries, will the Commission say what percentage of the said funds has been assigned to projects to develop the fisheries sector?

(98/C 386/175) **WRITTEN QUESTION E-1433/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Comission indicate the nature and cost of the fisheries cooperation projects implemented or financed by DG VIII over the past five years in the following countries: South Africa, Namibia, Gabon, Senegal, Equatorial Guinea, Guinea-Bissau, Côte d'Ivoire, Gambia, Sierra Leone, Mauritania, Angola, Ghana and Cameroon?

(98/C 386/176) **WRITTEN QUESTION E-1434/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Commission say which have been the 15 projects to develop the fisheries sector, implemented in West African countries, to which DG VIII has allocated the most resources, and indicate the sum involved in each instance?

(98/C 386/177) **WRITTEN QUESTION E-1435/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Commission say whether the development of the fisheries sector has been considered a priority matter in any West African countries, and if so, specify the countries, projects and financial sums involved?

(98/C 386/178) **WRITTEN QUESTION E-1436/98**

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

(11 May 1998)

Subject: European cooperation in developing the fisheries sector in third countries

Will the Commission indicate what cooperation projects (including the countries and sums involved) have been drawn up and implemented by DG VIII in West Africa concerning:

1. the development of small-scale fishing;
2. resource assessment;
3. the financing of research campaigns;
4. the fight against illegal fishing; and
5. the training of fishermen?

Joint answer
to Written Questions E-1430/98, E-1431/98, E-1432/98, E-1433/98, E-1434/98, E-1435/98 and E-1436/98
given by Mr Pinheiro on behalf of the Commission

(24 June 1998)

The Commission would point out to the Honourable Member that the concept of cooperation, notably with regard to support for fisheries, has undergone considerable change; the State is no longer seen as the driving force behind development, but rather as providing a regulatory framework and basic conditions enabling other actors such the private sector and members of civil society to play their roles to the full.

Recognising that different economic sectors and commercial trends are interlinked, the African, Caribbean and Pacific (ACP) countries and the Community authorities recently began to look closely at developing their analytical resources and fostering a partnership between European and ACP institutions and interested parties. This is reflected for example in the resolutions of the ACP-EC joint assembly on the future of fisheries cooperation and the resulting fisheries research initiative launched jointly by the ACP countries and the Community.

In an effort to ensure that projects are compatible, they are focused on specific priorities, drawing on various cooperation instruments however they are administered; complementarity is ensured by promoting public-private partnerships.

While the impact of this approach may not be evident from the 'turnover' figures for cooperation alone, the new thinking is reflected in the issues addressed in recent years. However, to give some idea of the amounts allocated to fisheries projects under the European Development Fund (EDF), the figures are as follows:

— ECU 185 million for completed EDF projects;

— ECU 127 million for projects in hand, and

— ECU 39 million for those projects currently in preparation for which spending forecasts already exist.

The Commission is sending the Honourable Member and Parliament's General Secretariat a list of all fisheries cooperation projects financed in West Africa, broken down by country, and a list of economic indicators, including data on the fisheries sector, for all ACP countries.

(98/C 386/179) **WRITTEN QUESTION E-1441/98**

by José García-Margallo y Marfil (PPE) to the Commission

(11 May 1998)

Subject: Euro 1999

The Commission Report on progress towards convergence and recommendation with a view to the transition to the third stage of economic and monetary union (COM(98) 1999 final, 25.3.1998, p. 78) points out that:

'In the course of the second stage of EMU, all Member States, with the exception of Greece, have succeeded in achieving and/or maintaining low and convergent inflation rates. While cyclical factors such as the prolonged period of sluggish economic activity certainly contributed to easing price and cost pressures, a number of structural changes played a key role in the impressive performance on the inflation front.'

Will the Commission say what other cyclical factors were involved?

Answer given by Mr de Silguy on behalf of the Commission

(3 July 1998)

The quotation by the Hounorable Member from the convergence report is extracted from the section on the sustainability of price performance in the Community (section 3.5). In this section, the Commission stressed that the achievement of a high degree of price stability and the sustainability of the price performance were primarily due to structural factors.

The convergence report also indicated that some cyclical factors had played a role in the disinflation process in the Community during stage II of economic and monetary union (EMU). The report mentioned 'sluggish economic activity', which exerted a downward pressure on price inflation through different channels. First, the weakness of demand exacerbated competition between suppliers. Secondly the rise and the high level of unemployment resulting from the low level of activity curbed wage growth, which is one of the key factors shaping price inflation.

Two other cyclical factors may be mentioned. First, the increase in international commodity prices was very moderate during most of stage II of EMU. Secondly, the dollar was rather weak during the same period. These two factors contributed to the subdued growth of import prices in most Member States.

(98/C 386/180) **WRITTEN QUESTION E-1447/98**

by José Barros Moura (PSE) to the Commission

(11 May 1998)

Subject: Community funding of hydraulic projects in Spain

In reply to my Question E-0457/98 ([1]), Mrs Wulf-Mathies stated that:

1. As far as the European Regional Development Fund (ERDF) is concerned, there is no project in Spain which in terms of its size and nature is equivalent or comparable to the Alqueva project. Similarly, no project of this scale and type has been financed under the Cohesion Fund.

2. The conditions which were applied to the co-financing of the Alqueva project derived from its exceptional scale (more than ECU 300 million of Community funds) which raised special problems in terms of environmental protection, water supplies, economic development and coordination of monitoring measures.'

However, it is important to look at the actual facts and figures. In the case of the Alqueva project, the ERDF will contribute, in 1997 prices, only ECU 96.6 million. The remainder of the funds will be covered by the Cohesion Fund, the ESF and the EAGGF Guidance Section. To compare with corresponding values in Spain, where funding is also provided by the Cohesion Fund for hydrographic basins, we need to refer to the ERDF. The Regional Development Fund is to provide funding for the Spanish hydrological plan over the same period (Community Support Framework) amounting to ESC 260 billion, i.e. thirteen times more than the amount available to the Alqueva project.

As the Commission must be aware, the fact that a programme or project (such as the Spanish hydrological plan which, according to all the evidence, includes a large number of dams and 'transfusion points' funded by the ERDF and situated in international rivers, such as the Guadiana) is divided up does not mean that it should not be treated as a global entity, especially if one takes account of the single nature of the contributions to the same project.

How can the Commission therefore assert that no Spanish project of the same scale as the Alqueva project has been funded? And how can it be impartial when it maintains that only the Alqueva project required special monitoring conditions to be laid down for co-funding?

(1) OJ C 354, 19.11.1998.

(98/C 386/181) **WRITTEN QUESTION P-1452/98**

by José Barros Moura (PSE) to the Commission

(7 May 1998)

Subject: Community funding of hydraulic projects in Spain

1. Can the Commission supply a comparative table concerning ERDF spending up to the end of 1997 under the CSF for Spain on measure 6.1 (hydrological plan) as contrasted with expenditure on major hydraulic projects in Portugal?

2. Can the Commission also draw up a comparative table of the conditions attached by the ERDF to these payments in the case of each of the two Member States?

Joint answer to Written Questions E-1447/98 and P-1452/98 given by Mrs Wulf-Mathies on behalf of the Commission

(20 May 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/182) **WRITTEN QUESTION E-1448/98**

by José Barros Moura (PSE) to the Commission

(11 May 1998)

Subject: 1998 consumer protection projects

Following the doubts expressed in Portugal by reliable consumer protection organizations regarding the criteria for the approval of projects to be carried out in Portugal with Community funding in 1998 in accordance with the notice in OJ C 277, 12.9.1997, will the Commission provide the following information:

1. How many projects to be carried out in Portugal have been approved by the Commission for 1998, and what are they?
2. What are the Portuguese organizations whose projects have been approved?
3. What were the main criteria used for approval of projects?
4. How have the budgetary resources available for such projects been shared out among the various Member States of the European Union?

(98/C 386/183) **WRITTEN QUESTION E-1463/98**

by Quinídio Correia (PSE) to the Commission

(13 May 1998)

Subject: Projects submitted by the UGC [= General Union of Consumers] to the Commission

In view of its refusal to provide financial support for the consumer policy projects submitted for 1998 by Portugal's General Union of Consumers, will the Commission say:

1. What the decisive criteria used for the approval of projects were?
2. How the budget resources available were allocated amongst the various EU Member States?
3. How many (and which specific) projects for implementation in Portugal were adopted by the Commission for 1998?

(98/C 386/184) **WRITTEN QUESTION P-1466/98**

by Helena Torres Marques (PSE) to the Commission

(7 May 1998)

Subject: Portuguese consumer policy projects

In response to the invitation published in the Official Journal on 12 September 1997 (issue C 277), the Portuguese General Union of Consumers (UGC) submitted three consumer policy projects to the Commission. Although they matched the priorities laid down by the Commission for 1998, the projects were rejected.

To provide a clearer explanation to the UGC for the refusal of funding, could the Commission answer the following questions:

1. How many consumer policy projects to be carried out in Portugal in 1998 were approved by the Commission? What is the nature of those projects?
2. Which Portuguese bodies sponsored the projects selected?
3. On what key criteria was project selection based?
4. How are the available budget funds shared out among the different Member States?

Joint answer to Written Questions E-1448/98, E-1463/98 and P-1466/98 given by Mrs Bonino on behalf of the Commission

(19 June 1998)

1. and 2. The Commission has received 378 applications for funding in response to the call for submission of projects published in the Official Journal [1]. Sixty projects have been selected to receive financial support, three of which are from Portugal, namely Edideco-Editores para defesa do Consumidor, Lda (joint project aimed at doing away with three types of unfair clause in travel contracts — ECU 35 610 of funding), Associacão de arbitragem de conflitos de consumo do distrito de Coimbra (simplification of methods for settling consumer

disputes — ECU 26 788 of funding) and Deco-Associacão portugues para a defesa do consumidor (drawing-up of specimen contracts — ECU 17 077 of funding). In addition, a project concerning the work of the Instituto do Consumidor, the body responsible for settling disputes, in the field of car distribution services and involving funding of ECU 116 960 has been placed on a reserve list, and a decision will be taken next June according to the availability of funds from the budget.

3. The criteria referred to in the call for submission of projects published in the Official Journal were applied during the selection process (priority themes in the context of consumer policy and the protection of consumers' health; Community-orientation; costs versus benefits; magnitude of the multiplier effect at Community level; the ability to ensure effective cooperation between the various partners involved in the projects; the means employed to develop lasting transnational cooperation, notably via the pooling and joint exploitation of experience in raising the awareness of consumers and economic operators; the means employed to ensure the widest possible dissemination of the results of the actions and projects carried out).

4. The total amounts allocated, broken down by Member State, are as follows:

(ECU)

Belgium	602 408
Germany	524 204
Greece	65 534
Spain	595 694
France	245 985
Ireland	140 941
Italy	773 199
Netherlands	89 582
Austria	435 254
Portugal	79 475
Finland	229 346
Sweden	196 295
United Kingdom	1 178 564

These figures should be treated with care. The projects often relate to consumers in more than one Member State, as provided for in the selection criteria (see point 3). Furthermore, the geographical location of a consumer organisation does not necessarily imply that consumers in that Member State will benefit from a particular project. For example, four of the nine projects relating to organisations in the United Kingdom involve Consumers International or International Testing, and the aims of these projects are not restricted to consumers in the UK.

In addition to financial aid, consumer organisations in the Member States also benefit from other Commission measures financed from the consumer-policy budget.

(1) OJ C 277, 12.9.1997.

(98/C 386/185)

WRITTEN QUESTION P-1450/98

by Eva Kjer Hansen (ELDR) to the Commission

(7 May 1998)

Subject: Commission implementation of the Council's decision concerning financial support to the applicant countries of Eastern Europe

Will the Commission explain how the decision taken by the Luxembourg European Council, i.e. that 'financial support to the countries involved in the enlargement process will be based on the principle of equal treatment, independently of time of accession, with particular attention being paid to countries with the greatest need', has been implemented in the Agenda 2000 document of 18 March 1998?

Will it in particular clarify how such financial support helps to reduce the social and economic disparities between Estonia on the one hand and Latvia and Lithuania on the other?

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

(29 May 1998)

In order to finance the reinforced pre-accession strategy, the Commission proposed in Agenda 2000 ([1]) a package of 21 000 MECU for the period 2000-2006. In these 7 years the annual amount of 3 000 MECU will comprise: 1 500 MECU for Phare, 500 MECU for special aid for agriculture and 1 000 MECU for structural aid. This means more than doubling the present Community contribution to the pre-accession strategy.

The package is intended to benefit all candidates according to their needs. As soon as one of them accedes to membership and becomes eligible for Community funds for Member States, it is no longer eligible for pre-accession aid. The 3 000 MECU will be divided up among those remaining outside, who will all receive more. This will allow the Community to concentrate increasing financial means on the less advanced countries along the inclusive process of enlargement.

Furthermore a special 100 MECU 'catch-up facility' is being set up for candidates that have not yet started negotiations. Its objectives are to help complete the restructuring of the banking sector and large state owned enterprises (including related social and environmental measures) to promote foreign direct investment and to help the fight against corruption.

The Honourable Member refers to 'economic and social disparities between Estonia on the one hand and Lithuania and Latvia'. Any such disparities will of course benefit from all the measures mentioned above and in particular the 'catch-up facility'.

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

(98/C 386/186)

WRITTEN QUESTION P-1453/98

by Olivier Dupuis (ARE) to the Commission

(7 May 1998)

Subject: Communication

In view of the forthcoming enlargements of the EU, communication within the institutions, between the institutions and citizens and between citizens and the Union is one of the most urgent and crucial issues now facing the institutions. Given the imminent prospect of a system with 16 official languages and 240 possible language combinations, would the Commission not agree that the time has come to start looking for new solutions? Such solutions include the introduction of a 'bridge language' in the interpreting and translation systems together with a legal reference language, and the introduction of a neutral language, such as Esperanto, in national education systems, which would enable the Union's cultural and linguistic diversity to be preserved while facilitating the subsequent learning of the languages spoken within the EU.

More specifically, what action has the Commission already taken or does it intend to take to tackle the organizational and financial problems to which the increase in the number of official languages will give rise?

Answer given by Mr Santer on behalf of the Commission

(5 June 1998)

Article 217 of the EC Treaty provides that the rules governing the languages of the institutions of the Community are determined by the Council, acting unanimously. The Commission would recall that the Council, in its conclusions of 12 June 1995 and the conclusions of the Presidency of 26 and 27 June 1995, emphasised the

importance of linguistic diversity and multilingualism in the Community by treating each of the languages of the Union on an equal footing. Moreover, Article 126 of the EC Treaty provides that Community action will be aimed at developing the teaching and dissemination of the languages of the Member States.

The Commission began reorganising the Joint Interpreting and Conference Service in the second half of 1996. Through rationalisation and modernisation, interpretation costs were brought under control. The total operational cost of the Joint Interpreting and Conference Service has been stabilised and the average cost of the services of an interpreter has been reduced. The new invoicing method for the services of interpreters has shown the savings potential of efficient and rigorous planning of meetings and language services.

The Commission is accordingly convinced of the feasibility of an enlarged interpretation service at a moderate cost by:

— using modular booths combined with asymmetrical interpreting;

— providing adequate and intensive training and, from this year on, making a special effort to train interpreters in the languages of Central and Eastern Europe;

— targeted recruitment.

On the translation front, the Commission has developed and continues to develop technological applications to meet the challenges of multilingualism in an enlarged Community. For that purpose, the Commission has prepared a medium-term plan to ensure optimum cost/quality efficiency. The plan which has been presented to Parliament's working party on multilingualism provides for, in particular:

— increased control of requests for translations by establishing a code of good practice with the various Commission departments;

— differentiated treatment of the documents to be translated;

— steering language officials towards high added-value works;

— intensification of training in the languages of Central and Eastern Europe;

— optimum use of external translators;

— maximum use of the possibilities provided by translation assistance tools and telecommunications networks;

— synergy through interinstitutional cooperation.

(98/C 386/187)

WRITTEN QUESTION E-1474/98

by Ursula Stenzel (PPE) to the Commission

(13 May 1998)

Subject: Fourth Framework Programme for Research

How many applications have been submitted from Austria in connection with the Fourth Framework Programme in the field of Research?

How many applications has the Commission approved, and to which specific projects do they relate?

What does this list of projects look like excluding mergers?

Who were the coordinators of these projects, and what were the partner countries involved?

How much money was made available for the individual projects?

Supplementary answer
given by Mrs Cresson on behalf of the Commission

(8 September 1998)

Because of the length of the answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(98/C 386/188) **WRITTEN QUESTION E-1475/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(13 May 1998)

Subject: Pollution of the River Asopos and the southern Gulf of Evvia

The Asopos delta is an important wetland in Attica and a 'staging post' for migratory birds. Approximately 140 different species of birds have been recorded in the area, 31 of which are listed in Annex I of Directive 79/409/EEC ([1]). Moreover, the Ministry of Agriculture's Directorate-General for the Protection and Development of Woodland classifies the area between Oropos and the mouth of the Asopos — 420 hectares — as one of the regions eligible for inclusion in the Natura 2000 network under the terms of Directive 92/43/EEC ([2]).

In the broader region of Oinophyta and Schimatario there are around 350 industries (including numerous chemical plants) which discharge their waste into the Asopos, mostly without any form of biological treatment. Furthermore, in 1995 the Greek Government decided that an industrial estate for tanneries should be set up at Daphni, Viotia, also discharging its waste into the Gulf of Evvia together with the waste from the industrial plants in the Oinophyta — Schimatario area and household sewage from the entire Oropos region.

Given that:

— measurements taken in the sea at the mouth of the Asopos have shown that the sediment contains particularly high concentrations of cadmium, chromium, copper and nickel,

— there are various infringements of Directives 76/464/EEC ([3]), 76/160/EEC ([4]), 79/923/EEC ([5]), 79/409/EEC, 92/43/EEC and Article 6 of Directive 85/337/EEC ([6]) concerning information to the public,

— licences are issued to industries always provided that waste undergoes biological treatment, which is not being complied with, and that inspections are practically non-existent,

will the Commission say:

1. whether the Oinophyta — Schimatario industries are operating in accordance with Community law,

2. whether their operating licences are legal and whether the conditions concerning the biological treatment of waste and its disposal are being observed and verified,

3. whether provision has been made for an environmental impact assessment of the tannery site, with reference to biological treatment, and whether Community funding has been provided, and

4. what measures it will take in general to ensure that the Asopos and the southern Gulf of Evvia are not treated as repositories for all kinds of sewage and pollutant waste, that Community directives are respected and that work is begun on cleaning up the Asopos with the aid of joint funding?

([1]) OJ L 103, 25.4.1979, p. 1.
([2]) OJ L 206, 22.7.1992, p. 7.
([3]) OJ L 129, 18.5.1976, p. 23.
([4]) OJ L 31, 5.2.1976, p. 1.
([5]) OJ L 281, 10.11.1979, p. 47.
([6]) OJ L 175, 5.7.1985, p. 40.

(98/C 386/189)

WRITTEN QUESTION E-1781/98

by Nikitas Kaklamanis (UPE) to the Commission

(11 June 1998)

Subject: Discharge of effluents in the River Asopos in Attica

Thousands of inhabitants of municipalities in the Prefecture of Attica have gathered around the bridge over the River Asopos to protest about the continuing discharge of effluents which is completely destroying life in the river and the southern part of the Gulf of Euboea. It should be borne in mind that for thirty years chemical waste from 350 plants has been discharged into the River Asopos; it is also planned to discharge (through a closed pipeline) other hazardous waste from 99 tanneries in the surrounding region which will end up in the tourist region of the southern Gulf of Euboea.

Will the Commission say what representations it intends to make to the Greek authorities to put an end to these plans to further pollute the river and the surrounding region?

Joint answer to Written Questions E-1475/98 and E-1781/98 given by Mrs Bjerregaard on behalf of the Commission

(13 July 1998)

The estuary of the river Asopos is a wetland identified in a scientific inventory as a site eligible to be included, under the Habitats Directive, in the European ecological network of special areas of conservation, called Natura 2000. However, this area has not been included in the list of proposed sites notified by the Greek authorities to the Commission. Furthermore, this area has not been classified as a special protection area under the Birds Directive, nor is it scientifically identified as an important bird area.

The Commission is examining the problem of pollution in this region. A letter will be sent to the Greek authorities asking for precise information concerning the measures taken in order to avoid any further pollution of the river Asopos. In addition, information will be requested concerning the working conditions (functioning and licences) of the industries of the broader region of Oinophyta and Schimatario.

The Commission is aware of the planned tanneries industrial park in Viotia, the major objective of which is to solve very serious environmental problems that are caused by uncontrolled tanneries in the region of Attica. This is included for Community co-financing in the Greek operational programme (OP) for industry and includes construction of new facilities in Viotia and the relocation of the tanneries of Attica.

According to information available to the Commission, a full environmental impact assessment pursuant to Directive 85/337/EEC has already been carried out on the basis of an environmental impact study financed by the European regional development fund (ERDF). In the same framework, numerous studies have also been financed and carried out (feasibility study for the relocation of the Attica tanneries; feasibility and economic study for the tanneries park at Viotia; environmental impact study for the whole Asopos basin and the mouth of river Asopos submitted to the ministry of Environment for the usual evaluation and authorization procedure; technical study for the recuperation and reuse of chromium and the management of the tanneries' sludge; study concerning the topography and the cadaster of the region).

The Commission would refer the Honourable Members to the reply it gave to oral question H-56/98 by Mr Trakatellis during question time at Parliament's February 1998 part-session ([1]). The Commission asked the Greek authorities to submit detailed information during the monitoring committee of the OP for industry of 12-13 February 1998 and again during the monitoring committee of 28 May 1998. However, the information requested has not yet been submitted to the Commission for evaluation.

([1]) Debates of the Parliament (February 1998).

(98/C 386/190) **WRITTEN QUESTION E-1478/98**

by Iñigo Méndez de Vigo (PPE) to the Commission

(13 May 1998)

Subject: Activities of dental surgeons

Can the Commission report on the stage reached in the infringement proceedings initiated against the Kingdom of Spain on the grounds of failure to comply with Directive 78/687/EEC [1]?

[1] OJ L 233, 24.8.1978, p. 10.

Answer given by Mr Monti on behalf of the Commission

(15 June 1998)

The Commission initiated infringement proceedings in connection with the recognition by Spain of dentists' diplomas obtained in third countries and which do not comply with the minimum training requirements set out in Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners. On the basis of the reply to the reasoned opinion and of the additional information received from the Spanish authorities, the Commission decided on 10 December 1996 to initiate proceedings before the Court of Justice. However, on the basis of information subsequently provided by the Spanish authorities and concerning in particular recent case-law of the Spanish Supreme Court, which handed down an interpretation of the international agreements on the recognition of diplomas which is in line with Community law, the Commission decided on 10 December 1997 to stay proceedings before the Court of Justice.

(98/C 386/191) **WRITTEN QUESTION E-1496/98**

by Richard Corbett (PSE) to the Commission

(13 May 1998)

Subject: Discrimination on the ground of sexual orientation

Following the ECJ judgment in the case of Grant-v-South West Trains (Case C-249/96), does the Commission intend to introduce legislation outlawing discrimination based on sexual orientation as soon as the Treaty of Amsterdam enters into force?

Answer given by Mr Flynn on behalf of the Commission

(12 June 1998)

The Commission would refer the Honourable Member to its answer to written question No E-756/98 by Mrs Ojala [1].

[1] See page 40.

(98/C 386/192) **WRITTEN QUESTION E-1498/98**

by Peter Skinner (PSE) to the Commission

(13 May 1998)

Subject: Human Rights in Sierra Leone

Given the recent events in Sierra Leone, can the Commission comment on what is being done towards stabilizing democratic rule? Furthermore, can the Commission comment on its discussions concerning the current situation of refugees seeking political asylum?

Answer given by Mr Pinheiro on behalf of the Commission

(23 June 1998)

Since the return of President Kabbah from exile and the restoration of democratic rule in Sierra Leone on 10 March 1998, priority has been accorded to ways in which democratic rule can be stabilised and consolidated in order to provide a firm basis for the country's reconstruction and future development.

The country's internal security will continue for some time to be dependent upon the presence of the Groupe de contrôle de la Communauté économique des Etats de Afrique de l'ouest (Ecomog), the successful outcome of whose operations in Sierra Leone will determine the timing and arrangements for the restoration of local government as planned by the current government.

At the central level, the government has committed itself to establishing a more accountable and transparent collection and management of public funds in an attempt to reverse the discontent and unrest amongst civil society and the armed forces created by decades of widespread corruption and mismanagement. The Commission is thus financing an institutional support programme based in the ministry of finance aimed at the strengthening of the government's capacity to manage and account for the state finances and plans to expand this type of assistance in its future programmes financed under the 8th European development fund (EDF).

As far as the rest of the country is concerned, the government — with the assistance of donors — is facilitating the return of displaced communities to their villages and towns. Emergency humanitarian assistance is being provided in the form of well-targeted nutritional feeding and medical programmes (2.9 MECU) and also in the form of seeds and tools programmes (1.9 MECU) to aid agricultural recovery. The Commission is also preparing the resumption of its rehabilitation programmes in rural areas to assist with the reconstruction of social infrastructure damaged as a result of civil unrest over the last 7 years as well as the recent fighting since the military coup of May 1997. The assistance to rural communities to resettle and resume economic activities and to receive basic social services is considered a high priority given the impact of past social marginalisation and deprivation on the stability of successive governments since independence.

The Commission is not aware of any discussions being held relating to refugees' requests for political asylum. However, assistance is being given through a European non governmental organisation (NGO) to refugees in Guinea where preparations are under way for their eventual voluntary return to Sierra Leone as soon as the security situation permits.

(98/C 386/193) **WRITTEN QUESTION E-1508/98**

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

(13 May 1998)

Subject: The information society and social and economic cohesion

In its report A-0399/97, Parliament's Committee on Regional Policy points out that access to the information society in general and, specifically, the ability to use information and subsequently convert it into relevant knowledge call for special training. The Amsterdam Treaty states that 'Member States and the Community shall,

in accordance with this title, work towards developing a coordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce and labour markets responsive to economic change with a view to achieving objectives defined in Article 2 of the Treaty on European Union and in Article 2 of this Treaty', (Section II, Chapter 3, Article 1 of a new title to be included after the existing Title VI of the EC Treaty).

Could the Commission say whether or not it has taken into account (and, where appropriate, incorporated) these considerations concerning the information society in the final proposals for reform of the Structural Funds which were approved by the College of Commissioners on 18 March 1998, particularly in the context of the new Objective 3 devoted to human resources?

Answer given by Mr Flynn on behalf of the Commission

(22 June 1998)

In its proposal for a Council regulation relating to the European social fund ([1]), the Commission has proposed that the Fund shall support human resource development measures. In particular the European social fund shall contribute to the actions undertaken in pursuance of the European employment strategy and the annual guidelines on employment supporting and complementing the activities of Member States in the following policy fields:

— developing active labour market policies to combat unemployment, to prevent long-term unemployment, facilitate the re-integration of the long-term unemployed in the labour market, and to support the occupational integration of young people and of returners to the labour market;

— promoting social inclusion and equal opportunities for all in accessing the labour market;

— developing education and training systems as part of lifelong learning policy to enhance and sustain employability, mobility, and integration into the labour market;

— improving systems to promote a skilled, trained and adaptable workforce, foster innovation and adaptability in work organisation, support entrepreneurship and employment creation, and boost human potential in research, science and technology;

— improving the participation of women in the labour market including their career development, their access to new job opportunities and to entrepreneurship, and reducing vertical and horizontal segregation in the labour market.

Article 2 paragraph 3 of the proposed regulation indicates that the social and labour market dimensions of the information society shall be taken into account, notably by developing policy and programmes designed to harness the employment potential of the information society and to ensure equal access to its facilities and benefits.

([1]) COM(98) 131 final.

(98/C 386/194) **WRITTEN QUESTION E-1514/98**

by Helena Torres Marques (PSE) to the Commission

(13 May 1998)

Subject: Leonardo programme and women

At the 1997 meeting of the Commissioners' Working Party on Equal Opportunities, Commissioner Edith Cresson highlighted the role played by women in education and in training programmes, particularly the Leonardo programme, and announced that she intended to publish the results of an assessment of mainstreaming in these programmes in the course of 1997.

Can the Commission forward the results of that assessment?

Answer given by Mrs Cresson on behalf of the Commission

(12 June 1998)

It should be noted that the Leonardo da Vinci programme provides funding for projects dealing with positive action in equal opportunities under two specific measures (I.1.1.d and II.1.1.d). It also encourages the mainstreaming of equal opportunities, through the stimulation of equal opportunity aspects in other projects. In 1997, 24 equal opportunities projects were funded under these measures for a total of 3.5 MECU. Another 8 projects financed under other measures include a strong equal opportunities element.

The content of the projects can be summarised under four main areas:

— Training for female jobs-seekers. These projects focus on the development of training materials designed to deliver either core skills or an appropriate vocational qualification;

— Training for women in employment. The majority of these projects address cross-sectoral issues like career-planning and design of gender-sensitive training methodologies;

— Training for young women. Most of these projects address women in initial vocational training and focus on career guidance and on encouragement to enter into new professional areas;

— Projects geared to training and work structures. These projects aim to incorporate equal opportunities policy into both vocational training processes and companies. They therefore mainly address the managers of these processes.

In other words, there is an emphasis on awareness-raising and skills development amongst trainees, trainers and management.

In addition to the two specific equal opportunities measures, the concept of mainstreaming which has gradually been gaining importance in all Community policy areas is consistently reflected in the Leonardo da Vinci programme. In the annual call for proposals promoters are asked to specify in their applications the expected impact of their projects in terms of equal opportunities between men and women. Additional attention has been drawn to mainstreaming equal opportunities in the current Leonardo da Vinci call for proposals, paragraph II.E: '... the Commission will particularly favour good quality proposals focusing on equal opportunities (over and above the specific measures in the programme) ...' [1]. In all active monitoring and promotional activities the issue is highlighted both orally and in writing. A transnational seminar on equal opportunities in vocational training was held in Finland from 16-17 January 1998, bringing together promoters and experts active in this field from all over Europe. One of the mainstreaming issues discussed concerned ways in which business support agencies could recognise the distinctive potential of women to be business owners.

Proposals are now being systematically evaluated for gender impact, but despite all efforts it is obvious that the concept of mainstreaming is still not well understood by promoters as a whole. This means that it is difficult to provide relevant statistics on the uptake of mainstreaming in the programme. A similar conclusion can also be drawn from an examination of the recently submitted national action plans for employment where there is still little evidence of concrete applications of the concept of mainstreaming. Preparations for the follow-up to the Leonardo da Vinci programme do, of course, take into account the need to develop further understanding of this issue.

(1) OJ C 372, 9.12.1997.

(98/C 386/195) **WRITTEN QUESTION E-1515/98**

by Helena Torres Marques (PSE) to the Commission

(13 May 1998)

Subject: Statistics on women

At the 1997 meeting of the Commissioners' Working Party on Equal Opportunities, Commissioner Wulf-Mathies announced that statistics would be available as from June 1997 on positive actions in the field of equal opportunities and that they would be published in a brochure.

Can the Commission say what progress has been made in this connection and forward the relevant statistical data?

Answer given by Mr Flynn on behalf of the Commission

(19 June 1998)

Statistical data on equal opportunities for women and men are published each year in the Commission 'Annual Report on equal opportunities for women and men in the European Union'.

This publication provides a good overview of recent data on the issue. The second edition (corresponding to 1997) was adopted by the Commission on 13 May 1998 and a copy is sent direct to the Honourable Member and to Parliament's Secretariat.

Furthermore, the Commission publishes regularly in its publication 'Statistics in Focus' recent data on equal opportunities for women and men. In 1997, it published the results of the survey on the structure of earnings ([1]) which provided data on the gender wage gap.

([1]) Spain, France, Sweden and the United Kingdom. Statistics in Focus No 15/97.

(98/C 386/196) **WRITTEN QUESTION E-1517/98**

by Claudia Roth (V) to the Commission

(13 May 1998)

Subject: Commission funds paid to the Federal Office for the Recognition of Foreign Refugees

In the EU bulletin of 28 January 1998 published by the German Commission representation it was reported that the Federal Office for the Recognition of Foreign Refugees (BAFI) in Nürnberg receives funds from the Commission to pay for independent legal advice for asylum seekers at Frankfurt Airport.

Is the Commission aware that in a judgment of 1996 the Federal Constitutional Court called on the German federal authorities to set up an independent legal advice service?

Does the Commission take the view that the limited means available for work with asylum seekers should be paid to national authorities?

Is the Commission of the opinion that the BAFI can provide independent legal advice?

Does the Commission know how the money it has provided has been used so far?

Answer given by Mrs Gradin on behalf of the Commission

(6 July 1998)

The Federal Office for the recognition of foreign refugees (BAFI) in its application for funds from budget line B-803 made no mention of the Federal constitutional court judgment cited by the Honourable Member, and nor was the Commission aware of that judgement at that time.

The rules applying to this budget line allow for funds to be granted to public and private bodies (such as non-governmental organizations) provided that projects do not give rise to profits. The main criterion for the decision to fund a project is the quality of the project and not the legal status of the applicant.

The BAFI project funded by the Commission provides for legal counselling by solicitors. According to German law, solicitors exercise their profession independently. The Commission, therefore, sees no danger of biased legal counselling.

The BAFI interim report of 14 May 1998, indicates that due to an intended improvement of counselling services, negotiations were delayed for six months. This means that the duration of the project is now half the duration originally planned.

(98/C 386/197) **WRITTEN QUESTION P-1527/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(11 May 1998)

Subject: Full participation of Cyprus in pre-accession procedure

Cyprus is one of the eleven applicant countries taking part in the pre-accession procedure which began with the London Conference. The prospects for full and speedy accession are very good as the country's sound economy, its high standard of public administration and its smoothly running system of democratic government fulfill all the criteria laid down by the Copenhagen Council (June 1993), as the Commission itself also recognizes in Agenda 2000.

Could the Commission, therefore, say what practical measures it will take to prepare the Republic of Cyprus in good time for its future accession to the European Union and what strategy it will pursue in the forthcoming weeks and months to achieve that objective as quickly as possible?

In the light of the conclusions of the Luxembourg Council (12-13 December 1997) concerning a special pre-accession strategy for Cyprus, which expressly provide for the possibility of Cyprus taking part in certain Community programmes using the same method as for the other applicant countries, can the Commission confirm that Cyprus will participate in the Fifth Research and Technological Development Framework Programme at the same time and at the same pace as the other applicant countries?

Finally, will the Commission say what the current situation is regarding the commitment, payment and take-up rate of appropriations under the EU-Cyprus financial protocols? If these appropriations have not yet been taken up in full, what measures has the Commission already taken or will it take to achieve that objective in good time? If there is a risk of losing these appropriations, would it be possible to use some of them, for example, for the participation of Cyprus in certain Community programmes or actions in the same way as for the other countries applying for accession, as expressly set out in the conclusions of the European Council in Luxembourg?

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

(25 June 1998)

In line with the specific pre-accession strategy for Cyprus agreed in December 1997 by the European Council, the Commission is working towards the participation of Cyprus in several activities and programmes on the same basis as for the Central and Eastern European candidate countries.

As regards Cypriot participation in the fifth framework programme the Commission is presently preparing a communication for a Council decision for the full association of Cyprus and the Central and Eastern European candidate countries with this programme.

Concerning financial co-operation between the Community and Cyprus the state of play of the commitments, payments and take up rate is that the first and second financial protocols are fully committed and disbursed. The commitment and disbursement rates of the third protocol are 77 % and 58 % respectively. The fourth financial protocol signed on 30 October 1995 is presently being implemented. As the protocol expires at the end of this year, the Cypriot government has requested a prolongation of the period of validity of this protocol for one more year. The Commission is launching the necessary procedures to achieve this in good time.

As regards the use, for 'acquis' purposes, of financial protocol funds earmarked for projects to facilitate a solution to the problem of the island (12 MECU) or bi-communal projects (5 MECU), that still remain to be committed, the Commission believes that at this stage the original purpose of these sums should be respected given the need to keep open all channels to support bi-communal contacts.

(98/C 386/198) **WRITTEN QUESTION E-1534/98**

by Panayotis Lambrias (PPE) to the Commission

(18 May 1998)

Subject: Polluted ground water in the Attica region

A study carried out by the Athens Polytechnic for the Ministry of the Environment, Regional Planning and Public Works concludes that the ground water in Attica is, to a considerable extent, polluted and unfit for any use. The study has revealed the lack of a policy for the sustainable management of water. As an indication, it points out that only 345 of the 5 000 wells have tariffs for irrigation, while overuse causes water levels to fall substantially, seawater infiltrates into aquifers and in some areas there is a risk of landslides.

What measures will the Commission take to ensure that the Greek authorities comply with Community legislation on water and apply the principle of sustainable management and development in the water industry?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 June 1998)

Over-abstraction of groundwater causing intrusion of seawater and permanent depletion is increasingly becoming a problem across the Community.

In order to ensure coherence in Community water legislation and to meet the above mentioned environmental challenges, the Commission presented in February 1997 a proposal for a Framework Directive on water designed to prevent further deterioration and to protect and enhance the water quality and quantity of aquatic ecosystems and groundwaters ([1]).

The principle of the proposal is for water policy to focus on water as it flows naturally through river basins towards the sea, taking into account natural interaction between surface waters and groundwaters in respect of quantitative as well as qualitative aspects.

The proposal establishes a Community framework for protection of waters within a common approach with common objectives and principles and basic measures. It introduces a common principle for charging full cost recovery prices for services provided for water uses. Management plans are required for all river basins with coordinated programmes of measures to ensure good status of waters by 2010, including systematic monitoring of the effect of such programmes. Programmes of measures require that controls be set on abstraction and impoundment of water.

The water framework directive will, once adopted, ensure that Community water legislation is appropriately updated, firmly basing Community water policy on a principle of sustainable use with a long-term perspective for the 21st century.

(1) OJ C 184, 17.6.1997 as amended by OJ C 16, 20.1.1998 and OJ C 108, 7.4.1998.

(98/C 386/199)

WRITTEN QUESTION E-1535/98

by Mihail Papayannakis (GUE/NGL) to the Commission

(18 May 1998)

Subject: Construction of veterinary laboratory at Ikonio Peramatos

The Ministry of Agriculture has plans to build and run a veterinary laboratory at Ikonio Peramatos in Attica to carry out checks on food of animal origin imported through the port of Piraeus. The facilities will consist of an area for animals to be used in experiments, a room for diagnostic examinations and sterilization, and laboratories for parasitology, bacteriology and serology and other haematological examinations for the purpose of diagnosing animal diseases.

Given that:

— this veterinary laboratory is to be built 100 metres from a residential area on a site next to the Perama High School for Technology, which is attended by 1 200 pupils,

— residents and local organizations have protested vigorously against the use of the site for such a purpose,

— the traffic, the exhaust fumes from machinery and vehicles on site and the disposal of waste, especially hazardous waste, will be an additional burden on an already polluted area,

— the Commission's fifth environment action programme, which is in force until the year 2000, gives considerable priority to measures to improve the urban environment,

— the work is to receive Community funding,

— a public health issue is involved, in relation to which the Maastricht and Amsterdam Treaties make provision for a specific role for the Commission,

will the Commission say what action it will take and what representations it will make to the Greek authorities to prevent the construction of the veterinary laboratory and the further pollution of the environment, to protect public health at Ikonio Peramatos and ensure that the project is carried out at a more suitable location?

Answer given by Mr Fischler on behalf of the Commission

(3 July 1998)

Funding for the veterinary laboratory to which the Honourable Member refers was included in the 1994-1999 operational programme for the Attica region after thorough consideration by the monitoring committee.

The Ministry of Agriculture showed in the technical statement for the project that all legislative requirements were complied with. In particular the Environmental Protection Service in approving the project took into account the planned future construction of an adjacent building to house the training school.

As proposed by the Ministry at the time and subsequently confirmed, the laboratory will be concerned solely with checks on foodstuffs of animal origin from outside the Community. Such checks are directly linked to protection of public health. The reagents used in this type of check are completely harmless to the environment and local residents. The laboratory will not be dealing with live animals.

After planning the laboratory the Ministry of Agriculture assigned an adjacent area of 10 000 m^2 belonging to it for construction of the training school. Obviously if there was the least risk to the laboratory's neighbours it would not have done this.

In order nonetheless to dispel any uncertainty on the environmental implications of the project, the opinion was sought of two professors of medicine and infectious diseases, of the University of Thessaloniki. They confirmed that the laboratory is not a risk factor for the surrounding area, including the adjacent technical high school.

As with all construction work erection of the laboratory is bound to occasion a certain amount of nuisance, but this is no reason for halting a project of evident utility for control procedures on foodstuffs imported through the neighbouring port of Piraeus.

It is difficult to see how operation of the laboratory can lead to a significant increase in traffic. The building, which will be erected on a site of 7 000 m^2, will cover only 6 % of that area. The remaining 94 %, as stated by the Ministry, will be developed as a park and leisure centre, and neither the small size of the laboratory staff nor movement of the samples warrant anxiety on this score.

No reason can be found then for taking action to prevent construction of the laboratory.

(98/C 386/200) **WRITTEN QUESTION E-1546/98**

by Cristiana Muscardini (NI) to the Commission

(19 May 1998)

Subject: Unilateral concessions in the floriculture sector

Under the new system of generalized preferences, whereby the principles applied to industrial products have been extended to agricultural products (differentiated tariff reductions depending on how 'sensitive' the product is), and in accordance with the Lomé agreements with more that 70 ACP countries, increasing quantities of floricultural products are being imported into the EU at reduced rates of duty or even duty free. These privileges have presumably been granted in order to encourage economic and technological development and promote job creation in developing countries.

1. Will the Commission say whether these special import arrangements are contributing to the crisis in this sector in Europe?

2. Will it say how many jobs have been created in the floriculture sector in the countries concerned as a result of the preferences and special concessions given to them?

3. Will it ascertain whether the populations of these countries genuinely benefit from the preferences given to exports to the European Union?

4. Will it say whether in some of these countries the real beneficiaries are multinational companies with holdings in local firms, some of which are based in one of the Union's leading flower-producing countries?

5. Will it propose measures to prevent multinationals increasing their income through Community budget funds?

Answer given by Mr Marín on behalf of the Commission

(3 July 1998)

1. The preferential arrangements in question include the duty-free importation of products originating in the African, Carribean and Pacific (ACP) States, and reduced rates of duty under the system of generalised preferences (GSP). However, as a large proportion of the flowers exported by the countries benefiting from the GSP are cut flowers and as such are classed as very sensitive products, only a small reduction — 15 % of the Common Customs Tariff (CCT) — is provided for, thus limiting the impact of the GSP in this sector. A further reduction of 10 % may be granted under special incentive arrangements subject to compliance with the social standards set by the International Labour Organisation (ILO). The GSP grants countries working to combat drug trafficking (including the leading flower exporters such as Colombia, Costa Rica, Ecuador and Guatemala) a suspension of duties on the products in question. However, an exceptional provision reduces the impact for cut flowers by allowing for application of the safeguard clause for these products where a certain level of export performance, based on previous export figures for the country in question, is exceeded.

More generally, it should be pointed out that with Community flower and plant production worth a total of ECU 12 000 million imports do not play a significant role — they account for no more than ECU 900 million, i.e. 13 times less.

2. Of the countries that export flowers to the Community market, 50 are beneficiaries of the tariff preferences scheme. In 1996 their exports of ornamental plants (flowers, plants and foliage of headings 0602,0603 and 0604 of the Combined Nomenclature) totalled ECU 347 million. The same year the Community imported around ECU 157 million of these products from 47 ACP States. Tables showing the main supplier countries and their export amounts are being sent directly to the Honourable Member and the Parliament Secretariat.

The Commission does not have figures on the jobs created in this sector for the GSP and ACP countries; it only has estimates for the main exporting countries. In Colombia, the direct and indirect jobs are estimated at around 75 000 and 50 000 respectively, while in east and southern Africa the number of direct jobs is thought to be between 70 000 and 100 000.

3. and 4. Flower production has four main features compared with other export products. It is a high technology sector, where the lack of a long tradition is a major handicap to the development of quality products. It is very labour-intensive: on average, 25 to 30 workers are needed for 1 hectare of roses, compared with only 1.5 people for 1 hectare of pineapples.

The sector is also very capital-intensive owing to the investment cost for greenhouses and plant material (which is usually imported) and this restricts the capacity of family businesses. Finally, it is a free-enterprise sector without protected markets or guaranteed prices, which demands a very good knowledge of international trade. Almost all of the export channels for flowers in the developing countries were therefore originally set up with foreign capital, technologies and commercial contacts, with local enterprises developing later.

In the Andean countries, the special support scheme for the fight against drug trafficking set up in 1990 under the Community's GSP encouraged export activities and generated jobs. In addition, companies often do much to improve labour conditions through various social initiatives.

5. It should be clear from the foregoing that the measures referred to by the Honourable Parliamentarian are not appropriate to the current situation.

(98/C 386/201)

WRITTEN QUESTION E-1547/98

by Doeke Eisma (ELDR) to the Commission

(19 May 1998)

Subject: Laser pens

1. Does the Commission believe that the use of laser pens is dangerous?

2. If so, what steps will it be taking to restrict their use?

3. Which Member States ban the use of laser pens or plan to introduce such a ban?

Answer given by Mrs Bonino on behalf of the Commission

(24 June 1998)

The Commission, on the basis of the information it has obtained up to now, considers that in certain circumstances the improper use of certain laser pointers may constitute a hazard.

Council Directive 92/59/EEC of 29 June 1992 on general product safety is applicable [1] to laser pencils and pointers. The Directive provides that Member States shall adopt the necessary measures to ensure that only safe products are placed on the Community market (Article 2(b)).

Hence it is primarily for the Member States to take action in the case of products which present a danger to the health and safety of consumers, by adopting the necessary measures, including if necessary the recall of the product from the market.

Recently, in the framework of the notification system provided for in Article 8 of Directive 92/59/EEC, the Commission received five emergency notifications from three Member States (Germany, France, the United Kingdom) concerning measures adopted in respect of laser pencils or pointers. In compliance with the standard procedure, the Commission rapidly circulated this information to the national authorities responsible for protecting the health and safety of consumers to enable them to take the necessary measures. In effect, pursuant to the Directive, the Commission can only take measures in respect of products presenting a serious and immediate risk if requested to do so by the Member States and only provided the various conditions set out in Articles 9 to 11 of the Directive are complied with.

The Member States that sent the notifications to the Commission have taken certain national measures of varying scope. For example France has inter alia adopted a decree banning the production, importation, placing on the market and ordaining the withdrawal of laser pointers in Class 3 or higher (standard NFEN 60825.1), while Germany has introduced similar provisions.

Other Member States are currently considering what measures to adopt and have not yet informed the Commission of their intentions in this area.

Since this is a recent problem, the Commission will be closely monitoring future developments and notably the measures taken by the Member States in application of the Directive on general product safety, so as to ensure a high level of protection and safety throughout the Community where these products are concerned.

[1] OJ L 228, 11.8.1992.

(98/C 386/202)

WRITTEN QUESTION E-1549/98

by Luigi Caligaris (ELDR) to the Commission

(19 May 1998)

Subject: Reduced rates of excise duty or exemptions from excise duty under Directive 92/81/EEC

Council Decision 97/425/EC [1] authorizes Member States to apply and continue to apply to certain mineral oils, when used for specific purposes, existing reduced rates of excise duty or exemptions from excise duty, in accordance with the procedure provided for in Directive 92/81/EEC [2]. The list contained in Article 1 of this decision no longer includes the Italian province of Trieste or the 25 communes concerned in the province of Udine, although the regions of Val D'Aosta and Gorizia still appear.

The exclusion of these areas creates an unacceptable disparity in the treatment of the provinces in question, given that the law establishing the free zone of Gorizia in 1945, which is still in force, states that: 'the concessions granted to the region of Gorizia shall be extended to the province of Trieste'. It is well known that the reasons for which these concessions were granted continue to prevail, in particular in the province of Trieste which suffered badly from the effects of the Second World War.

1. Does the Commission not consider that this situation represents discrimination, severely penalizing the people of the communes concerned and, more generally, the economy of the provinces of Trieste and Udine?

2. Will the Commission explain why it has excluded the provinces of Trieste and Udine from the special reductions in or exemptions from excise duty under the procedure provided for in Directive 92/81/EEC?

3. In the light of the above factors, does the Commission not consider that the provinces of Trieste and Udine should be included in Article 1 of Directive 92/81/EEC?

(1) OJ L 182, 10.7.1997, p. 22.
(2) OJ L 316, 31.10.1992, p. 12.

Answer given by Mr Monti on behalf of the Commission

(3 July 1998)

1. and 2. The Commission does not accept that Council Decision 97/425/EC of 30 June 1997 authorizing Member States to apply and to continue to apply to certain mineral oils, when used for specific purposes, existing reduced rates of excise duty or exemptions from excise duty, in accordance with the procedure provided for in Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils, to which the Honourable Member refers, represents discrimination against the provinces in question as the Decision merely separates out the existing derogations into several categories depending on the terms of the original approval. The provision relating to Val d'Aosta and Gorizia is included in Article 1 of the Decision as it was originally approved without an end date. The provision for reduced rates of duty for Udine and Trieste appears in Article 3 of the Decision as it was originally approved with a specific end date and was subsequently renewed. Nothing has therefore changed and the provision is still in force.

3. It is not clear to which provision the Honourable Member is referring. Article 1 of Council Directive 92/81/EEC, merely refers to the introduction of harmonised rates of duty. It has no geographical impact.

However, Article 1 of Council Decision 97/425/EC only applies to derogations which were approved without an end date.

(98/C 386/203) **WRITTEN QUESTION E-1554/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(19 May 1998)

Subject: Extension of docks at port of Preveza

Work has begun in the port of Preveza to extend the eastern docks by 64 metres, a project for which there is no environmental impact assessment (EIA). The present EIA relates to an extension of 37 metres and is deficient (in that it makes no mention of the impact on the marine environment), while previous studies indicate that the effects on the internationally important wetland of the Amvrakikos Gulf will be severe at the least both in terms of the flow of surface water and the movement of fish spawn which thrives in shallow coastal waters. Moreover, one of these areas of shallow water has already been destroyed by excavations to extend the docks and construct a basin and the only shallow area of water remaining lies opposite Aktion, which will also be destroyed by the increase in the speed and volume of the sea current as it enters the Gulf.

Given that:

— the work is receiving Drs 1 billion in funding under the Delors II package,

— local organizations, environmental groups and the fishermen's association have expressed their deep concern for the future of the Amvrakikos as a result of the construction work,

— the Amvrakikos Gulf is protected both by the Ramsar Convention and by Community Directives 79/409/EEC ([1]) and 92/43/EEC ([2]), and

— the present EIA is deficient and makes no mention of the impact on the marine ecosystem at the entrance to the Gulf or in the Gulf itself and is therefore in breach of Directive 85/337/EEC ([3]),

will the Commission say how it will intercede with the relevant Greek authorities to secure the suspension of the work on the port at Preveza until a new and complete EIA has been drawn up which includes the new data (64 metre extension) and takes into account all the factors involved in the project (the sea and its biological, physical and chemical characteristics, the seabed in the excavation area etc.

([1]) OJ L 103, 25.4.1979, p. 1.
([2]) OJ L 206, 22.7.1992, p. 7.
([3]) OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 July 1998)

The project in question is cofinanced under the Epirus operational programme (OP).

The information available to the Commission indicates that an assessment of the project's environmental impact has been carried out, in accordance with national and Community legislation.

The Amvrakikos Gulf is an important wetland, a large part of which has been classified by Greece as a special protection area (SPA) under Directive 79/409/EEC on the conservation of wild birds (and also proposed as a Site of Community Importance under Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora). Given that the extension of the port of Preveza, owing to its location, is a project liable to have a significant effect on the area, the Commission has already written to the Greek authorities to check whether the ecological impact of the project on the designated site has been sufficiently studied and whether appropriate measures were taken before the authorisation was granted.

(98/C 386/204)

WRITTEN QUESTION E-1565/98

by Viviane Reding (PPE) to the Commission

(20 May 1998)

Subject: Centralization of supplies purchasing for the European institutions

Together with the other European institutions, the Commission is seeking, in the interests of cost-cutting, to centralize the purchase of supplies, particularly furniture, in Brussels. They are keen both to order larger quantities at a time and to extend the duration of contracts, which may reach 10 years by successive renewals. This new approach, which seems to promise savings, has its defects, however. Firstly, the average life of the furniture is often shorter than the contract periods the Commission is seeking to obtain. Second, the new approach openly favours big firms which are able to cope with orders of an ever increasing volume.

Is the Commission aware that the increasing size and duration of contracts, and their centralisation in Brussels, disadvantages small and medium-sized enterprises? Is the Commission aware that in the interest of marginal cost reductions it is heavily penalising one of the sectors of the economy on which it is most reliant for job creation?

What measures does the Commission propose to take to avoid its cost-cutting efforts having a negative impact on small and medium-sized enterprises?

Answer given by Mr Liikanen on behalf of the Commission

(22 June 1998)

The purpose of long-term contracts and centralised furniture purchases is not solely to reduce purchasing costs. It is also to standardise equipment with a view to simplifying inventory management, encouraging exchanges and reducing the volume of furniture to be moved when staff change are relocated.

The purpose of the contracts is to supplement and renew the furniture in use at the Commission and possibly at the other institutions. The duration of the contracts is not related to the life span of the equipment.

Long-term contracts bind the Commission — or another institution — to a supplier for a longer period, but they have no impact on the annual volume of purchases. The volume tends to be very substantial and can vary considerably from one year to another. Since the Commission wishes to have its orders performed efficiently without disrupting the financial equilibrium of its suppliers, it deals with firms whose production capacity matches its requirements but does not impose clauses that discriminate against European firms in general or small and medium sized enterprises (SMEs) in particular.

As a rule, given the need to optimise the use of public funds in the current climate of budgetary restraint, the Commission's purchasing strategy aims to secure the best possible value for money. This reflects the European policy on public procurement, which seeks to improve competitiveness of European firms.

(98/C 386/205)

WRITTEN QUESTION E-1578/98

by Glyn Ford (PSE) to the Commission

(25 May 1998)

Subject: Asteroids

The Commission will be aware of recent reports in the press that there is some possibility of the earth colliding with a small asteroid at some time in the future. These concerns will be augmented in the summer with the release of the latest Steven Spielberg film on this theme.

Scientists tell us that levels of danger are extremely low, with the risk to each individual being equivalent to being killed in a plane.

However the Union does devote resources to ensuring safety of aircraft passengers. Therefore what plans does it have to joint any global activities to monitor the possibility of such future events and take appropriate avoiding action?

Answer given by Mrs Cresson on behalf of the Commission

(16 July 1998)

The Commission is aware of the reports in science literature and in the media about asteroids having a possible encounter with the planet earth.

This issue would be addressed in Europe by the European space agency (ESA), which also deals with problems of space debris in its European space operations centre (ESOC) in Darmstadt, and in the United States by the National aeronautics and space administration (NASA).

Within the framework programmes of the Commission on research, technology and development, this question has not been addressed.

(98/C 386/206) **WRITTEN QUESTION P-1607/98**

by Mirja Ryynänen (ELDR) to the Commission

(11 May 1998)

Subject: Information in schoolbooks about other EU Member States

According to press reports in Finland, schoolbooks in use in certain EU Member States contain totally inaccurate information about Finland. Books in use in France, for example, portray Finland on the basis of pictures from the 1950s and distorted information. There is no mention of our current modern information technology society.

The EU expends considerable amounts of money on education and various programmes and separate information campaigns. Information campaigns to promote European citizenship cannot be successful if the basic information provided in schools about other Member States is both inadequate and distorted.

What does the Commission propose to do to ensure that schoolbooks in the Member States contain accurate and up-to-date basic information about all Member States?

Answer given by Mrs Cresson on behalf of the Commission

(15 June 1998)

In relation to the specific content of teaching and didactic materials in a given Member State, the Commission has no competence to intervene, since this is a field where the subsidiarity principle applies under Article 126 of the EC Treaty.

Article 126 states that the Community shall contribute to the development of quality education by encouraging cooperation between Member States. Together with the Socrates programme which encourages cooperation between Member States, the information network on education in Europe (Eurydice) produces and disseminates information on systems and reforms in the field of education in the participating Member States. Eurydice has recently published the third edition of a booklet on the key data in education in the Community, which is based on the contribution of the participating Member States to the Socrates programme.

However, Article 126 also stipulates that the Community has to respect fully the responsibility of the Member States for the content of teaching and the organization of education systems.

Nevertheless, the Commission will draw the attention of the educational French authorities to the aspects underlined by the Honourable Member.

(98/C 386/207)

WRITTEN QUESTION E-1639/98

by Cristiana Muscardini (NI) to the Commission

(29 May 1998)

Subject: Discussion groups on particular topics on the Internet

Discussion groups on the Internet are made up of individuals who decide to discuss a particular subject and ask other Internet users to take part by registering their names and their voting, as required by a group of legal persons acting at present as a governing authority composed of the Centro Ricerche della Telecom, (Telecommunications Research Centre), CSELT, the University of Pisa's Electronic Centre, SERRA, and the Consorzio Interuniversitario Lombardo per l'Elaborazione Automatica, CILEA (Lombardy Interuniversity Consortium for Automatic Data Processing)..

This authority, which is recognized in practice but not by any legislation, does not however seem to be very objective.

A group of Italian citizens active in the emigration field, the CTIM, decided to start a discussion on the topic of Italian emigration world-wide and made a formal request in this connection to the GCN group, which acts as the authority.

They were then asked to confirm that they had 75 requests from users showing that they would take part in the discussion forum. The CTIM was able to produce 127 requests but was refused authorization on the grounds of irregularities in the procedures could not be proved and were never specified.

Will the Commission:

1. Take action with regard to the formation of discussion groups on particular topics by adopting a directive providing for the setting-up of an official authority?
2. Intercede with the GCN, which is organizing the Internet discussion groups in Italian in a strange manner?
3. Adopt a directive which, by defining the authority, will provide legal certainty and certainty as to the basic provisions?

Answer given by Mr Bangemann on behalf of the Commission

(29 June 1998)

The Commission takes the view that it has no jurisdiction in this matter.

(98/C 386/208)

WRITTEN QUESTION P-1641/98

by Riccardo Nencini (PSE) to the Commission

(18 May 1998)

Subject: Environmental impact

The contract between the Italian State Monopoly Company (AMS) and the Solvay company governing exploitation of the rock-salt deposits in Volterra (Pisa) is damaging the environment. The substratum (halite and clay lentils) is being emptied out, causing the strata above to collapse. Enormous quantities of water are being taken from the river Cecina, and for three or four months every year a stretch of river about 4 km long therefore dries up, leading to all the related consequences. Effluent is dumped at sea.

In addition, it has been established that groundwater levels have fallen and the groundwater itself is contaminated by sodium chloride, adversely affecting farming.

At present, Solvay mines some 1 800 tonnes of salt a year in an area of 378 hectares. According to the contract, however, it is entitled to mine up to 2 000 000 tonnes a year in all three AMS concessions, covering an area of approximately 1 726 hectares. If they were exploited on that scale, the reserves would be exhausted within a few decades.

Does the Commission not believe that it should investigate the case described above and, if need be, check whether the contract infringes Community legislation?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 June 1998)

In accordance with the mission of ensuring the observance of Community law, as set out in Article 155 of the EC Treaty, the Commission is entitled to undertake interventions only when a provision of Community law is concerned.

Given the insufficient information provided by the Honourable Member, the Commission is not in a position to identify which Community law provisions would be at stake in this case.

In the light of the above, the Commission invites the Honourable Member to indicate the provisions of Community law which he considers to be relevant to this specific case and to describe more precisely the factual circumstances which appear to have a relevance under Community law.

(98/C 386/209) **WRITTEN QUESTION P-1654/98**

by Karl Habsburg-Lothringen (PPE) to the Commission

(18 May 1998)

Subject: Open competitions COM/A/8/98, COM/A/9/98, COM/A/10/98, COM/A/11/98 and COM/A/12/98

The Commission is currently holding open competitions, for the first time since 1993, for categories A8 (for graduates who completed their studies after 4 May 1995 and have no professional experience) and A7/A6 (for graduates with three years' professional experience).

This selection procedure thus targets graduates from the Member States with little or no professional experience.

Is the Commission aware that in setting these criteria it is excluding many potential applicants from Austria and other Member States? This particularly affects graduates who completed their studies immediately before 4 May 1995 but, who owing to the high rate of unemployment among young graduates in Europe, because of completing their military service, or for other reasons, have not been able to obtain the professional experience necessary to participate in the A7/6 selection procedure?

How does the Commission justify these criteria, and in particular its restriction of participation in the A8 competition by requiring studies to have been completed after a certain date?

Does the Commission propose to drop this requirement for current and future selection procedures and to postpone the deadline for applications for the COM/A/8/98 and COM/A/11/98 competitions accordingly?

Answer given by Mr Liikanen on behalf of the Commission

(4 June 1998)

The Commission would refer the Honourable Member to its answer to written question P-1350/98 by Mr Caccavale ([1]).

([1]) See page 117.

(98/C 386/210)

WRITTEN QUESTION E-1660/98

by Rainer Wieland (PPE) to the Commission

(29 May 1998)

Subject: Costs of the parliamentary system

Sector IV of the German Bundestag's research service produced a document which calculated 'the costs of the parliamentary system of the USA and the Federal Republic of Germany' on 24 February 1998 under the reference number WF IV — 4/98.

Is the Commission aware of this document?

Does the Commission consider that the conclusions reached are accurate?

Is the Commission able to compare the costs of the parliamentary systems in the Member States of the Union and the costs of the parliamentary system of the European Union itself, in the case of the latter both with and without inclusion of the language services, for the figures available from 1993 onwards for the relevant financial years?

If so, what is the outcome of this comparison?

Answer given by Mr Santer on behalf of the Commission

(12 June 1998)

In the performance of its duties under the Treaties, the Commission does not acquire information of the kind requested. It is therefore unable to answer the question.

(98/C 386/211)

WRITTEN QUESTION E-1671/98

by Cristiana Muscardini (NI) to the Commission

(29 May 1998)

Subject: RAI International and the protection of plural information

Italian state television, in order to broadcast programmes and information to the Italian community living overseas, has for many years had a section known as RAI International which broacasts, in Italian, a selection of programmes devised in its Rome studios.

The person appointed to head this important section, which is responsible for presenting Italy's image abroad, is a party politician — the previous head of the former Italian Communist Party's propaganda unit — and, consequently, does not possess the independence of mind which should be an essential prerequisite for senior office in the public service.

The programmes broadcast by RAI International are self-congratulatory celebrations of and by the Left, with old films and programmes being transmitted at prime time while news and cultural programmes which would provide more elevating entertainment for communities abroad are relegated to less popular viewing times.

Meanwhile, the parliamentary monitoring committee which should uphold fair broadcasting standards cannot intervene for the simple reason that these programmes can be received only overseas.

Could the Commision take action:

1. to ensure that the RAI, as a public service broadcaster, broadcasts independent and pluralistic information, and
2. to urge RAI International to uphold the right to receive accurate information in order to protect Italian citizens living abroad by ensuring the information provided to them is as objective, fair, independent and pluralistic as possible.

Answer given by Mr Oreja on behalf of the Commission

(10 July 1998)

The Commission would refer the Honourable Member to its answer to her Written Question E-3899/97 ([1]).

([1]) OJ C 187, 16.6.1998.

(98/C 386/212)

WRITTEN QUESTION E-1692/98

by Kirsi Piha (PPE) to the Commission

(29 May 1998)

Subject: The EU's northern dimension

At the Luxembourg summit it was decided at Finland's initiative to place the European Union's northern dimension on the agenda. How, and on what time-scale, will the Commission start preparations to move this initiative forward?

In what way will the reform of the TACIS programme take into account the objectives of the northern dimension with regard to the environment, security, energy and cooperation in border regions?

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

(29 June 1998)

The Commission, invited by the Luxembourg and Cardiff European Councils, will present an interim report at the Vienna European Council in December 1998. Preparatory work has started.

Equally, the preparation for a new Tacis regulation is currently underway. During this process the Commission will surely reflect on the place of the Northern Dimension in the new programme.

(98/C 386/213)

WRITTEN QUESTION E-1704/98

by Viviane Reding (PPE) to the Commission

(29 May 1998)

Subject: The social dialogue in the post and telecommunications sector

In a draft communication on the adaptation and promotion of the social dialogue at Community level, the European Commission is apparently considering replacing the joint committees consisting of employers and trade unions in a given sector, in this specific instance in the postal services and telecommunications sector, with a wider dialogue structure extending beyond sectoral limits.

Can the Commission confirm that this is so?

Can the Commission indicate the grounds which are prompting it to recommend the abolition of structures which — according to the employers and trade unions — have produced excellent results since their recent establishment (1994 in the case of the Committee for Postal Services and Telecommunications)?

How does the Commission justify the establishment of a wider structure which will have to deal simultaneously with problems which may differ fundamentally from sector to sector?

Why does not the Commission envisage instead the establishment of other joint committees for other sectors, given the excellent results achieved by the structures currently in place?

Answer given by Mr Flynn on behalf of the Commission

(3 July 1998)

The Commission communication 'Adapting and promoting the Social Dialogue at Community level' ([1]), adopted on 20 May 1998, does not provide for the replacement of the joint committees by wider structures. On the contrary, the Commission proposes to maintain and even strengthen the sectoral dimension within the framework of the new sectoral dialogue committees.

The proposal aims at ensuring a more efficient and flexible sectoral social dialogue, with greater responsibility given to the social partners in line with the principle of autonomy of the social partners.

([1]) COM(98) 322.

(98/C 386/214) **WRITTEN QUESTION E-1743/98**

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(5 June 1998)

Subject: Non-conventional medicine

In his speech to the European Parliament on 28 May 1997 on the harmonization of non-conventional medical practice between the Member States, Commissioner Flynn indicated that the general system of recognition of diplomas, in force for several years, already ensures the free movement of medical practitioners between Member States which recognize non-conventional medicine as a discipline distinct from conventional medicine. Would the European Commission now please supply:

1. an exhaustive list of the Member States which recognize non-conventional medicine as a discipline distinct from conventional medicine;

2. lists, names and/or descriptions, where appropriate, of diplomas in non-conventional medicine recognized in the Member States of the European Union which, under the general system of diploma recognition, ensure the free movement of practitioners holding such diplomas;

3. the legislation governing non-conventional medicine in those Member States in the European Union which have made such medicines official.

Answer given by Mr Monti on behalf of the Commission

(28 July 1998)

The general system of diploma recognition to which the Honourable Member refers — namely Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration ([1]) and Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC ([2]) — does not seek to harmonise Member States' legislation relating to the professions but leaves it to them to lay down rules governing training and the conditions of access to, and exercise of, such activities. Provision has not been made for Member States to communicate all their national legislation relating to the regulated professions in the eleven Community languages — legislation which is, moreover, changing in the Member States — and this is not essential for the general system of diploma recognition to function.

A detailed answer to the Honourable Member's questions would necessitate lengthy and laborious research which the Commission is unable to undertake.

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

(98/C 386/215) **WRITTEN QUESTION E-1755/98**

by Richard Corbett (PSE) to the Commission

(5 June 1998)

Subject: Strike by Commission staff

Can the Commission confirm that its staff was out on strike on 30 April? Is it true that this strike was not over any specific proposal but over a consultation document on which staff views were sought and welcome? Does the Commission consider that a strike is warranted in such a situation? Is it aware of the impact on public opinion, in particular as the date of the strike, immediately prior to a public holiday, effectively gave staff a 4 — day weekend? What was the result of the ballot on whether to strike?

Answer given by Mr Liikanen on behalf of the Commission

(29 June 1998)

There was a strike in the Commission on 30 April 1998.

At the heart of the conflict was an issues paper, which had no official status. There was no Commission proposal concerning the staff regulations. Comments were welcomed on the issues paper, which was made available to the staff via the Intranet of the Commission.

Because the strike was directed at the Commission, the Commission declines to say whether it was warranted.

The strike preceded a public holiday and the weekend when the European Council decided on the participants in the third phase of economic and monetary union. There were some critical articles in the media about the staff issues of the Commission.

The resolution to strike in case of failure of the negotiations was voted by a general assembly of the personnel organised by the trade unions. To the knowledge of the Commission, the clear majority of the personnel present at the general assembly voted for the resolution. The exact result is unknown, however, since no ballot papers were used.

(98/C 386/216) **WRITTEN QUESTION E-1769/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(5 June 1998)

Subject: Sewerage and sewage treatment system in Old Kavalla

The Eastern Macedonia Department of the Technical Chamber of Greece claims that the drains and pumping stations for the sewage system in Old Kavalla have been built in the waterfront area as opposed to the approved study, which provided for them to be built higher up, on stable ground and away from the waterfront.

Given that:

— the project is funded from Community resources,

— the construction of the system in the waterfront area, in an exceptional summer resort such as Old Kavalla, creates environmental problems and deprives the public of free access to and use of the waterfront and the beach,

— there is a constant threat to the system from rough seas (in the winter of 1996-1997 a section of the drains was swept away),

can the Commission investigate the matter and examine whether there is a discrepancy between the locations indicated in the study and the actual locations of the work and

if so, will it ask the Greek authorities for clarification?

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

(24 June 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/217) **WRITTEN QUESTION E-1771/98**

by Roger Barton (PSE) to the Commission

(5 June 1998)

Subject: Belgian ban on three-wheeled uncovered motor vehicles using motorways and main roads

The Belgian authorities have introduced a ban on three-wheeled uncovered motor vehicles using motorways and main roads, despite the fact that such vehicles are subject to single-market specifications and agreements.

Given that three-wheelers are often used by riders with disabilities, and having regard to the principle of free movement, have the Belgian authorities informed the Commission of the reasons, rationale and justification for introducing such a ban?

Answer given by Mr Kinnock on behalf of the Commission

(10 July 1998)

The Commission has asked the Member State concerned for information regarding the facts raised to by the Honourable Member. It will inform him of its findings.

(98/C 386/218) **WRITTEN QUESTION E-1772/98**

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(5 June 1998)

Subject: Non-conventional medicine

In his speech to the European Parliament on 28 May 1997 on the harmonization of non-conventional medical practice between the Member States, Commissioner Flynn said that the general system of recognition of diplomas, in force for several years, already ensured the free movement of medical practitioners between Member States which recognize non-conventional medicine as a discipline distinct from conventional medicine, would the Commission now provide:

1. an exhaustive list of the Member States which recognize non-conventional medicine as a discipline distinct from conventional medicine;
2. lists, name and/or description, as appropriate, of diplomas in non-conventional medicine recognized in the Member States of the European Union which, under the general system of diplomas recognition, ensure the free movement of those practitioners in possession of such diplomas;
3. the legislation pertaining to non-conventional medicine in those Member States in the European Union which have made such medicines official.

Answer given by Mr Monti on behalf of the Commission

(29 July 1998)

The Commission would point out that this question is exactly the same as the Honourable Member's Written Question E-1743/98.

The Commission would therefore refer the Honourable Member to the answer it has already given to that question ([1]).

([1]) See page 156.

(98/C 386/219) **WRITTEN QUESTION E-1780/98**

by Nikitas Kaklamanis (UPE) to the Commission

(11 June 1998)

Subject: Turkey blocks the election of the Armenian Patriarch of Constantinople

17 May 1998 had been set as the date for the election of the Armenian Patriarch of Constantinople following the death of Patriarch Karekin at the beginning of the year. However, the Turkish authorities have banned this election, postponing it indefinitely.

This is contrary to the provisions of the founding charter of the UN and the Treaty of Lausanne which Turkey itself signed and which provides for the non-interference of the Turkish authorities in the activities of the Armenian Church and the protection of all the Christian minorities living on Turkish territory. Of course, these provisions have never been respected; in fact the Turkish authorities have systematically exterminated all Christians (Greeks, Armenians and others) who have refused to abandon the land of their fathers.

Will the Commission state its official views on this matter and say what action it intends to take, since this is clearly yet another case of the violation of the religious rights of the Christian minorities in Turkey, a country which has been importuning the EU with its demands for membership but is continuing to use tactics used by totalitarian regimes?

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

(16 July 1998)

The Commission considers the improvement of the human rights situation and the continuation of democratisation of particular importance to the development of relations between the Union and Turkey.

At December's Luxembourg European Council, the Union reiterated 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 Union. The Council added that closer ties also depended on respect for and protection of minorities. The latter naturally include the Armenians, for whose organisation the election of a Patriarch was crucial.

Despite the Turkish government's decision to suspend all political dialogue with the Union, the Commission will continue presenting the Union's views on such matters to Turkey.

(98/C 386/220)

WRITTEN QUESTION E-1784/98

by Concepció Ferrer (PPE) to the Commission

(11 June 1998)

Subject: Situation in Bosnia-Herzegovina

The European Parliament previously expressed the view that it was vital to train teachers to help children in Bosnia-Herzegovina overcome the effects of war and considered that the EU should fund peace education programmes designed to foster tolerance among the peoples of the region.

At the present time, the education system in Bosnia-Herzegovina is instead placing emphasis on the differences between the various ethnic groups, thereby encouraging a segregationalist mentality which is making it impossible to lay the basic foundations for coexistence based on tolerance and respect.

Is the Commission aware of this situation and has it taken any firm measures to promote education for peace in the former Yugoslavia?

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

(10 July 1998)

The Commission is very mindful of the situation with regard to education in Bosnia and Herzegovina. It is making every effort to ensure that there is no place for segregationist attitudes in any of its programmes.

For example, the recently implemented Phare VET 97 programme has the main aim of fostering a spirit of tolerance between the population groups in the region. The three components of the project (institution building, curriculum development and specific training measures) are designed to create links between the various bodies of the educational system and build trust between teachers. The Pre Tempus programme for higher education has succeeded in regularly bringing together the chief education officers of the three communities and is regarded as a benchmark by those concerned in Bosnia and Herzegovina.

(98/C 386/221)

WRITTEN QUESTION E-1790/98

by Viviane Reding (PPE) to the Commission

(11 June 1998)

Subject: Postponement of the ban on testing on animals

Given that Directive 93/35/EEC [1] provides for a ban on testing on animals in the cosmetics industry and lays down that such testing must be replaced by alternative methods of testing as from 1 January 1998,

that some EU Member States (the Netherlands and Germany) have introduced such a ban but that most have not done so,

that the cosmetics industry already has available thousands of ingredients which have been tested on animals,

that alternatives to most, frequently cruel, tests on live animals exist but are not being used and that research into new alternative methods of testing finds very little support,

and that the Commission has still not taken any action in respect of the promised directive on a ban on testing on animals for finished cosmetics products,

why is the Commission postponing the ban provided for in the Directive which was due to enter into force in 1998? In the Commission's view, does commercial policy take precedence over animal welfare? On what grounds does the Commission keep postponing decisions on this issue?

[1] OJ L 151, 23.6.1993, p. 32.

Answer given by Mr Bangemann on behalf of the Commission

(15 July 1998)

By means of Directive 97/18/EC of 17 April 1997, postponing the date after which animal tests are prohibited for ingredients or combinations of ingredients of cosmetic products, [1] the Commission postponed the date of 1 January 1998 laid down in Council Directive 93/35/EEC of 14 June 1993 to 30 June 2000, bearing in mind that the main objective was to protect public health and that, while progress had been made in research into alternative testing methods, there were still none which had been scientifically validated and which were the subject of guidelines adopted by the OECD (Organisation for Economic Cooperation and Development).

Directive 97/18/EC lays down that the postponement of this date must not, however, be prejudicial to the objective of reducing the number of test animals and their suffering wherever possible, notably through the use of screening tests, and that every effort must be made to promote research, pursuant, in particular, to the provisions of the 4th Framework Programme for Research.

Any action to prohibit animal testing, particularly any action of a legislative nature, must also be compatible with international agreements and the rules of international trade, particularly those laid down by the World Trade Organisation.

Progress has been made since April 1997 and alternative methods have been validated in the areas of phototoxicity and skin corrosivity. In accordance with Article 4(1)(i) of Directive 93/35/EEC, however, the Commission must consult the Scientific Committee on Cosmetic Products and Non-food Products for Consumers. Tests on animals can generally be, and to a great extent are, avoided in the case of finished cosmetic products.

The progress made in 1997 will be described in the 1997 annual report on the development, validation and legal acceptance of alternative methods to animal testing in the area of cosmetics which the Commission will be forwarding very soon to the Parliament and the Council.

The Commission hopes that testing on animals in the Community can be prohibited promptly on every occasion that this is possible without compromising human health. It is planning to propose amendments to the Directive on Cosmetic Products along these lines to the Parliament and the Council.

[1] OJ L 114, 1.5.1997.

(98/C 386/222) **WRITTEN QUESTION E-1801/98**

by Daniela Raschhofer (NI) to the Commission

(11 June 1998)

Subject: EU contributions and financial aid

Different figures are repeatedly circulated in various publications and press releases concerning Austria's annual contributions to the EU and the level of funding that Austria receives back through various support programmes. Will the Commission therefore reply to the following questions:

1. What were Austria's gross contributions in 1996 and 1997?
2. What assumptions are likely to be used to determine the contributions for 1998?
3. What was the scale of the commitment appropriations earmarked by the Commission (for 1996 and 1997) which could have been returned to Austria?
4. What level of funding was approved by the Commission (for 1996 and 1997)?
5. What level of funding was actually received by Austria from the EU in 1996 and 1997 (broken down by recipient area and type of aid)?
6. What is the difference in each case between the commitment appropriations, the level of funding approved by the EU and the financial aid actually received by Austria, in respect of 1996 and 1997?

7. What funding which was not taken up by Austria in 1996 and 1997 has lapsed and been lost to Austria?

8. What financial aid has Austria applied for to date in respect of 1998?

9. What financial aid (in respect of Austria) for 1998 has been approved by the Commission to date?

Answer given by Mr Liikanen on behalf of the Commission

(7 July 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/223) **WRITTEN QUESTION E-1813/98**

by Luigi Vinci (GUE/NGL) and Lucio Manisco (GUE/NGL) to the Commission

(11 June 1998)

Subject: Application of Directive 91/689/EEC on hazardous waste

Article 3(2) of Directive 91/689/EEC ([1]) on hazardous waste provides that in accordance with Article 11 (1) (b) of Directive 75/442/EEC ([2]), a Member State may waive Article 10 of that Directive for... undertakings which recover waste covered by that Directive. The conditions for the waiver are laid down in Article 3 (2) of Directive 91/689/EEC. Article 3(4) of Directive 91/689/EEC provides that if a Member State intends to make use of the provisions of paragraph 2, the rules referred to in that paragraph shall be sent to the Commission not later than three months prior to their coming into force. The Commission shall consult the Member States.

In the light of these consultations the Commission shall propose that the rules be finally agreed upon in accordance with the procedure laid down in Article 18 of Directive 75/442/EEC. Directive 83/189/EEC ([3]) has introduced a special procedure for the notification of standards and technical regulations.

1. How does the Commision interpret Article 3(4) quoted above? In particular, if the period of three months from the date of notification of the standards to the Commision has expired, can those standards be adopted even where the Commission has not taken a decision approving or rejecting them?

2. Is it true that Italy has notified the Commission of draft technical standardswith regard to the implementation of simplified procedures for the recovery of non-hazardous and hazardous waste?

3. On what date was that notification submitted with regard to both the duty referred to in Article 3(4) of Directive 91/689/EEC and to Directive 83/189/EEC?

4. Does the Commission know whether the standstill period with regard to the above-mentioned Italian provisions is still running, and, if not, the date on which the standstill period expires under both Directive 91/689/EEC and Directive 83/189/EEC?

([1]) OJ L 377, 31.12.1991, p. 20.
([2]) OJ L 194, 25.7.1975, p. 39.
([3]) OJ L 109, 26.4.1983, p. 8.

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 July 1998)

Article 3(4) of Directive 91/689/EEC establishes that, after the expiry of the three months period in this Article, the national provisions mentioned in Article 3(2) can be adopted, even if a decision by the Commission to approve or reject them has not yet been taken. In case the Member State, after the expiry of the three months, adopts the provisions and the Commission subsequently does not approve them, the provisions will have to be modified in order to avoid a breach of Community law.

Italy has notified to the Commission draft provisions in application of Articles 31-33 of Italian decree 22/1997 on waste. The notification was made on 27 August 1997 under Directive 83/189/EEC and on 17 October 1998 under Directive 91/689/EEC. A supplementary Annex to the draft measures was notified under Article 3(4) of Directive 91/689/EEC on 12 February 1998. The standstill periods under Directive 83/189/EEC and Directive 91/689/EEC expired respectively on 28 November 1997 and 17 January 1998. As regards the Annex notified on 12 February 1998, the standstill period expired on 12 May 1998.

(98/C 386/224)

WRITTEN QUESTION E-1825/98

by Freddy Blak (PSE) to the Commission

(11 June 1998)

Subject: Monitoring of employees on the net

The latest hit with managers is programs that are marketed quite innocently as 'reporting tools'. In reality they are surveillance programs that allow the boss to keep an eye on every single page that staff visit when they surf the Internet and to check their e-mail. This is legal so long as firms inform staff that they are being monitored, even though the information is hidden away somewhere in a thick staff book.

Does the Commission not think that there is a need for ethical guidelines for monitoring staff on the net?

Answer given by Mr Bangemann on behalf of the Commission

(16 July 1998)

If companies install reporting mechanisms where data is processed which can be related to individual users, questions of data protection arise. If electronic mail messages are read, questions of confidentiality may also arise, although this confidentiality is not safeguarded within a company network to the same extent as it is when using public telecommunications networks. These questions are governed by national law, in conformity with relevant provisions of Community directives on data protection.

Member States may also have regard to these questions in their legislation concerning relationships between employers and employees.

It does not appear appropriate at this stage to attempt to lay down more detailed rules at European level as to how companies should approach these issues. The Commission would however welcome it if companies faced with similar issues were to discuss practical solutions together and with their employees or their representatives.

(98/C 386/225)

WRITTEN QUESTION E-1884/98

by José García-Margallo y Marfil (PPE) to the Commission

(16 June 1998)

Subject: SMEs

The Commission's report to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the coordination of activities to assist small and medium-sized enterprises (SMEs) and the craft sector (COM(97) 0610) (p. 30) states that in 1997 a reform was undertaken of the operating procedures of the Committee on Commerce and Distribution (CCD). At present there is also a parliamentary intergroup on commerce and distribution.

Can the Commission provide information on this reform and the nature of the changes?

Answer given by Mr Papoutsis on behalf of the Commission

(17 July 1998)

The committee on commerce and distribution (CCD), established by Commission decision 81/428/EEC of 20 May 1981 ([1]), is a consultative body made up of entrepreneurs and reporting to the Commission. In order to improve the committee's efficiency, a number of steps have been taken to alter the way it functions.

Participation in plenary sessions is now limited to full members of the CCD so as to achieve a more focused entrepreneurial discussion. In order to keep the professional organisations of the trade sector properly associated, an annual CCD conference is now organised separately from the CCD plenary session. The member of the Commission responsible for the sector attends this conference as do representatives from other European institutions including the Parliament.

The members of the CCD working groups are now selected to a greater degree on the basis of their background knowledge of the matters discussed and not just on the basis of their interest in the immediate topic under discussion. This and the fact that the working group meetings are now smaller has increased the CCD's efficiency. CCD opinions are more quickly prepared and voted, using a written procedure. They are communicated both to the Commission and to the Member States Directors general of commerce and to governmental experts. A wider dissemination of CCD documents is envisaged, including the use of the internet.

The information flow between the Commission and CCD members has been improved by using electronic mail. This also helps to improve the communication flow between CCD members and the relevant professional organisations and their members.

([1]) OJ L 165, 23.6.1981.

(98/C 386/226)

WRITTEN QUESTION P-1891/98

by Jean-Claude Pasty (UPE) to the Commission

(9 June 1998)

Subject: Remunerations and allowances of Members of the European Institutions

In the interest of transparency over the remunerations and allowances of the Members of the various EU Institutions, about which concern has been expressed on many occasions in the European media, can the Commission provide complete figures for the remuneration (both gross and net of tax) and service-related allowances of the Members of the Commission, the Judges of the Court of Justice, the Members of the Court of Auditors and the Judges of the Court of First Instance?

Answer given by Mr Liikanen on behalf of the Commission

(22 July 1998)

The Honourable Member asks about the remuneration and allowances of members of the institutions of the European Union. The Commission can provide an answer for its own part, but declines to respond on behalf of other autonomous institutions.

The remuneration and allowances of the members of the Commission are tied to the remuneration and allowances of the officials of the Commission, laid down in the Staff Regulations, as amended by Council Regulation No 2591/97 of 18 December 1997 ([1]) adjusting with retroactive effect from 1st July 1997 the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto.

The remuneration of the members of the Commission comprises the following elements:

— a basic salary.

The basic salary of a member of the Commission equals 112.5 % of the basic salary of an official of grade of A1/6, thus amounting to 617,756 BEF. For the vice-presidents of the Commission and for the President of the Commission, the basic monthly salary equals 125 % and 138 % of the salary of a grade A1/6 official.

The basic salary of the members of the Commission is subject to a progressive tax, the maximum marginal tax rate being 45 % and to a temporary contribution of 5.83 % on part of the salary. These taxes are the same as provided by the Staff Regulations for the officials of the Commission, and are paid to the budget of the Union. In addition, a contribution of 1.8 % of the salary is deducted for sickness and injury insurance.

— residence allowance of 15 % of the basic salary.

The members of the Commission are not entitled to the expatriation allowance (16 % of the basic salary) to which the expatriate officials of the Commission are entitled

— a monthly representation allowance of 24 515 BEF.

Other allowances of the members of the Commission are the same as for the officials of the Commission, as stipulated in the Staff Regulations, a copy of which is forwarded direct to the Honourable Member and to the Secretariat General of the Parliament.

Based on these elements, the monthly net salary of a member of the Commission is calculated at 513 410 BEF. This amount varies and can be increased by the household and child allowances.

(1) OJ L 351, 23.12.1997.

(98/C 386/227) **WRITTEN QUESTION E-1904/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(16 June 1998)

Subject: The EU and the Helms-Burton Act

In the recent EU-US negotiations on the extraterritorial effects of the Helms-Burton Act, was an agreement reached concerning a full derogation from the US extraterritorial legislation, or does the agreement refer only to a temporary exemption for the EU from the effects of the laws concerned?

(98/C 386/228) **WRITTEN QUESTION E-1905/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(16 June 1998)

Subject: EU-US agreement on the Helms-Burton Act

Does the agreement made public on 18 May 1998 between the EU Presidency, the Commission and the US Presidency imply that, despite this agreement, those contents of the Helms-Burton Act which remain in force are to be incorporated into Community law?

Does the Commission consider that this agreement guarantees the national sovereignty of all the Member States?

Joint answer to Written Questions E-1904/98 and E-1905/98 given by Sir Leon Brittan on behalf of the Commission

(16 July 1998)

The Commission would refer the Honourable Member to its joint answer to written questions E-1343/98 and 1344/98 by Mr Sanchez-Neyra [1] and to the reply it gave to oral question H-573/98 by Mr Marset Campos during question time at Parliament's June 1998 part-session [2] for a detailed explanation of the main elements of the agreement reached between the Community and the United States at the Summit in London on 18 May 1998. The agreement reached is a package of elements that offer the real prospect for a lasting resolution of the differences with the United States over the Helms-Burton Act and the Iran-Libya Sanctions Act, and the broader problem of extraterritorial sanctions.

However, in spite of this agreement, the Commission's position on these Acts remains that they are contrary to international law. At no point did the Community acknowledge their legitimacy. The Commission has fully reserved its right to resume the World trade organisation (WTO) case in the event of action being taken against Community citizens or companies under these Acts. The agreement is of a political nature and does not in any way give validity to the illegal provisions of the American laws in question.

The full implementation of the agreement reached between the Community and the United States at the Summit in London on 18 May 1998 depends on the support of the American Congress. It does contain elements that form the basis for paving the way for a permanent neutralisation of the Helms-Burton Act and avoiding similar acts from being enacted in the future. But the Community and Member States as well as the United States will have to implement the deal once the presidential waiver authority under Title IV of the Helms-Burton Act is adopted and exercised.

The agreement fully guarantees the national sovereignty of the Member States. The understanding on disciplines regarding investment in illegally expropriated property provides that it is the Member States and notably their agencies responsible for deciding on government commercial assistance and support which will carry out the main part of the agreed disciplines. As for countries that have engaged in repeated expropriations, including Cuba, the Commission has agreed to be especially careful when assessing the possibility of providing government assistance in such cases.

Existing investments are not affected by the disciplines, and with respect to future investment in property expropriated in the past, such as in Cuba, there will be no investment ban, only some restraints on government assistance.

(1) See page 115.
(2) Debates of Parliament (June 1998).

(98/C 386/229) **WRITTEN QUESTION P-1915/98**

by Jean-Antoine Giansily (UPE) to the Commission

(9 June 1998)

Subject: Implementation of the 1998 budget

On 18 December 1997, at second reading of the 1998 draft budget, the European Parliament adopted Amendment 1 on the institutions' administrative expenditure (Chapter A-11, Staff in active employment), which stipulated that the following text be added to footnote 4 to the column entitled 'Of which permanent posts in the Supply Agency': 'The duties of Deputy Director-General of the Supply Agency are carried out by an A3 official appointed Deputy Director-General pursuant to Article 53 of the European Atomic Energy Community Treaty'.

Can the Commission say on what date, as part of its task of implementing the budgetary authority's decisions, it officially made that appointment?

Answer given by Mr Liikanen on behalf of the Commission

(8 July 1998)

The post of Deputy Director-General is provided for by Chapter VI (Article 53) of the Euratom Treaty, which lays down that 'the Agency shall be under the supervision of the Commission, which shall ... appoint its Director-General and Deputy Director-General'.

Since the signing of the Euratom Treaty, the Commission has noted that the role of the Agency has been scaled down to such an extent that its list of posts includes only 24 permanent posts, eight of them in Category A.

The post of Deputy Director-General, which has never featured in the organisation chart, must be created before the Commission can fill the post.

So far, the Commission has not made this change to the Agency's Directory.

(98/C 386/230)

WRITTEN QUESTION P-1916/98

by Astrid Thors (ELDR) to the Commission

(9 June 1998)

Subject: Competition issues with a view to electronic and other means of payment

In view of the rapid development of means of payment, including cards and electronic facilities, when will the Commission state its position on whether the situation with regard to competition between firms providing credit card or electronic payment services is satisfactory?

Answer given by Mr Van Miert on behalf of the Commission

(8 July 1998)

The Commission is currently finalising an examination of the rules of two major international credit card schemes, as to their compatibility to Community law. These rules were notified to the Commission in order to obtain a negative clearance or an exemption within the meaning of Article 85 of the EC Treaty. In addition to these notifications the Commission is also examining several formal and informal complaints, in particular the complaint made by the European retailers organisation Eurocommerce, directed against one or more elements of these international credit card schemes.

The Commission hopes to take a formal decision in these two cases in the second half of 1998. When the Commission has stated its views on these pending individual cases, it intends to issue shortly after a notice in which its position with regard to the main competitive issues in payment card systems will be clarified in a more general context.

(98/C 386/231)

WRITTEN QUESTION P-1941/98

by Lyndon Harrison (PSE) to the Commission

(11 June 1998)

Subject: Public holidays

Given there are only 50 days a year, clear of national, public holidays, where the whole of the European Union and its single market is open for business, will the Commission indicate what it might do to improve the business environment by rationalizing the timing of such public holidays across the Union?

Does the Commission agree that such measures should not detract from the holiday complement currently enjoyed by Europe's workforce?

Answer given by Mr Santer on behalf of the Commission

(15 July 1998)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

(98/C 386/232)

WRITTEN QUESTION E-2036/98

by Klaus Hänsch (PSE) to the Commission

(7 July 1998)

Subject: Allocation of EU resources to Duisburg, North Rhine-Westphalia

Regarding the allocation of EU resources to the city of Duisburg in North Rhine-Westphalia, can the Commission indicate:

1. the sum of EU structural resources received and their breakdown by Funds and the various Community programmes and initiatives and of EU resources allocated to Duisburg from other budget lines since 1994 for pilot projects, measures or — as direct allocations — universities, research establishments, undertakings and other bodies,
2. the number of jobs created or preserved with the aid of these resources?

Answer given by Mr Santer on behalf of the Commission

(6 July 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/233)

WRITTEN QUESTION E-2040/98

by Klaus Hänsch (PSE) to the Commission

(7 July 1998)

Subject: Allocation of EU resources to the city of Remscheid, North Rhine-Westphalia

Regarding the allocation of EU resources to the city of Remscheid in North Rhine-Westphalia, can the Commission indicate:

1. the sum of EU structural resources received and their breakdown by Funds and the various Community programmes and initiatives and of EU resources allocated to Remscheid from other budget lines since 1994 for pilot projects, measures or — as direct allocations — universities, research establishments, undertakings and other bodies,
2. the number of jobs created or preserved with the aid of these resources?

Answer given by Mr Santer on behalf of the Commission

(6 July 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/234) **WRITTEN QUESTION E-2041/98**

by Klaus Hänsch (PSE) to the Commission

(7 July 1998)

Subject: Allocation of EU resources to the city of Solingen, North Rhine-Westphalia

Regarding the allocation of EU resources to the city of Solingen in North Rhine-Westphalia, can the Commission indicate:

1. the sum of EU structural resources received and their breakdown by Funds and the various Community programmes and initiatives and of EU resources allocated to Solingen from other budget lines since 1994 for pilot projects, measures or — as direct allocations — universities, research establishments, undertakings and other bodies,
2. the number of jobs created or preserved with the aid of these resources?

Answer given by Mr Santer on behalf of the Commission

(6 July 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/235) **WRITTEN QUESTION E-2054/98**

by Felipe Camisón Asensio (PPE) to the Commission

(7 July 1998)

Subject: Degree of compliance with Community law in the Member States

With reference to the above topic and, in particular, to the data for 1997 as compared with those for 1996, could the Commission say at what rate directives are incorporated into national law in each of the 15 Member States? How many reasoned opinions are produced and how many cases are referred to the Court of Justice?

Which are the sectors in respect of which the Commission has had to intervene most?

Answer given by Mr Santer on behalf of the Commission

(16 July 1998)

The Commission would refer the Honourable Member to the 15th report on the monitoring of the application of Community law [1], which was transmitted to Parliament on 27 May 1998 and contains all the information necessary to answer the question.

[1] COM(98) 317 final.

(98/C 386/236) **WRITTEN QUESTION P-2095/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(30 June 1998)

Subject: Operation of universities of other Member States in Greece

'Free Study Centres' which collaborate with universities of other Member States of the European Union are operating in Greece. Students at these centres follow courses in Greece during the first years and usually continue

for the last year at the foreign university in question which awards them their diploma. However, owing to constitutional provisions which ban the establishment of private universities, these diplomas are not recognized; this has recently been confirmed by a decision of the Council of State.

Will the Commission shed light on this confused issue and state whether:

1. Educational matters, especially relating to the public or private nature of higher education, fall within the jurisdiction of the Member States?
2. Decisions by the body in question (Dikatsa), taken on the basis of the Greek Constitution and the decision of the Council of State, constitute part of Community legislation for the recognition of diplomas?
3. These diplomas which are not recognized in Greece are valid in the other countries of the European Union, given that the universities are listed in the Directive on the equivalence of diplomas?

Answer given by Mrs Cresson on behalf of the Commission

(16 July 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(98/C 386/237) **WRITTEN QUESTION P-2239/98**

by Franco Malerba (PPE) to the Commission

(10 July 1998)

Subject: Measures to safeguard against the risk of 'asteroid collision'

Although the collision of a large asteroid with the earth is a rare event, the documented identification of more than 150 craters produced by the impact of asteroids in areas of the planet not covered by sea and the extremely large number of craters that can be seen on the moon are a reminder that such events occur all the time in the region of space in which the earth orbits. The collision of a large asteroid (about 10 km in diameter) with the earth could lead to the extinction of many plant and animal species, but if its trajectory were identified very early on it is quite likely that a catastrophe could be successfully averted. However, the detection and monitoring of asteroids is not easy because they are relatively small and hence their luminosity is low.

On 20 March 1996, the Council of Europe approved the Lorenzi resolution 1080/96, which invites the countries of Europe to fund research into protecting the planet from asteroids within a framework of international cooperation.

Although various research centres in Europe carry out research into asteroids, a request for funding for research into NEOs (Near Earth Objects) submitted in January 1997 to DG XII of the European Commission by 9 groups from 8 EEC countries has been rejected, whereas in the United States $10 million has been invested in three research programmes that are already up and running: Spacewatch, Loneos and NEAT.

How does the Commission intend to deal with the global risk of collision with asteroids, what research work and programmes does it intend to support and what international collaboration does it consider necessary?

Answer given by Mrs Cresson on behalf of the Commission

(8 September 1998)

The Commission would refer the Honourable Member to its answer to written question E-1578/98 by Mr Ford ([1]).

([1]) See page 150.

(98/C 386/238)

WRITTEN QUESTION E-2294/98

by John McCartin (PPE) to the Commission

(22 July 1998)

Subject: Pork prices

Can the Commission state what the average market price for pork was, as paid to farmers in the different states of the EU, last month (or the most recent month for which the figures are available)?

Answer given by Mr Fischler on behalf of the Commission

(3 August 1998)

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

(98/C 386/239)

WRITTEN QUESTION E-2315/98

by Riccardo Nencini (PSE) to the Commission

(22 July 1998)

Subject: State aid

The cooperative I.P.T. based at Scarperia (Florence) submitted an application for funding under Law 49/85 (known as the Marcora law) in respect of which approximately L 189 000 000 was set aside in June 1997 (minimum), before the said law was challenged by DG IV of the European Commission on the grounds that it constituted state aid. In November 1997, the government drew up a decree amending Law 49/85 to reflect the remarks issued by the Community authorities. The resolutive opinion of the competent DG on the legislative decree has not yet been made known and consequently measures cannot be taken quickly to safeguard the 500 or more jobs affected.

Will the Commission, and the relevant departments, act quickly to make known its definitive opinion on the decree in question?

Answer given by Mr Van Miert on behalf of the Commission

(3 August 1998)

At its weekly meeting on Wednesday 15 July, the Commission decided not to raise any objection to the aid in question, i.e. No 26/98 (Law 49/85 or the 'legge Marcora').

(98/C 386/240)

WRITTEN QUESTION E-2393/98

by John McCartin (PPE) to the Commission

(27 July 1998)

Subject: Development aid

Can the Commission indicate the amount of development aid and food aid (both public and private) granted to developing countries by the individual Member States of the EU over the last three years.

Answer given by Mr Pinheiro on behalf of the Commission

(8 September 1998)

Because of the length of the answer, which includes a number of tables, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(98/C 386/241) **WRITTEN QUESTION P-2520/98**

by Hugh McMahon (PSE) to the Commission

(28 July 1998)

Subject: Projects in Tarija, Bolivia

Can the Commission provide Parliament with an up-to-date breakdown of the finances of the projects in Tarija, Bolivia, in each of the following categories:

— improving economic access to food;

— improving physical access to food;

— improving availability of food

In addition, can the Commission inform Parliament of the administrative costs of the project, including the personnel costs for the eight directors over the past four years and the cost of transport shipped from Europe?

Answer given by Mr Marin on behalf of the Commission

(25 August 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.
