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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(1999/C 96/001) **WRITTEN QUESTION E-1582/97**

by Cristiana Muscardini (NI) to the Commission

(6 May 1997)

Subject: Restructuring of the network of lottery sales outlets in Italy

The current network for selling lottery tickets in Italy consists of 4500 official sales outlets run by monopoly retailers (tobacconists) or former lottery employees (Law No 123 of 16 March 1987).

A subsequent law (No 85 of 19 April 1990) provided for the gradual extension of this network, which is expected to bring the number of lottery sales outlets to 15 000.

1. Have the procedures for tendering and the selection of the company responsible for restructuring been complied with?

2. Has provision also been made for tendering to supply ticket selling equipment for the 15 000 planned sales outlets?

3. Given that a single market exists, can the sales outlets also be set up in other European Community Member States?

Supplementary answer
given by Mr Monti on behalf of the Commission

(22 September 1998)

The Commission contacted the Italian authorities with a view to obtaining information on the procedures for supplying the terminals needed by the 15 000 lottery sales outlets mentioned by the Honourable Member. The Italian authorities replied that the contracts for purchasing the terminals had been concluded direct with suppliers in 1992. However, they indicated that after 1992 proper contract award procedures had taken place for the subsequent supply of goods and services. They undertook to comply in full with Community public procurement legislation for the forthcoming investments necessary for the continued computerisation and extension of the network of lottery sales outlets.

(1999/C 96/002) **WRITTEN QUESTION E-3707/97**

by Ulf Holm (V) to the Commission

(19 November 1997)

Subject: EU subsidies to the auto industry

According to the press, the EU is giving the car manufacturer, Jaguar, some one billion kronor in subsidies for the further development of a Jaguar model. The car will cost some one million kronor on the market. According to

Commission President Santer's chief press officer, Colin Cook, the subsidy is to help them get a foothold in the segment currently occupied by the BMW 5-series. Jaguar cars are widely recognized as luxury vehicles with heavy fuel consumption.

1. To which other car manufacturers does the EU give financial support and how much?

2. Does the Commission consider it appropriate to subsidize the development of a luxury car that the absolute majority of EU citizens will never be able to buy?

3. Does the Commission consider that subsidies for the development of fuel-guzzling cars such as Jaguars can continue once the Amsterdam Treaty is in force in view of the fact that 'sustainable development' is now written into the Treaty and will be a significant criterion in EU policy?

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

(18 September 1998)

This supplementary answer includes the information requested by the Honourable Member in point 1 of his question.

Under Community support framework II for Portugal for the period 1994-99, and more specifically the industry programme PEDIP II, a total of 97 individual projects in the automobile sector (classification codes 34100, 34200, 34300) are receiving public aid. The total volume of incentives approved until the end of November 1997 was ECU 310 million, of which ECU 235 million has been paid out. The European Regional Development Fund (ERDF) finances 75 % of the corresponding aid schemes.

Via the ERDF and under the 1994-99 industry programme for the Objective 1 regions in Italy, the Commission is also jointly financing the general aid scheme established by Law 488/92 for supporting productive investment in less favoured areas. In this context, five large projects (investments of more than ECU 15 million) for the automobile industry have been presented by the Italian authorities: three for Fiat Auto (investments amounting to ECU 635 million, with ECU 104 million to be provided by way of public assistance), one for Fiat Iveco (an investment of ECU 16 million, with ECU 4 million in public assistance) and one for Isotta Fraschini (an investment of ECU 20 million, with ECU 10 million in public assistance). These projects are currently being examined by the Commission.

Two firms have received aid from the ERDF in Spain: Fabrication des Automobiles Renault España SA and Suzuki Manufacturing Spain SA. According to the information transmitted by the Spanish authorities for the monitoring committee meeting of 14 July 1998, the amounts granted under the 'Incentivos Regionales' operational programme between 1 January 1994 and 31 December 1997 were ESP 890 527 400 (around ECU 5,3 million) to Suzuki Ciudad Real, ESP 576 217 739 (around ECU 3,43 million) to Renault Sevilla and ESP 1 628 416 865 (around ECU 9,69 million) to Renault Valladolid.

(1999/C 96/003) **WRITTEN QUESTION E-0834/98**

by Francisca Sauquillo Pérez del Arco (PSE) to the Council

(31 March 1998)

Subject: Recognition of the Spanish qualification 'ingeniero tecnico' (technical engineer) for the purposes of eligibility for A/LA category posts in the European civil service

The differences in the national education systems lead to cases of discrimination between nationals of the Member States as regards eligibility for A/LA category posts in the European civil service, a problem which affects Spanish technical engineers in particular.

Does the Council consider that the recognition of higher education qualifications should be harmonized so as to avoid discrimination as regards eligibility for A/LA posts in the European civil service?

Is the Council aware of the discrimination affecting Spanish technical engineers, who are excluded from taking part in competitions for these posts because their qualification is described as an 'academic diploma', although in practice there is no difference in the vocational training involved?

Reply

(3 November 1998)

The Council manages its recruitment policy in accordance with the provisions of the Staff Regulations (in particular Article 27) which specify that the recruitment system must secure 'for the institution the services of officials of the highest standard of ability, efficiency and integrity, ...'. In doing so it avoids any discrimination and takes into account the different educational systems in the Member States.

The Council requires candidates in category A/LA competitions to hold a degree or equivalent diploma. Moreover, notices of competitions contain 'a guide for candidates' which, in the section dealing with education, states that the level of studies completed by the candidate is checked and assessed by the selection board and, where necessary, by specialists in the education system of the candidate's country. The procedures ensure that all candidates from all Member States are treated in the same way with regard to participation in Council category A/LA competitions.

In the light of the provisions and criteria referred to above, the appointing authority (within the meaning of Article 2 of the Staff Regulations of Officials of the European Communities) does not consider that the Spanish diploma 'ingeniero técnico' is sufficient at present to qualify its holders to take part in Council competitions for A/LA posts.

(1999/C 96/004) **WRITTEN QUESTION E-1123/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(8 April 1998)

Subject: Study of possible use of long buses within the Union

The transport Directive (96/53/EC) [1] harmonizing the maximum authorized dimensions and weights permitted in international road transport lays down that buses shall not exceed 12 metres in length. Some Member States, such as Finland, have been granted derogations from this provision.

The possibility of using buses longer than 12 metres throughout EU territory was also debated. During consideration of the transport Directive in 1996, a recommendation that the Commission should study the possibilities of using 15 metre buses within the Union was entered as statement 4 in the Council minutes.

What action has the Commission taken in response to the Council's statement to clarify the possibilities of using long buses within the Union?

[1] OJ L 235, 17.9.1996, p. 59.

Answer given by Mr Kinnock on behalf of the Commission

(29 May 1998)

Council Directive 96/53/EC of 25 July 1996 which lays down the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic [1] for certain road vehicles circulating within the Community does not in fact limit the length of rigid buses used in international transport to a maximum of 12 metres. The Directive guarantees that rigid buses of up to 12 metres length have the right to circulate freely throughout the Community. Rigid buses over 12 metres in length may circulate, but are subject to national legislation on the maximum permitted length.

The primary purpose of the Commission's legislative proposal which became Directive 96/53/EC was to harmonise all maximum vehicle weights and dimensions throughout the Community. The maximum length of rigid buses was one topic on which there was, however, no consensus, and no majority support for a 15 metres limit. Under these circumstances, the Commission gave a commitment to the Council to make a report on the issue.

The Honourable Member will be pleased to know that the Commission's report on 15 metres buses is expected to be adopted in the near future and will then be sent to the Council and the Parliament for their consideration.

(1) OJ L 235, 17.9.1996, p. 59.

(1999/C 96/005) **WRITTEN QUESTION E-1292/98**

by Patricia McKenna (V) to the Commission

(29 April 1998)

Subject: Grant assistance to Coillte, the Irish semi-state forestry company

Last year the European Commission forwarded a report to the Council of Ministers and European Parliament on the EU financial aid scheme for forestry measures in Ireland. The report focussed on the application of Regulation No 2080/92, which relates to grants made under the European Agriculture Guidance and Guarantee Fund (EAGGF).

This regulation states that it is preferable that grants made under it should go to people who practise farming as their main occupation.

Ireland's national parliament, Dáil Eireann, was recently informed that the semi-state forestry company Coillte received substantial grants under this scheme. With these grants it could undertake planting on 6 125 hectares of land in 1993, 5 355 in 1994, 5 155 in 1995, 3 658 in 1996 and 2 773 last year.

There is no provision made in the regulation for financial assistance to semi-state companies.

Given that this matter was not covered in last year's Commission report, will the Commission ensure that it is now investigated? Does it believe that Ireland's use of these funds to aid Coillte could be in breach of Regulation No 2080/92?

Answer given by Mr Fischler on behalf of the Commission

(15 June 1998)

The Honourable Member states that Regulation (EEC) 2080/92 makes no provision for financial assistance to semi-state companies.

However Article 2 of the Regulation defines eligibility for 'any natural or legal person undertaking afforestation of agricultural land'. Therefore, private enterprises as well as public services are potential beneficiaries of this regulation.

Preference for afforestation by farmers is expressed by the higher income foregone premium levels for this group in relation to non farmers.

The Commission does not intend to investigate afforestation by semi-state companies under Regulation (EEC) 2080/92 as afforestation undertaken by these companies is not in breach of its provisions.

(1999/C 96/006) **WRITTEN QUESTION E-1302/98**

by Francesco Baldarelli (PSE) to the Commission

(29 April 1998)

Subject: Discontinuation of Alitalia's direct flights to Santiago, Chile

The Italian community in Chile has informed us that the Italian national airline will discontinue the weekly direct flight to Santiago, Chile, as of 31 March this year. Alitalia flights will therefore only go as far as Buenos Aires and the onward flight to Santiago will be operated by L.A.N. Chile, in accordance with an agreement between the two airlines.

This news is disturbing and worrying the Italian community, since the decision comes less than a year before the beginning of the 2000 Jubilee, which will attract millions of tourists and pilgrims from all over the world to Italy, including many members of the Italian community in South America.

If this decision is final, it means that Chile will be the only country in South America without a direct air link with Italy. This would jeopardize Italy's image and credibility in Chile and would mark a reversal of the trend recently initiated by the interest shown by the Italian Government (two recent official visits – the first in July 1997, by the Deputy Prime Minister Walter Veltroni and the second a few days ago by the Prime Minister Romano Prodi), and Italian businessmen, increasing numbers of whom are operating in Chile.

In view of all this, can the Commission say what steps it intends to take to satisfy the legitimate requests of the Italian community in Chile, who would be severely penalized by the sudden and unexpected decision to discontinue direct flights to that country at the precise moment when contacts between the two countries are being intensified?

Answer given by Mr Kinnock on behaf of the Commission

(10 June 1998)

The Commission understands that the decision taken by Alitalia has been taken on purely commercial grounds. It has no power to intervene in this or comparable situations when companies decide to cease scheduled operations. All representations should therefore be made to the airline concerned.

(1999/C 96/007) **WRITTEN QUESTION E-1405/98**

by Cristiana Muscardini (NI) to the Commission

(11 May 1998)

Subject: Discretionary nature and transparency of public notices of access to structural funds

A number of regional authorities (for example, in the Marche Region) approve the public notices of access to funding by the Community's structural funds under objective 5b, within the framework of the Single Programme Document to be submitted to the Commission, without specifying the level of resources made available for each action.

1. Does the Commission not think that the use of this procedure undermines the principles of transparency that should govern the actions of the European Union?

2. Does the Commission not consider that citizens wishing to benefit from contributions made available under a specific measure or action have the right to know how much funding is available for the measures or actions in relation to which they have applied for funding?

3. Does the Commission not think that the procedure enabling administrations to move resources, once applications have been made, from one measure to another or from one action to another, in an entirely discretionary way, is wrong?

4. Given that such procedures undermine the principles of neutrality and transparency, does the Commission not consider it to be a bad thing that this might generate resentment and mistrust of regional and European institutions in the minds of European citizens?

5. What steps does the Commission intend to take to solve these problems?

Answer given by Mr Fischler on behalf of the Commission

(10 June 1998)

The Commission believes that the procedures for using the Structural Funds must be as transparent as possible. In the case of the single programming documents (SPDs) for Objective 5(b) in particular, the total budget allocated to each measure is recorded in the programme; it thus constitutes information in the public domain and is available to the citizen. The Monitoring Committee can revise the budget amounts but any change has to be approved by Commission decision.

With a view to subsidiarity and to avoid excessive rigidity in implementation, provision is not made in the Objective 5(b) SPDs to allocate funding below the measure level — the base on which the programme rests. Such allocation, where appropriate, is the exclusive responsibility of the authority responsible for implementation.

(1999/C 96/008) **WRITTEN QUESTION E-1424/98**

by Frode Kristoffersen (PPE) to the Commission

(11 May 1998)

Subject: Implementation of the PHARE programme

Does the Commission think that the existing PHARE programme meets its objective in view of the criticism that in its present state it does not have access to sufficient technical expertise? This shortcoming, according to critics, provides an opportunity to favour certain firms because competing firms do not have sufficient possibility to discuss the function and properties of their products at the relevant technical level with those who write the invitations to tender.

Does the detailed procedure for honouring contracts work in a satisfactory and timely fashion?

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

(12 June 1998)

The Commission has sufficient access to technical expertise through both internal and external experts. The latter are called upon when appropriate. Procedures for tendering were strengthened in 1997. The Commission also introduced standard tendering and contract documentation for PHARE in 1997. This provides for greater rigour in several areas, including tender evaluation procedure, the composition of tender evaluation committees, the feedback provided to bidders and stricter rules to avoid conflicts of interest.

In implementing Phare, the Commission respects the provisions of the Financial Regulation ([1]) including open tendering for works and supply contracts. For service contracts the provisions of Article 118 of the Financial Regulation (as revised in October 1995) ([2]) apply to ensure that all potential service suppliers have the opportunity to compete on an equal basis. Once a programme has been approved, its summary contents and budget breakdown are published in the Official journal followed by a more detailed description published on the Internet at the moment of tendering of individual service projects. This helps to ensure that all firms have equal access to relevant information. Potential service suppliers are invited to express their interest in project implementation. Firms which meet the minimum standards required for pre-qualification will subsequently be eligible to be short-listed.

Speedy contracting is a constant goal, but the Commission is also committed to ensuring that competition is fair, and cannot and will not compromise on transparency requirements. Sufficient time must be allowed for contracting and tendering to take place with the required level of transparency and fairness.

([1]) OJ L 356, 31.12.1977.
([2]) OJ L 240, 7.10.1995.

(1999/C 96/009) **WRITTEN QUESTION P-1530/98**

by Ilona Graenitz (PSE) to the Commission

(8 May 1998)

Subject: Euro symbol on computer keyboards

The move to the euro means that it is also necessary to add the euro symbol to computer keyboards.

1. Is it possible to obtain the euro symbol from the European Union free of charge?

2. Is there any general assistance available from the Union regarding the question of how to add the symbol to keyboards?

Answer given by Mr de Silguy on behalf of the Commission

(10 June 1998)

The Commission has been using the euro symbol to designate the single currency since the European Council in Dublin of 13/14 December 1996. On 23 July 1997 the Commission issued a communication ([1]) which invited all currency users to use the symbol whenever a distinctive symbol is needed for the description of monetary amounts in euro. The Commission supported this by registering the euro symbol for general typographic use in October 1997 with the International organisation for standardisation (ISO) within the framework of the international standard ISO 10036.

It is possible to download the symbol in various formats from the Commission's external server 'Europa' on the Internet (http://europa.eu/int). Moreover the technical description of the symbol can be found in various brochures published by the Commission.

In November 1997 the Commission put forward detailed proposals for the placement of the euro symbol on computer keyboards ('Recommendation for the placement of the euro sign on computer keyboards and similar information processing equipment' version 1.5) which have been welcomed by the main industry associations.

([1]) COM(97) 418 final.

(1999/C 96/010) **WRITTEN QUESTION E-1560/98**

by Graham Watson (ELDR) to the Commission

(19 May 1998)

Subject: Sixth Directive Article 10

Will the Commission make a statement on the interpretation of, and current practice in the various Member States in complying with, the 6th Directive (77/388/EEC ([1])) Article 10 of which states that the date of issue of a tax invoice may only be used as the 'chargeable event' for 'certain transactions or for certain categories of taxable person'?

Will the Commission comment on current UK practice since the removal of the Standard Method of Gross Takings and say whether this still complies with Article 10?

What method is employed by other Member States?

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

Answer given by Mr Monti on behalf of the Commission

(14 July 1998)

The general principle laid down in the first paragraph of Article 10(2) of the sixth VAT Directive is that the tax is chargeable at the time the goods are delivered or the services are performed. However, by way of derogation from this general principle, the third paragraph of Article 10(2) permits Member States, in respect of certain transactions or certain categories of taxable person, to defer the date on which the tax becomes chargeable. In the case of supplies of services or retail sales, for example, Member States may find it more appropriate to provide that VAT is chargeable at the time of issue of the invoice or the time of payment. In different Member States and under different circumstances, such practices exist.

The standard method of reckoning gross takings, which was introduced in the United Kingdom on the basis of this provision, allowed retailers to account for tax at a later date where they were not paid in full at the time of the supply. This 'method' was only permitted, however, where the supplier himself financed the debt, and could not be used where the payment in respect of the goods was received from a third party, such as a finance house.

The decision to withdraw the 'method' was taken by the United Kingdom in the November 1996 budget for a number of reasons. Firstly, the rationale behind the introduction of the scheme in 1978, which was to alleviate the bad debt problem faced by retailers who financed their own credit, had largely disappeared since the introduction in the United Kingdom of specific relief for VAT on bad debts. In addition, there was concern over the use of the 'method' for tax avoidance purposes.

The situation in the United Kingdom since the withdrawal of the 'method' marks a reversion to the application of the general principle of the first paragraph of Article 10(2), i.e. chargeability at the time of the supply.

(1999/C 96/011) **WRITTEN QUESTION E-1591/98**

by Klaus Lukas (NI) to the Commission

(25 May 1998)

Subject: Neutrality of Commission officials

On 11 March 1998 the head of the Commission representation in Vienna, Mr Wolfgang Streitenberger, made a statement in a commercial advertisement in which he promoted the 'Wirtschaftsblatt' newspaper, referring to its competence in reporting European policy in the following words: 'More and more economic decisions are being taken in Brussels. Comprehensive and rapid information on these decisions is becoming ever more important. With the Wirtschaftsblatt you can build up your store of information on a daily basis.'

1. In the highly competitive Austrian media world, how can this promotional commitment by the Commission be reconciled with the principle of neutrality of Commission officials?

2. Was Mr Streitenberger, who was clearly acting in his official capacity, committing himself on the Commission's behalf?

3. What measures does the Commission propose to take in this connection?

4. How does the Commission reconcile this action by its representative with its new code of conduct?

5. Does the Commission consider that, after this unilateral commitment, its representative in Vienna can still continue to represent its interests in other competing printed media?

6. Will the Commission also promote other Austrian printed media which provide intensive reporting of EU matters?

7. When, for example, will the head of the Commission representation in Vienna, Mr Wolfgang Streitenberger, also promote subscription to the 'Neue Freie Zeitung', whose reporting on European issues can also be highly recommended?

Answer given by Mr Oreja on behalf of the Commission

(4 August 1998)

The head of the Commission's Representation in Austria did not give a statement in the non-party-aligned, independent Austrian daily Wirtschaftsblatt on his own initiative but on invitation. Since 15 January 1997, 207 Austrian opinion leaders have given statements in similar vein.

The same kind of statements would be given on invitation via any other media which are correctly and objectively reporting on European integration and Commission policies.

The attitude of the Director of the Commission's representative office in Austria is in no way at odds with the public service ethic of the code of conduct for Commission officials or the terms of the Staff Regulations which the code is designed to reflect.

(1999/C 96/012) **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

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

(9 October 1998)

Further to its answer of 24 June 1998 ([1]), the Commission can now provide the following information.

As a result of its request to the Greek authorities for information on the drainage system and the biological sewage treatment plant at Palio Kavalas, the Commission received a copy of the exchange of letters between the DEYA (The Public Water Supply and Drainage Company) of Kavala and the Eastern Macedonia Department of the Greek Technical Chamber. The Commission is sending this correspondence to the Honourable Member and to the Parliament Secretariat.

It emerges from the correspondence that the issue has been resolved because the clarifications provided by DEYA mean that the Technical Chamber is satisfied with the work carried out.

([1]) OJ C 386, 11.12.1998, p. 157.

(1999/C 96/013) **WRITTEN QUESTION E-1794/98**

by Heidi Hautala (V) to the Commission

(11 June 1998)

Subject: HFC gases

Since the adoption of the Montreal Protocol ban on CFCs and HCFCs, non-ozone-depleting HFCs have been developed. However, HFC refrigerants are significant global warmers. The potent global warming impact of HFCs was recognised by their inclusion in the basket of gases at last December's conference in Kyoto.

1. Will the Commission propose that a planned phase-out of HFCs should be included in the proposals to be discussed at the June Council of Environment ministers as the EU prepares its position for the Fourth Conference of the Framework Convention on Climate Change to be held in November in Buenos Aires?

2. Does the Commission acknowledge that there are now viable alternatives to HFCs which are being increasingly used both across the EU and in the developing world?

3. Does the Commission recognize that prompt action now will save industry further costs by reducing the occurrence of 'two-step' moves away from CFCs and HCFCs?

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 September 1998)

1. The Commission notes the current rapid growth of the use of hydrofluorocarbons (HFCs) which have a significant global warming potential. It is however unclear what types of measures will be most efficient and cost-effective to limit the emissions of these gases. Therefore further work is needed to assess the feasibility of different measures. To this end the June 1998 Environment Council called for 'further work on policies to limit and/or reduce emissions of HFCs, PFCs, and SF6, particularly in the light of their inclusion within the Kyoto basket of gases' and it invited the Commission to 'develop a framework covering all fields of production and use of these gases for emission limitation and/or reduction that can be further elaborated by Member States'.

2. The Commission welcomes the recent increase in availability throughout the world of more environmental friendly alternatives to ozone depleting substances and to HFCs. In the explanatory memorandum to the new draft regulation ([1]) on ozone depleting substances the Commission stresses the risks of extensive use of HFCs, recalls that HFCs are substances with very long atmospheric life-times and also potential greenhouse gases and concludes that any use of HFCs will have to be accompanied by strict emission control measures.

3. The Commission's work on climate related issues has a high priority. In June 1998 the Council invited the Commission to develop a framework covering all fields of production and use of HFCs for their emission reduction. The Commission agrees that appropriate alternatives to HFCs should be encouraged when available.

([1]) COM(98) 398.

(1999/C 96/014)

WRITTEN QUESTION P-1823/98

by Alex Smith (PSE) to the Council

(8 June 1998)

Subject: Nuclear safety

Given that the THORP reprocessing plant at Sellafield had its reprocessing operations shut down by the nuclear safety authorities towards the end of May following the discovery of radioactive waste from its discharge pipes, will the Presidency now initiate negotiations between Member States such as Ireland and Sweden which have expressed ongoing concern over the safety at Sellafield, in advance of the OSPAR Convention meeting in July, to assess the ways in which Sellafield can convert its operations from reprocessing to safe waste management.

Reply

(19 October 1998)

The Council welcomes the outcome of the ministerial conference of the OSPAR Convention held in July 1998, at which the Parties agreed to take steps for discharges, emissions and losses of radioactive substances to be reduced by 2020 to levels such that, by comparison with historic levels, additional concentrations in the marine environment resulting from such discharges, emissions and losses are close to zero.

The Council would also remind the Honourable Member that the Community's basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation, as laid down in Council Directive 96/29/Euratom ([1]), apply.

The Council would draw attention to the fact that the Member State in which nuclear installations are situated is responsible for the safety of the design, construction and operation of those installations. The choice of fuel cycle is also a matter for each Member State.

(1) OJ L 159, 29.6.1996, p. 1.

(1999/C 96/015) **WRITTEN QUESTION E-1840/98**

by James Moorhouse (ELDR) to the Commission

(12 June 1998)

Subject: The human rights situation in the Democratic Republic of Congo

What measures have been taken, or are planned, by the Commission to encourage the Democratic Republic of Congo to respect human rights, release political prisoners and commit itself firmly to democratization?

Answer given by Mr Pinheiro on behalf of the Commission

(9 July 1998)

Direct cooperation between the European Union and the former Zaire was suspended in early 1992 owing to the regime's obstruction of the democratic process. Since then the Union has maintained a cautious, step-by-step approach designed to encourage the Government of the Democratic Republic of Congo in developing democracy. This approach was confirmed by the General Affairs Council's conclusions of 15 September 1997, which stated that cooperation would be re-established according to the progress made in human rights, democracy and the rule of law.

The Commission, in coordination with the Member States, is following the situation in Kinshasa closely and with concern. A critical, constructive dialogue based on the step-by-step approach referred to is being maintained with the Government. Accordingly, the Commission is taking part in overtures to the Congolese Government through European troika missions and representations by its delegation in Kinshasa.

Against this background, the measures being taken or planned by the Commission in coordination with the Member States in the field referred to by the Honourable Member — respect for human rights, support for justice and assistance in the democratic process — are as follows:

— A financial commitment of ECU 30 million is available for a programme to assist the preparation of elections. The aims of the programme are to conduct a census of and register the electorate and take other steps to facilitate the holding of elections and a possible constitutional referendum.

— ECU 4 million is to be allocated towards setting up a European Electoral Unit to supervise the elections. This measure has not yet been implemented, although some ad-hoc missions have been organised pending the launch of a proper electoral process.

— In April and May a mission visited Kinshasa to identify a programme to support human rights and the overhaul of the judicial system. The possibility of implementing such a programme is currently being studied by the Commission.

(1999/C 96/016) **WRITTEN QUESTION E-1841/98**

by James Moorhouse (ELDR) to the Commission

(12 June 1998)

Subject: Lebanese prisoners in Syria

What forms of pressure was the Commission able to exert during the negotiations on the Euro-Mediterranean Association Agreement with Syria in order to encourage the Syrian Government to release the 250 Lebanese prisoners still being held in its jails?

Answer given by Mr Marín on behalf of the Commission

(9 July 1998)

Human rights questions such as that raised by the Honourable Member are addressed with the Syrian authorities under Common Foreign and Security Policy, in which the Commission is fully associated.

The Commission, which is currently negotiating a Euro-Mediterranean association agreement with the Syrian Government, does not currently have such legal instruments as provided for by the Euro-Mediterranean association agreements authorising it to intervene in human rights issues.

Economic and trade relations between the Community and Syria are governed by the cooperation agreement concluded between the two parties in 1978, which will be replaced by the Euro-Mediterranean association agreement once it has been concluded and ratified.

The Commission has included in the negotiations of the agreement several specific provisions, notably in the preamble which will refer to the parties' commitment to respect for human rights, democratic principles and economic freedom as a basis for the bilateral agreement. In addition, and as in the case of the agreements concluded with Tunisia, Morocco and Jordan, Article 2 of the Agreement will contain a clause stating that 'respect for the democratic principles and fundamental human rights established by the Universal Declaration of Human Rights inspires the domestic and external policies of the Community and Syria and constitutes an essential element of this agreement'.

(1999/C 96/017) **WRITTEN QUESTION E-1876/98**

by Nikitas Kaklamanis (UPE) to the Commission

(16 June 1998)

Subject: Nightmarish threats posed by India's and Pakistan's nuclear tests

The successive nuclear tests carried out by India and Pakistan constitute nightmarish threats to the stability of the wider region and to world peace itself. On 28 May 1998, Pakistan carried out five underground nuclear tests in the Chagai region on the border with Iran and Afghanistan, in response to the five underground tests carried out by India at the beginning of the month.

This situation confirms the fears expressed in many quarters about the possession of nuclear technology by these two countries which have not hesitated to use it, causing incalculable damage to the earth's highly polluted environment.

It is worth noting that both countries' nuclear reactors are the Candu type which are of Canadian origin (this is the only type capable of producing almost pure plutonium — a substance suitable for making nuclear bombs — while burning natural uranium), identical to the one which Turkey is planning to install opposite the Greek island of Rhodes. Furthermore, according to claims made recently in the Canadian Parliament, these reactors have problems with leaks and general quality of construction, which make it imperative to cancel the installation of the Turkish nuclear reactor at Akkuyu so close to Community territory.

What is the Commission's official position on this entire issue? What measures will it take against Pakistan and India (which receive economic aid from the EU) whose actions seem to be leading to a dangerous escalation in the wider region and can be expected to have a direct impact on the interests of the EU itself owing to the special links between Pakistan and Turkey and the latter's intention of joining the Union while, nevertheless, inciting it by setting up a nuclear plant only a few miles from its territory.

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

(16 July 1998)

The Commission agrees with the Honourable Member that the nuclear tests undertaken by Pakistan and India pose a grave threat to international peace and security, and seriously damage global efforts to prevent the proliferation of weapons of mass destruction and to bring about nuclear disarmament.

In its declarations of 25 May and 8 June 1998 on this subject, the Union has underlined its full commitment to the 'Treaty of non-proliferation of nuclear weapons as a cornerstone of the global non-proliferation regime and an essential foundation for the pursuit of nuclear disarmament. Its goal continues to be adherence by all countries, including India and Pakistan, to the NPT as it stands without any modification' (Declaration of 8 June 1998).

These declarations also contain a number of measures to encourage compliance, and also state that the 'European Union will follow the situation in South Asia and take all necessary measures should India and Pakistan not take early steps to accede to the relevant international non-proliferation treaties and to resume their bilateral political dialogue'.

In the case of Turkey, the Commission would refer the Honourable Member to its answer to his Written Question P-662/98 ([1]) and the reply it gave to Oral question H-11/98 by Mr Kokkola during question time at Parliament's February 1998 part session ([2]).

In addition to the information provided in these replies the Commission would like to draw the attention of the Honourable Member that, since 17 April 1980, Turkey has been a Party to the Non-Proliferation Treaty and that, since September 1981, the implementing Safeguards Agreement with the International Atomic Energy Agency (IAEA) has been in force. The IAEA never found any reason to conclude that Turkey used its nuclear material and other relevant items for anything other than peaceful purposes.

([1]) OJ C 304, 20.10.1998.
([2]) Debates of the Parliament (February 1998).

(1999/C 96/018)

WRITTEN QUESTION E-1881/98

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. 58) briefly describes the Europartenariat and Interprise programmes aimed at encouraging international cooperation among SMEs.

In what sectors are the SMES which have most benefited from these programmes to be found?

Answer given by Mr Papoutsis on behalf of the Commission

(3 September 1998)

Europartenariat events and Interprise events are organised throughout the Community. This implies that the host regions are each time different, and therefore also the emphasis on specific sectors is different. Events focusing on the wood industry are frequent in Sweden and Finland, while other countries may focus more on machinery or the off-shore industry. It is therefore difficult to indicate a specific sector that would be more successful than others. This must inevitably be seen in relation to the countries or regions involved.

As example, in 1996, a Europartenariat event was organised in Lulea, in the North of Sweden, in which Swedish, Norwegian and Finnish companies participated as host firms. The highest value of partnership agreements were in the electronics and wood sectors for the Swedish firms, in food processing (fish) for the Norwegian firms, and in wood and mechanical engineering for the Finnish firms.

In Greece, where an event was held in the summer of 1997, the largest group of host companies came from the sector of food and beverages (64 companies), although other sectors were well represented (textiles, clothing and leather, wood and furniture, chemicals and plastics, ceramics, metal processing).

In France, where a Europartenariat event was held in October 1997 in the Massif Central, very well represented sectors, which are also typical for the region concerned, included cutlery and tableware, health, and machinery and equipment (the latter relating to the automotive industry which is traditionally strong in the area).

Twenty nine events took place in the programme Interprise in 1997, with one third in basic industries such as agrofood (6), mechanical and electrotechnical engineering (2), metallurgy (1),and textiles (1). Among the events focusing on other specific industries were an event in Harstad (Norway) on the oil industry, an event in Verona (Italy) on transport and logistical services, DecideV in Örebro (Sweden) on the defence industry, an event on software and network in Venice (Italy), an event on telecommunications in Rennes (France), and an event on design industries in Barcelona (Spain). Particular mention should perhaps also be made of environmental technologies which were the focus of six events.

It is not easy to say in which sectors small and medium sized enterprises (SMEs) have most benefited from these programmes. As far as coverage of the different sectors is concerned, the Commission is of the opinion that a wide range of different sectors is reached with the programmes. As far as the concrete results are concerned, the Commission is not aware of a direct relation between choice of sector and cooperation results. Many other variables may play a role and have an impact on these results (regional characteristics, quality of the companies found in the host region, quality of the logistical organisation and of the promotion in other countries, SME support policies that may or may not be in place in the regions or countries concerned). The feed-back the Commission receives from organisers of events does suggest that, no matter what the sector chosen by the regional or national organisers, the great majority of participating SMEs are very satisfied with the events organised in their sector.

(1999/C 96/019) **WRITTEN QUESTION E-1912/98**

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

(17 June 1998)

Subject: The European Spatial Development Perspective and the Structural Funds

Parliament, in its report A4-0206/98, has pointed out that, although the Treaty provides for no specific competences in the field of regional planning, it appears from certain the provisions that the Commission is empowered to monitor and coordinate the regional effects of the Community policies (see Articles 129b, 130a, 130b, 130r and 130s) in the context of its powers of legislative initiative and implementation. The same report also recalls that, following the informal Council of Noordwijk, the Commission undertook a series of internal consultations of its departments, as a result of which it was concluded that it should be possible to set up permanent mechanisms for the monitoring, assessment and coordination of the regional effects of the various fields of Community activity.

Can the Council state its position on the way in which this mandate has been taken into account in the proposals for reform of the Structural Funds adopted by the Commission on 18 March 1998?

Reply

(19 October 1998)

As the Commission proposals on reform of the Structural Funds are currently under discussion, the Council is unable at present to assess their content.

(1999/C 96/020) **WRITTEN QUESTION E-1918/98**

by Winfried Menrad (PPE) to the Commission

(18 June 1998)

Subject: Italian language and cultural studies for school-age children of Italian origin in Baden-Württemberg

Mother-tongue teaching for children of Italian origin takes place in German schools in Baden-Württemberg and is provided by Italian officials, who are seconded to provide this service in the Federal Republic, by salaried teaching staff and, finally, by staff paid on a fee basis. The seconded officials have both a regulated income and satisfactory social cover.

The fee-paid staff have no sickness, pension or unemployment insurance; their working conditions are deteriorating rapidly, partly as a result of payments being made by the Italian Government at irregular intervals.

Will the Commission therefore state whether, and what, measures can be introduced at European level to ensure:

1. that children of Italian origin will continue to be taught in their mother tongue by qualified teaching staff;

2. that all teaching staff have proper employment contracts which comply with legal requirements in the Federal Republic and/or Italy?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

According to the information provided by the Honourable Member, teachers of Italian in Baden-Württemberg are paid by the Italian Government on differing terms and conditions.

Those various regimes (civil servant, wage earner and self-employed professional) are provided for in the domestic law of all the Member States and reflect a different approach to the exercise of a professional activity.

In this connection, except where it is possible to demonstrate the existence of discrimination based on nationality as between specially recruited teachers and fee-earning teachers, the Commission has no jurisdiction to impose a particular contractual system on teachers in Italy or Germany.

(1999/C 96/021) **WRITTEN QUESTION E-1930/98**

by Roberta Angelilli (NI) to the Commission

(18 June 1998)

Subject: High-speed train line upgrading work

With reference to my previous Questions E-0508/97 ([1]) and E-2352/97 ([2]), and especially in the light of the first reply from Mrs Bjierregaard announcing measures aimed at ensuring compliance with the relevant Community legislation, it should be pointed out that, to date, no substantial changes have been made to the work planned for the Rome-Naples high-speed train link, the nearby inhabitants have not been involved as required by Directive 85/337/EEC ([3]) and no environmental impact assessment has been carried out. Furthermore, the work connected with, and the construction of, the high-speed train line in the Rome area, especially in the 'La Rustica' and 'Casal Bertone' districts, will be a source of considerable nuisance that will include noise pollution, pollution from emissions of dust and chemical substances, and prolonged high levels of vibration as a result of the extreme proximity of the high-speed train line to houses. All these phenomena will damage the quality of life in the district, perhaps irreversibly, and the accompanying measures aimed at offsetting the effects of the project are likely to be inadequate, resulting in traffic congestion. In addition, it appears that in many cases the necessary demolition work has not taken the required safety and anti-pollution measures into account.

In view of the above, can the Commission say:

1. whether, in the meantime, further approaches have been made to the Italian authorities to request compliance with Community legislation?

2. whether it considers it appropriate to take further steps aimed at requesting substantial changes to the plans for a high-speed train line in the areas referred to?

3. whether the Lit 700 billion loan from the EIB granted for the section of the high-speed line at issue should not be made subject to full compliance with Community legislation.

4. what its overall views on this matter are?

([1]) OJ C 391, 23.12.1997, p. 15.
([2]) OJ C 187, 16.6.1998, p. 1.
([3]) OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 September 1998)

The Commission would refer the Honourable Member to its answer to her Written Question No 578/98 ([1]).

The circumstances reported by the Honourable Member add no element of legal relevance in respect to the application of Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.

Upon appraisal of the Rome-Naples high speed train link project, the European investment bank (EIB) applied its current environmental standards set out in its environmental policy statement. In line with these, the project is in compliance with all national as well as relevant Community directives.

([1]) OJ C 386, 11.12.1998, p. 26.

(1999/C 96/022)

WRITTEN QUESTION E-1936/98

by Roberta Angelilli (NI) to the Commission

(18 June 1998)

Subject: Employment assistance for performers

It is often the case that for long periods certain performers do not work and do not appear on television programmes, resulting in a decline in their fame and prestige often with serious financial consequences. The Italian state has ratified the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.

Given that all performers working in the various disciplines who are professionally competent, even if they are not well known, should be given the opportunity to appear in television programmes, can the Commission say:

1. whether any Commission directives or documents exist that deal with this matter?

2. whether it considers it appropriate to propose special help for cultural and artistic broadcasting that takes account of unemployment in this area?

3. whether it considers it appropriate to propose special measures aimed at facilitating the employment or re-employment of performers?

4. what its overall views on this matter are?

Answer given by Mr Oreja on behalf of the Commission

(30 July 1998)

The cultural sector, and performers in particular, enjoy the general benefit of the internal market through freedom of establishment, freedom to provide services and freedom of movement of persons. The Community has also contributed more directly to providing a higher level of protection for performers by adopting legislation on copyright and related rights. Here, the Honourable Member is referred to the directives adopted so far and also the draft directives on the matter (Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases ([1]); Council Directive 93/98/EEC of 29 October 1993 harmonising the term of protection of copyright and certain related rights ([1]); Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission ([1]); Council Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property ([1]); Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programs; a new proposal for a European Parliament and Council Directive on the resale right for the benefit of the author of an original work of art ([2]) is being examined by the Council and the Parliament, and an amended proposal ([3]) is being adopted by the Commission. Performers must have an acknowledged economic right to proceeds from resale of their original work by bailiffs or other public officers, auction houses or other dealers. In addition, a proposal for a European Parliament and Council Directive on the harmonisation of certain aspects of copyright and related rights in the

Information Society [4] has been recently adopted by the Commission and forwarded to the Council and Parliament for adoption).

As part of the cultural action provided for in Article 128 of the EC Treaty, performers benefit from projects carried out under Community cultural programmes. The Honourable Member is referred to the recent Communication from the Commission to the European Parliament, the Council and the Committee of the Regions: European Community framework programme in support of culture (2000-2004) [5].

Aids for cultural purposes are allowed by way of exception by Article 92(3)(d), subject to Commission supervision. National aids directly or indirectly benefit performers depending on the areas in question.

The Commission would remind the Honourable Member of the limits set to powers conferred by the EC Treaty in relation to this matter and the principle of subsidiarity, both of which make it more appropriate to take certain measures and carry out specific projects at national level.

(1) OJ L 77, 27.3.1996. OJ L 290, 24.11.1993. OJ L 248, 6.10.1993. OJ L 346, 27.11.1992. OJ L 122, 17.5.1991.
(2) OJ C 178, 21.6.1996.
(3) OJ C 125, 23.4.1998.
(4) OJ C 108, 7.4.1998.
(5) COM(98) 266 final.

(1999/C 96/023)

WRITTEN QUESTION E-1956/98

by Glenys Kinnock (PSE) to the Commission

(30 June 1998)

Subject: Human rights abuses in Senegal

Senegal is a signatory to the Lomé Convention and as such is bound by Article 5.

In the light of this could the Commission state what action is being taken in response to human rights abuses in Senegal, reported by Amnesty International?

Answer given by Mr Pinheiro on behalf of the Commission

(24 July 1998)

On 17 September 1997 the presidency made a statement on behalf of the European Union on the situation in Casamance. On 31 December 1997 it sent a letter to Senegal's Minister of Foreign Affairs calling for a ceasefire, respect for human rights and a negotiated solution for the region based on Senegal's territorial integrity. A copy of this letter was given to the Senegalese authorities on 19 March by the Troika of ambassadors on the spot and the head of the Commission delegation.

EU resources for displaced persons and refugees have been available since 1996 and include ECU 750 000 under Article 255 of the Lomé IV Convention and ECU 300 000 for humanitarian aid (after the ECU 1 million approved in 1993). The Commission is currently considering the provision of further humanitarian aid.

Amnesty International's report 'Climate of terror in Casamance', published in January and heavily criticised by the authorities, condemned serious human rights violations. The Troika's demarche on 19 March encouraged the Senegalese authorities to conduct independent investigations of the facts alleged by Amnesty. On 9 April the Senegalese Government published a report entitled 'The truth about Casamance', which claims to refute Amnesty's report but is considered unsatisfactory by the international community.

(1999/C 96/024) **WRITTEN QUESTION E-1957/98**

by Laura González Álvarez (GUE/NGL) and Pedro Marset Campos (GUE/NGL) to the Commission

(30 June 1998)

Subject: Construction of small hydro power plants in Galicia (Spain)

The autonomous government of Galicia (Spain) is planning to authorize the construction of more than 200 small hydro electric power plants, using EU funds provided under different Community.

Given that Galicia is one of the autonomous Spanish communities which exports more than half its output of electricity, that it currently has various projects for the construction of wind parks and reservoirs and that it has over 100 small hydro power plants in operation which have destroyed areas of great ecological value and natural beauty,

1. Is the Commission aware of this situation?

2. Has the Commission received any applications from the Spanish national and regional authorities for funding for the project to build more small hydro electric plants?

3. If the project is being financed with Community funds, can the Commission say what sums have been authorized and on the basis of what criteria?

4. Assuming that the project is implemented, what measures does the Commission intend to take to ensure that the competent authorities carry out a detailed study, with advice from experts in the field, to determine both the health and the environmental implications of the project, in accordance with Directive 85/337/EEC ([1]) on the assessment of the effects of certain public and private projects on the environment?

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

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

(31 July 1998)

The Commission believes that only 30 of the small hydroelectric power stations to which the Honourable Members refer were authorised.

It has received no request for part-financing by the European Regional Development Fund or by the Cohesion Fund for this project.

If the Spanish authorities submitted such a request, the Commission would carry out a thorough analysis of the case. A decision to part-finance the project would be taken only if it complied with all Community policies, including that on the environment.

(1999/C 96/025) **WRITTEN QUESTION E-1961/98**

by Amedeo Amadeo (NI) to the Commission

(30 June 1998)

Subject: Danger of radioactivity in the Alps

Twelve years after the explosion of the Chernobyl nuclear reactor, the radioactive fallout that affected Europe is once again giving cause for concern in view of its persistence in certain Alpine regions.

The Committee for Independent Research and Information on Radioactivity (CRII-Rad) has referred to 'alarming' levels of radioactivity at various Alpine sites, not only on the French side but also in the Italian, Swiss and Austrian Alps. According to Corinne Castanier, CRII-Rad spokesman, in the case of 40 samples taken from various Alpine areas, at altitudes varying from 1 500 to 2 800 meters, caesium 137 levels of hundreds of thousands of bequerels per kilo were recorded. The most contaminated samples were taken from Cortina d'Ampezzo, Mount Cervino, the Mercantour (French Alps) and Hohe Tauern (Austrian Alps). The latest European directive, which will enter into force in 2000, classifies a sample registering 10 000 bequerels as radioactive. These samples, therefore, are well above the danger level. The samples examined also yielded other

radioactive isotopes such as americium 241 and plutonium 238, 239 and 240, but at much lower concentrations, of the order of several hundred bequerels.

In view of public concern about the danger of radioactive contamination in the Alps, would the Commission state whether it is aware of the problem and if it considers that it would be appropriate to urge the Member States to investigate further and, as an immediate step, take any measures necessary to protect the health of the citizens concerned? Let us not be taken in by inane comments such as the following: 'If a camper slept at the most contaminated site, he would receive a dose of radioactivity equivalent to a chest X-ray'. Why should someone who does not need one be subjected to a chest X-ray?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 September 1998)

The Commission is aware of the presence of caesium (Cs)-137 contamination at relatively elevated levels in parts of the Alps. Its understanding is that the competent authorities have considered the degree of risk associated with these levels and have decided that no constraints are necessary other than those already existing.

The exemption values laid down in Directive 96/29/Euratom laying down basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation ([1]), which enters into force in May 2000, pertain to the requirement for reporting of practices involving radioactive substances. A practice will not need to be reported if either the total amount of radioactivity or the activity concentration per unit mass does not exceed the corresponding exemption value. For caesium-137 the exempt total activity value is 10 000 becquerel and the exempt activity concentration value is 10 000 becquerel per kilogram.

Thus under the terms of the Directive, the holding or processing of environmental samples exceeding these values will need to be reported to the national authority.

([1]) OJ L 150, 29.6.1996.

(1999/C 96/026) **WRITTEN QUESTION E-1967/98**

by Kenneth Coates (GUE/NGL) to the Commission

(30 June 1998)

Subject: Control of major accident hazards

How do Council Directives 88/610/EEC ([1]) and 96/82/EEC ([2]) relate to the emergencies on 14 and 30 May 1998 at the waste treatment plant in Killamarsh in my constituency which is owned by SARP UK, a subsidiary of Vivendi, when 100 metre orange-coloured clouds of nitrogen dioxide were released over the Sheffield conurbation, following failures, first in a haulage tanker containing nitric acid, and later in a storage tank?

What action can the Commission take in relation to these incidents? Will the Commission investigate? Do other Directives bear on this problem?

([1]) OJ L 336, 7.12.1988, p. 14.
([2]) OJ L 10, 14.1.1997, p. 13.

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 September 1998)

The Commission has investigated the two incidents in question and has received full information from the British authorities. In view of the limited consequences of the two incidents the Commission does not intend to investigate them itself.

The site is subject to the requirements of the Health and Safety at Work Act 1974 which places duties on SARP (United Kingdom) Ltd. to ensure, so far as is reasonably practicable, the health and safety of its employees at work and members of the public.

The site has permits issued by the Environmental Agency under the Environmental Protection Act 1990. This Act implements the provisions of Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution

from industrial plants [1] and the permits seek to control activities in such a way as to minimise their environmental impact.

Directive 84/360/EEC does not contain any provisions specifically relating to accidents. It will be repealed by Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control [2] (so-called integrated pollution prevention and control (IPPC) Directive). This Directive, which comes into force in 1999, includes the obligation that 'the necessary measures are taken to prevent accidents and limit their consequences', as well as 'the need to prevent accidents and to minimise the consequences for the environment'.

The site is not subject to the requirements of the Control of Industrial Major-Accident Hazards Regulations 1985 which implement Council Directive 82/501/EEC as amended by Council Directives 87/216/EEC of 19 March 1987 [3] and 88/610/EEC of 24 November 1988 on the major-accident hazards of certain industrial activities [4] (so-called Seveso Directive). However, the Health and safety executive (HSE) understands that the company has been in touch with Derbyshire County Council's emergency planning department with a view to voluntarily preparing an off-site emergency plan. Moreover, HSE is currently discussing with the company whether the requirements of Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (so-called Seveso II Directive) will apply to the site. This new Directive, which will replace Directive 82/501/EEC from February 1999, generally applies to waste treatment plants within certain threshold quantities of specified dangerous substances. The only exclusion relevant in this case relates to waste land-fill sites.

Council Directive 75/442/EEC of 15 July 1975 [5] on waste requires Member States to take the necessary measures to ensure that waste is recovered or disposed of without endangering human health and without harming the environment and in particular without risk to water, air or soil. Member States shall ensure appropriate periodic inspections of undertakings which carry out recovery or disposal of waste operations.

(1) OJ L 188, 16.7.1984.
(2) OJ L 257, 10.10.1996.
(3) OJ L 85, 28.3.1987.
(4) OJ L 336, 7.12.1988, p. 14.
(5) OJ L 194, 25.7.1975.

(1999/C 96/027)

WRITTEN QUESTION E-1971/98

by Frederik Willockx (PSE) to the Commission

(30 June 1998)

Subject: Refusal by Austrian pension institutions to transfer Austrian pensions to recipients resident in Belgium

It is reported that the Austrian pension authority refuses to transfer pensions to the Belgian accounts of recipients resident in Belgium. Its refusal to do this is costing recipients a considerable part of their income. For example, Mrs X is entitled to an Austrian pension of ÖS 171,10 per month, but is required to submit documentary proof that she is still alive twice yearly and to pay charges totalling ÖS 813,37 to the Austrian bank. The charges on these transfers are clearly out of all proportion to the amount of pension payable.

Does this arrangement conform to EU Regulations 1408/71 [1] and 574/72 [2], in particular Articles 53 (cross-referenced to Annex 5) to 59, and if so why?

If this is so, is the Commission prepared, having regard to the completion of the single market — including one in banking services — and the introduction of the euro, to amend the relevant provisions in order to ensure that pension recipients resident in an EU country other than that in which pension entitlement was acquired can have their pensions paid without charge into a bank account of their choice?

(1) OJ L 149, 5.7.1971, p. 2.
(2) OJ L 74, 27.3.1972, p. 1.

Answer given by Mr Flynn on behalf of the Commission

(11 September 1998)

The Commission would like to draw the Honourable Member's attention to the fact that the provisions of Community law, more specifically Regulations (EEC) 1408/71 and 574/72 on employed persons, self-employed persons and members of their families moving within the Community ([1]), ensure the payment of old-age pensions to persons who are not resident in the competent Member State (see Article 10 of Regulation (EEC) 1408/71). However, the Regulations do not specify modes of payment. In order to avoid bank charges or other costs, some institutions prefer to transfer payments to an account in their own country. Others send a postal cheque directly to the recipient.

The Commission has been informed that the Austrian institution in question is intending, in the near future, to introduce arrangements for transferring pensions directly to a bank account in another Member State.

Finally, on the question of bank charges for cross-border transfers, the Commission would like to point out that the European Parliament and Council Directive of 27 January ([2]) on cross-border credit transfers (amounts of less than ECU 50 000) lays down rules on transparency (both before and after a payment is made), execution requirements particularly in terms of time and performance, and, finally, complaints and redress procedures offered to customers, both individuals and small and medium-sized enterprises (SMEs). It also aims to improve the operation of the internal market in this sector, especially with a view to the implementation of economic and monetary union, and to provide adequate protection for customers, particularly consumers. This Directive does not directly address the question of bank charges, but the Commission feels that the conditions it establishes will encourage more competition on the transfer markets, thus leading to a reduction in the charges applied.

Furthermore, on 23 April 1998 the Commission adopted a Recommendation concerning banking charges for conversion to the euro ([3]), in which it recommends application of the 'standard of good practice' in this area, including both practice considered to be legally required and other recommended practice, i.e.: conversion without charge of payments from the national currency unit to the euro and vice versa during the transitional period; conversion without charge of accounts from the national currency unit to the euro during and at the end of the transitional period; charging for services denominated in the euro at the same rates as for identical services denominated in the national currency unit; the exchange without charge to customers of household amounts of national currency banknotes and coins for euro banknotes and coins during the final period (banks should define 'household amounts' in terms of volume and frequency).

([1]) Updated by Council Regulation (EEC) 118/97 of 2 December 1996, OJ L 28, 30.1.1997.
([2]) Directive 97/5/EC of the European Parliament and of the Council of 27 January 1997 on cross-border credit transfers, OJ L 43, 14.2.1997.
([3]) Commission Recommendation of 23 April 1998 concerning banking charges for conversion to the euro (98/286/EC), OJ L 130, 1.5.1998.

(1999/C 96/028) **WRITTEN QUESTION E-1984/98**

by Nikitas Kaklamanis (UPE) to the Council

(29 June 1998)

Subject: Destruction of the Parthenon ('Elgin') Marbles

On 7 June 1998 The Mail on Sunday carried an article stating that the Parthenon Marbles on display in the British Museum had been vandalized. In particular, the newspaper stated that the historian and classical Greek specialist, William St Clair, alleged in his book 'Lord Elgin and The Marbles' that in 1938 the Marbles had been vandalized in an unprecedented fashion during work to remove surface colouring. Chemical substances and metal scrapers were used during this work to remove the colouring which was the result of over two thousand years of exposure to the elements while the Marbles were still in the sanctuary of the Acropolis before being seized by Lord Elgin. The misguided use of chemical substances and metal tools resulted in the destruction of 80 % of the surface of the Parthenon Marbles: the 'conservationists' were endeavouring to 'make them white', but in doing so damaged them beyond repair.

This destruction was kept secret all these years until the publication of the above article which shows the spurious nature of British claims that the Parthenon Marbles are being protected in the British Museum.

Will the Council give its official views on this whole affair, and say what action it intends to take to ensure the effective protection of the Parthenon Marbles which were illegally removed from their natural setting and which the British authorities are refusing — completely without justification — to return to Greece, even though the dangers to which they are exposed due to the irresponsible behaviour of the British Museum are very serious and well-documented?

Reply

(19 October 1998)

The specific question raised by the Honourable Member concerning the Parthenon Marbles does not fall within the Community's sphere of competence. Rather, it is a matter that could be addressed bilaterally by the Greek and United Kingdom authorities.

(1999/C 96/029) **WRITTEN QUESTION E-1985/98**

by Nikitas Kaklamanis (UPE) to the Commission

(30 June 1998)

Subject: Failure of Euronews to present objective information

Euronews is a television channel financed by European taxpayers. However, it unfortunately often uses terms and forms of wording which are offensive to European citizens; moreover its ratings are consistently mediocre. As far as the misuse of terms is concerned, it often shows maps of the Balkans on which the territory of the FYROM is labelled 'Macedonia'; in a different context, the head of the Turkish Cypriots, Rauf Denktash, is called the 'President of the Turkish Republic of Northern Cyprus'. Moreover, coverage of Greece often contains curious barbs aimed at its foreign policy, even though Greek citizens also make very substantial contributions towards maintaining the channel.

Will the Commission say:

1. What measures does it intend to take to ensure that the channel provides full and authoritative information about events in Europe and the rest of the world?

2. Has it considered the problem of the biased coverage provided by this channel about the euro and Economic and Monetary Union — it persistently highlights the advantages, while barely mentioning the disadvantages?

3. Is there any cooperation — and, if so, of what kind exactly — with illegal television channels, such as 'Bayrak', based in the Turkish-occupied territory of Northern Cyprus?

4. What initiatives is the Commission considering to boost the ratings of Euronews?

5. Is it considering beginning broadcasts in the so-called less widely used languages of the EU, such as Greek, Danish, Finnish and Portuguese, which would be a key step towards respecting the cultural diversity of Europe?

Answer given by Mr Oreja on behalf of the Commission

(15 September 1998)

1. As an independent channel, Euronews enjoys full editorial freedom as regards the production and broadcasting of information — a freedom which the Commission, which respects the freedom of the press, would naturally not wish to question. A partnership has been set up between Euronews and the Community relating to co-production, joint projects and the broadcast on Euronews of information campaigns aimed at the general public and dealing with various aspects of European current affairs. The Commission can insist on the guarantees referred to by the Honourable Member only in the limited context of those programmes of which it is co-producer. It does so mainly at monthly follow-up meetings with the station.

2. The Commission does not agree that Euronews is biased in its treatment of the euro and economic and monetary union. It feels that this treatment reflects all shades of opinion and considers both the advantages of the single currency and the problems which may have to be solved.

3. The Commission is not aware of any activities which might have given rise to the Honourable Member's question about cooperation with the media based in the North of Cyprus.

4. The Commission's partnership with Euronews is linked to a programme to expand the channel with the aim of boosting ratings. Recent audience figures for Europe are very encouraging.

5. The partnership with Euronews is also linked to an increase in the number of languages used in its programmes and Euronews is working hard on this objective.

(1999/C 96/030)

WRITTEN QUESTION E-1998/98

by Jaak Vandemeulebroucke (ARE) to the Council

(29 June 1998)

Subject: Legal action against representatives of the Greek Rainbow Party

I gather that legal proceedings have been brought against four leaders of the Greek Rainbow Party (Vinozhito).

This party is completely legal and has already twice taken part in elections in Greece, including the European Parliament elections in 1994.

The events which gave rise to the court case against the four leaders, Vasilis Romas, Costas Tasopoulos, Petros Vasiliades and Pavlos Voskopoulos, are as follows: In September 1995 they are said to have instigated 'mutual hatred among citizens' (Art. 192 of the Greek Criminal Code) by erecting a placard on which their party's name was displayed in two languages (Greek and Macedonian-Slavonic). In the ensuing disturbance, the whole contents of their new office in Florina was destroyed.

Is the Council aware of these outrageous facts and the proceedings which are pending? Does it agree that basic democratic and human rights are being disregarded here? Does the Council know of any possible measures which could guarantee the democratic and political rights of all Greeks and Greek political parties as well as the freedom of speech and freedom to choose one's language in Greece? Finally, is the Council prepared to place this issue on the agenda of the relevant Council meeting, with the necessary follow-up measures?

Reply

(22 October 1998)

It is not for the Council to comment on a matter which is the responsibility of the internal legal system of the Member State concerned.

(1999/C 96/031)

WRITTEN QUESTION P-2000/98

by Irini Lambraki (PSE) to the Commission

(16 June 1998)

Subject: Amsterdam Treaty information campaign

The Amsterdam Treaty is at the stage of being ratified by the Member States. Does the Commission intend to conduct an information campaign on the significance of the Treaty and, if so, what amounts does it plan to make available to each Member State and what mechanisms will it use to administer those funds in each Member State?

Answer given by Mr Oreja on behalf of the Commission

(31 July 1998)

As part of the Priority Information Programme for European Citizens (Prince), the Commission is continuing the 'Building Europe together' campaign in 1998. The aim is to make it easier to explain the Amsterdam Treaty to European citizens. This campaign was allocated appropriations totalling ECU 12 million for 1998. A call for proposals was published in the Official Journal ([1]), and Member States who so wish were given the opportunity to

enter into agreements to cofinance communication schemes with the Commission to explain the Amsterdam Treaty to European citizens.

(1) OJ C 164, 29.5.1998.

(1999/C 96/032)

WRITTEN QUESTION E-2016/98

by Hiltrud Breyer (V) to the Commission

(30 June 1998)

Subject: Highly enriched uranium supplies for the Munich research reactor (FRM II)

Unfortunately, some parts of Written Question E-1113/98 (1) have not been answered at all and the Commission is asked to answer the following outstanding questions:

1. Is it correct that the highly enriched uranium (HEU) is intended solely for use in the FRM-II and its further movement within Germany or within the EU is not permitted?

2. On what grounds does the EU accept prior consent rights for Russia for highly enriched uranium when the USA was not granted such rights?

3. What is the situation of the talks (formal or informal) between the EU and Russia on their own nuclear framework agreement?

4. Did the Council give a mandate for official negotiations on such an agreement? If so, when and what did the mandate cover?

5. What consequences would the conclusion of a framework agreement between the EU and the Russian Government have on the effectiveness of the bilateral German-Russian Agreement? Would Russia keep its prior consent rights regarding the use and further movement of the 1,2 tonnes of HEU for the FRM-II?

(1) OJ C 354, 19.11.1998, p. 65.

Answer given by Sir Leon Brittan on behalf of the Commission

(24 July 1998)

1. The highly enriched uranium (HEU) is foreseen exclusively for Munich research reactor (FRM) II. However, the manufacture into fuel elements may take place in France or in the United Kingdom. HEU supplies are very specialised transactions and their programme of transformation and use in the Community is therefore limited in practice.

In this context the Honourable Member is referred to the ministerial common policy declaration adopted by the ministers for foreign affairs of the Euratom Community on 20 November 1984 (published as International atomic energy agency (IAEA) document INFCIRC/322). The agreement between Germany and the Russian Federation has to be consistent with that declaration, including its provisions on use of the materials concerned. Moreover, as already indicated in answer to the Honourable Member's Written Question E-1113/98, the Commission has concluded that the agreement does not contain clauses which impede, in practice, the application of the Euratom Treaty. This includes the requirement for free movement of nuclear material within the Community.

2. The nuclear cooperation agreement between Euratom and the United States also provides for cooperation in the area of plutonium and HEU (Annex A to the agreement). This cooperation is also facility specific. There is therefore a general consistency in the approach of the cooperation which indicates in which installations in the Community transformations take place.

3. to 5. Informal explanatory discussions on a general framework nuclear agreement are taking place and the Commission has made no proposal to the Council. The consequences of any such agreement cannot be foreseen until the agreement is finalised.

(1999/C 96/033)

WRITTEN QUESTION E-2018/98

by Hiltrud Breyer (V) to the Council

(29 June 1998)

Subject: Regulation No 258/97 on novel foods

Will the Commission please explain how the provisions of Article 8 of Regulation No 258/97 ([1]) will work in practice. In particular:

— what form of words is recommended to comply with the provisions of the last subparagraph of Article 8(1)(a), which require labelling to indicate the characteristics or properties modified and the method by which the characteristics or properties were obtained?

— what criteria will be applied to the assessments required under Article 8(1)(b) and (c) (special health implications and ethical concerns) and who will apply them?

([1]) OJ L 43, 14.2.1997, p. 1.

Reply

(19 October 1998)

In accordance with the rules of the Treaty, it is for Member States to take the measures required to implement the Regulation referred to by the Honourable Member and for the Commission to ensure such implementation, subject to possible verification by the Court.

(1999/C 96/034)

WRITTEN QUESTION E-2030/98

by Yiannis Roubatis (PSE) to the Council

(6 July 1998)

Subject: Dismissal of distinguished Turkish journalists

On the basis of concocted 'information' supplied by an alleged leading member of the PKK, the Turkish generals have forced the employers of two distinguished Turkish journalists, Mehmet Ali Birad and Ghengiz Çantar, to dismiss them. In addition, there are fears that their dismissal also signals the go-ahead for the 'liquidation' of the two Turkish journalists by rogue elements in Turkey who are operating in close cooperation with the official authorities, as the events at Sokuluk have demonstrated. All these events are taking place at the same time as Turkey and some of its economic partners are insisting that the leaders of the country are sincere in wanting Turkey to have closer relations with the Union.

1. What practical measures will the Council take to protect the two journalists from a probable assassination attempt?

2. When will the Council explain to the Turkish leadership — in plain terms — that the principles on which Europe's democracies are based also include freedom of expression and thought and that it is not possible to ignore, for economic or any other form of gain, Turkey's renewed drift towards autocracy and totalitarianism?

Reply

(9 November 1998)

1. The Council does not possess information enabling it to assess either the reasons for the dismissal of the journalists Mehmet Ali Birad and Ghengiz Çantar, or the extent to which their lives are in danger.

2. The Council would point out that the European Council, at its meeting in Luxembourg on 12 and 13 December 1997, reiterated that, in accordance with the position adopted by the Council at the Association Council meeting with Turkey on 29 April 1997, the strengthening of Turkey's links with the EU also depended on the alignment of Turkey's standards and practices in respect of human rights with those in force in the European Union. It regrets that Turkey is currently refusing to continue its political dialogue with the Union in this area.

(1999/C 96/035) **WRITTEN QUESTION E-2034/98**

by Marie-Noëlle Lienemann (PSE) to the Commission

(7 July 1998)

Subject: Reduction in working time

How is it possible for the Commission to recommend in its document COM(98) 279 on the broad guidelines of the economic policies of the Member States and the Community that 'a compulsory and across-the-board reduction in working time ..(..).. may have adverse consequences and should therefore be avoided' when it knows that two Member States have already decided to introduce a 35-hour working week?

Answer given by Mr de Silguy on behalf of the Commission

(22 September 1998)

The Commission has no intention of interfering in the policies of the Member States where these are purely a matter of national competence. It intends to abide by the principle of subsidiarity.

However, the Commission is the guardian of the Community interest, including as regards economic policy. The European Council and the Ecofin Council have called on it to secure greater coordination of economic policies so as to guarantee the success of the single currency and a significant increase in employment in the Community. It was with this aim in mind that the Commission drew up its 1998 recommendation on the broad guidelines of economic policy.

The Commission is therefore entitled to issue independent opinions on any economic policy initiatives which may have a marked effect on the Community economy as a whole or on the achievement of the objectives assigned to economic policy by Article 2 of the EC Treaty. A reduction in working time falls into that category. It is only natural therefore that the Commission should express its views on the matter, while abiding by the principle of subsidiarity.

The Commission takes the view that the reduction in working time must not adversely affect the competitiveness of European firms. However, it is true that this general principle is not incompatible with national initiatives which adapt the reduction in working time with the aim of maintaining European competitiveness.

(1999/C 96/036) **WRITTEN QUESTION E-2042/98**

by Nikitas Kaklamanis (UPE) to the Commission

(7 July 1998)

Subject: Continual fines and charges imposed on Greek international road haulage operators

Greek international road hauliers are facing enormous problems in passing through the FYROM and Albania. The authorities of these countries are constantly imposing excess weight charges, exorbitant transit levies, decontamination levies etc. on Greek road hauliers, while hundreds of Bulgarian, FYROM and Albanian lorries (which are in a terrible condition) are allowed to move freely on Greece's road network.

Will the Commission say whether it is considering the possibility of making representations to the authorities of the countries which are continually causing problems for EU road hauliers (and singling out Greeks in particular) to cease adopting a provocative policy towards EU international road hauliers and constantly fining them, especially since these countries receive generous aid from the European Union?

Answer given by Mr Kinnock on behalf of the Commission

(16 September 1998)

The imposition on Greek hauliers of transit and disinfection taxes in Albania and the former Yugoslav Republic of Macedonia is principally made, for the time being under the terms of bilateral agreements or arrangements concluded between individual Member States and the third country in question.

In the case of the former Yugoslav Republic of Macedonia, however, the relevant provisions of the agreement between the Community and the former Yugoslav Republic of Macedonia in transport [1] also apply. The agreement provides that the taxation of road vehicles, tolls and other charges must be non-discriminatory. It also provides that until 31 December 2002 at the latest, road vehicles that do not comply with the existing standards of the former Yugoslav Republic of Macedonia may be subject to a special non-discriminatory charge that reflects the damage caused by additional axle weight.

The Commission monitors the correct application of these provisions. Any problem notified to the Commission, may be raised in the framework of the relevant transport or co-operation Committees in order to reach mutually acceptable solutions. If Greek operators have reason to believe that these provisions are not applied correctly, they should immediately provide detailed information to the Commission.

Financial support by the Community, including European investment bank (EIB) lending, is granted to the former Yugoslav Republic of Macedonia, Albania and other countries in Eastern Europe to assist with the improvement of the main transit routes to Community standards, with a view to abolishing any special charges levied on overweight vehicles once these roads have been upgraded.

Where the roadworthiness of vehicles from the countries mentioned by the Honourable Member is concerned, the national authorities of any state where these vehicles circulate have the right to take off the road any vehicles that are deemed unsafe.

[1] OJ L 348, 18.12.1997.

(1999/C 96/037)

WRITTEN QUESTION E-2043/98

by Nikitas Kaklamanis (UPE) to the Commission

(7 July 1998)

Subject: Testing of cosmetic products on animals

In a quite incomprehensible move, the Commission has postponed the entry into force of a directive banning animal testing for cosmetics until 2000. This directive which provided for a ban on the testing of cosmetic products on animals from January 1998 has already been approved by the European Parliament. This is an extremely grave matter as animals are subjected to great suffering, and there are good grounds for questioning the utility of this suffering, since the cosmetics industry now has alternative testing methods.

Will the Commission say why the entry into force of the directive in question has been deferred and what alternative measures it has taken to prevent the continuing sadistic treatment of animals at the hands of the cosmetics industry?

Answer given by Mr Bangemann on behalf of the Commission

(21 September 1998)

The sixth amendment of the Cosmetics Directive (Council Directive 93/35/EC of 14 June 1993 amending for the sixth time Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products [1]) foresaw a prohibition of the marketing of cosmetic products containing ingredients or combinations of ingredients tested on animals after 1 January 1998. However, the Directive also stressed the need to offer the consumer a degree of protection equivalent to that obtained by animal experiments, and it invited the Commission to propose a postponement of this deadline if alternative methods had not been developed and legally accepted.

Following a thorough review of the status of alternative methods, the Commission put forward a postponement of the implementation of the ban. The primary reason for this was that the main objective of Council Directive 76/768/EEC on cosmetic products [2] is to protect public health and it is therefore indispensable to carry out certain toxicological tests to evaluate the safety for human health of ingredients and combinations of ingredients used in cosmetic product formulations. The development, validation and acceptance of alternative methods proved to be an extremely complex scientific challenge. In particular, the timetable for the various stages of the development and validation process had previously been underestimated. Significant progress had been made in research into alternative methods to animal testing, particularly in the end-points relevant to cosmetic products. However, no

alternative testing methods had been scientifically validated and the Organisation for economic cooperation and development had not adopted guidelines for any toxicity tests using non-animal methods.

Whilst it was not possible to foresee the date by which alternative methods for testing ingredients and combinations of ingredients for risk to human health would become available for all toxic end-points, it was equally important not to delay the timings for scientific reassessment of the situation. Therefore, Commission Directive 97/18/EC of 17 April 1997 ([3]), postponed the ban on animal testing of cosmetics and their combinations until 30 June 2000. Most importantly, the publication of this Directive in no way prejudiced the objective of reducing the number of test animals and their suffering. In this respect, the Commission committed itself to the promotion of research and validation of alternative methods. The Commission continues to fund a variety of research programmes into the development of alternative methods to animal testing as well as leading validation efforts through the work of the European centre for the validation of alternative methods (ECVAM).

A small amount of animal testing continues within the cosmetics sector, to safeguard consumer safety, but such testing must be carried out under the provisions of Council Directive 86/609/EEC of 24 November 1986 ([4]) on the protection of animals used in experimental and other scientific purposes. This Directive aims to reduce testing to a minimum, and to ensure adequate care and that any suffering, where unavoidable, is kept to a minimum.

([1]) OJ L 151, 23.6.1993.
([2]) OJ L 262, 27.9.1976.
([3]) OJ L 114, 1.5.1997.
([4]) OJ L 358, 18.12.1986.

(1999/C 96/038)

WRITTEN QUESTION E-2046/98

by Mark Watts (PSE) to the Commission

(7 July 1998)

Subject: Export of calves from the United Kingdom

In 1995 the French government initiated a formal inquiry into the allegation that a significant number of calves exported from the UK to France had failed to reach the final destination stated on the route plan submitted by virtue of the Council Directive 91/628/EEC ([1]) to the UK Ministry of Agriculture, Fisheries and Food. This inquiry apparently also examined the allegation that after arriving in France, some UK calves were being 'converted' into Irish animals with the use of forged Irish health certificates and ear-tags.

Would the Commission announce the results of the French government's inquiry? Moreover, in the light of the possible forthcoming lifting of the ban on the export of beef from Britain, what steps does the Commission propose to take to ensure that live calves exported from the UK do arrive at the final destination given on the route plan drawn up under Council Directive 91/628/EEC and that the location of such calves remains traceable until they are slaughtered?

([1]) OJ L 340, 11.12.1991, p. 17.

Answer given by Mr Fischler on behalf of the Commission

(30 July 1998)

The Commission has not been made aware of the findings of the French authorities' inquiry referred to by the Honourable Member.

On 21 and 22 June 1996 the Florence European Council approved a Commission proposal on introducing a framework for the eradication of bovine spongiform encephalopathy (BSE) in the United Kingdom and for the restoration of a single market in beef. The plan was to lift the ban gradually, stage by stage, and the Commission does not at present intend to reauthorise trade in live bovine animals from the United Kingdom.

(1999/C 96/039) **WRITTEN QUESTION P-2050/98**

by Rijk van Dam (I-EDN) to the Commission

(30 June 1998)

Subject: Extension of the 'old for new' scheme

At the meeting of the Committee on Transport and Tourism in Brussels on 18 to 20 May 1998 a representative of the Commission said, in response to a question by the author, that Directorate-General VII had adopted internally a proposal for extending the 'old for new' scheme for inland waterways set up pursuant to regulation 1101/89 ([1]) and extended pursuant to regulation 844/94 ([2]).If the Commission adopts this proposal the cooperation procedure pursuant to Article 189c of the Treaty can begin in September 1998 at the earliest. Given the amount of time this procedure takes, it is doubtful whether the 'old for new' scheme can be extended on time, i.e. before 28 April 1999.

What action does the Commission think needs to be taken in the unlikely event of the 'old for new' scheme for inland waterways not entering into force on or before 28 April 1999?

([1]) OJ L 116, 28.4.1989, p. 25.
([2]) OJ L 98, 16.4.1994, p. 1.

Answer given by Mr Kinnock on behalf of the Commission

(27 July 1998)

The Commission is preparing a proposal to extend the 'old for new' regime for a limited period of five years and to reduce gradually the old for new ratio to zero during this period. After that, this regulatory mechanism would function as a monitoring mechanism to be used only in the event of a serious disturbance in the inland waterway market.

The Commission trusts that the importance of the issue will ensure the close cooperation between the institutions that will make it possible to put the new legislation in place upon the expiry of the existing legislation.

(1999/C 96/040) **WRITTEN QUESTION P-2051/98**

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

(30 June 1998)

Subject: Radioactive gas emission from the Acerinox factory, Cadiz, Spain

On 9 June 1998 the Acerinox steel factory informed the Spanish Council for Nuclear Security that radioactive gas had escaped from one of its melting furnaces, although radioactive contamination had already been detected in the smoke filtering system on 2 June. The apparent origin of the contamination was the presence of radioactive waste containing Cesium-137 in the scrap iron feeding the melting furnaces of the factory. Surprisingly, local authorities and public opinion were not informed until 12 June. The radioactive contamination has not only affected the surrounding area, but also other countries, including France, Italy, Belgium, Switzerland and Germany, where an unusually high level of Cesium-137 had been detected by their national nuclear authorities and by the International Atomic Energy Agency since 25 May 1998!

In fact, the contaminated melting furnace had been kept working several days after the event and contaminated steel, ash and other remnants have been produced. This ash and these remnants may have been dumped at the site of El Cobre, Algeciras, where ash from this factory is normally dumped. This site is not suitable for receiving radioactive materials. Moreover, no emergency plan was put into action after the accident in the factory. The environmental organization Agaden has sent a claim to the Commission concerning this event on 14 June 1998.

Does the Acerinox factory receive financial aid from the European Union? If so, will this aid be suspended until it has been established who is responsible and environmental measures have been taken? Does the Commission intend to investigate whether the Spanish authorities have failed in applying those EU Directives preventing damage to the environment as well as on human health, for instance the EIA Directive 85/337/EEC ([1]) and the basic radiation standards Directive 84/467/Euratom?

Could this kind of contamination result from smelting radioactive materials permitted under the exemptions in the basic radiation standards Directive?

What measures have been taken to coordinate international action on this case of cross-border radioactive pollution?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(14 September 1998)

The Commission has not provided financial assistance to the installation concerned.

The Commission has been in contact with the Spanish authorities since the contamination at Acerinox was first notified and awaits the full results of the inquiries by these authorities. At this time there is no evidence of the basic safety standards or the environmental impact assessment (EIA) Directive having been infringed.

The incident bears no relation to the processing of iron scrap recovered from an installation of the nuclear fuel cycle, nor with the voluntary mixing of nuclear waste with ordinary metal scraps. The incident has therefore no link with the issue of exemption or clearance levels as defined in the basic safety standards.

At the end of May, and the beginning of June a temporary but significant increase of caesium 137 concentrations in air was detected in Italy, South-East France, and in Switzerland. The Commission has been collecting information from those concerned. This phenomenon was notified, as a precautionary measure by the Community emergency information system and by that of the International atomic energy agency on 11 June 1998 although the measured and announced levels did not represent any threat to public health. The two systems forwarded complementary information. No Member State nor the Commission was in fact bound to issue a notification as no 'measures of a wide-spread nature to protect the general public' had been implemented, which criterion is set out in Article 1 of the Council Decision 87/600 Euratom on Community arrangements for the early exchange of information in the event of a radiological emergency (1).

(1) OJ L 371, 30.12.1987.

(1999/C 96/041) **WRITTEN QUESTION E-2057/98**

by Felipe Camisón Asensio (PPE) to the Council

(6 July 1998)

Subject: Europass training certificate

When and how will European vocational training student be granted access to the above programme? Will it have advantages and facilities similar to those of the Erasmus programme?

Reply

(22 October 1998)

The promotion of European pathways in work-linked training, including apprenticeship, is not a Community programme. It involves a document certifying at Community level that a person has completed training periods in another Member State. The use of the Europass Training certificate is intended to ensure a higher profile for the skills and experience acquired during a training period abroad. Thus it differs considerably in approach from the Erasmus programme, which itself has been replaced by the Socrates programme and is concerned with university exchanges.

At its sitting on 16 July 1998 the European Parliament acknowledged receipt of a Council common position on the proposal for a Council Decision on the promotion of European pathways in work-linked training, including apprenticeship. The President of the European Parliament requested a one-month extension of the period available to the Parliament to deliver its Opinion.

The Council will return to the matter once the European Parliament has delivered its Opinion. It might be able to reach a political agreement on the text at its meeting on Labour and Social Affairs on 2 December 1998.

Once adopted, the Decision will take effect on 1 January 2000.

(1999/C 96/042)

WRITTEN QUESTION E-2061/98

by Felipe Camisón Asensio (PPE) to the Commission

(7 July 1998)

Subject: Swine fever in Spain

With reference to the above topic, could the Commission provide the following information:

1. Are there any plans for special measures to be adopted to support the pigmeat market in the Spanish region of Extremadura? If so, what kind of measures are envisaged?

2. Has the appropriate amendment been made to Regulation (EC) 913/97 ([1]), which relates to the type of special measures involved?

([1]) OJ L 131, 23.5.1997, p. 14.

Answer given by Mr Fischler on behalf of the Commission

(30 July 1998)

The measures introduced by Commission Regulation (EC) 913/97 of 22 May 1997 adopting exceptional support measures for the pigmeat market in Spain apply exclusively to the regions of Spain which are affected by classical swine fever and are consequently subjected to the veterinary and health restrictions provided for in Community legislation. The region of Extremadura is not affected by the epizootic. Hence there is no justification to include that region under the exceptional market support measures.

(1999/C 96/043)

WRITTEN QUESTION E-2076/98

by Roberta Angelilli (NI) to the Commission

(7 July 1998)

Subject: Noise pollution in the Via Val d'Ala in Rome

Railway traffic frequently passes close by the Via Val d'Ala in Rome (traffic on the Rome-Orte section and the local train to Fiumicino) causing a high level of noise pollution in a densely populated area.

About a year ago local residents presented the authorities with a petition calling for measures to protect their quality of life as a result of which the local police carried out an on-the-spot investigation to check the level of noise pollution.

Will the Commission say whether:

1. it considers that this situation contravenes Directive 85/337/EEC ([1]) on environmental impact assessment?

2. it agrees that the Italian authorities should be asked to have the necessary anti-noise barriers installed?

3. it will state its general position on the matter?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 September 1998)

1. Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (1) applies to the classes of project set out in Annexes I and II thereto (including lines for long-distance railway traffic) before they are carried out or, in certain circumstances, before they are altered. It does not apply to existing infrastructure.

2. This is a matter for the Member State concerned.

3. The Commission published a Green Paper on noise policy in 1997 (2). Having received reactions to the Green Paper, it is now preparing a proposal for a framework directive on environmental noise. Specific expert groups will prepare position papers and report to the Commission.

(1) OJ L 175, 5.7.1985, p. 40.
(2) COM(96) 540 final.

(1999/C 96/044) **WRITTEN QUESTION E-2077/98**

by Roberta Angelilli (NI) to the Commission

(7 July 1998)

Subject: Right of association for soldiers

In the light of Parliament's resolution and the report by the Legal Affairs Committee (Doc. 1-1387/83) on the right of association for soldiers and Parliament's annual report on the right of association for soldiers (paragraphs 50-51) and on respect for human rights in the European Community, tabled on 21 March 1997 and accompanied by the resolution adopted on 18 March 1997, in which it again called for trade-union rights and freedom of expression to be granted to the armed forces.

Will the Commission say whether:

1. soldiers have been granted the right to found professional associations in all the Member States?

2. Italy supported the above-mentioned positions adopted by the EU?

3. there are certain conditions which must be fulfilled by professional soldiers' associations in order to be authorized by the Member States and if so what those conditions are?

4. it will state its general position on the matter?

Answer given by Mr Flynn on behalf of the Commission

(30 September 1998)

The right of association is outside the scope of the Treaty (Article 137 of the future Treaty). Consequently, the issue of the right of association of the members of the armed forces falls exclusively within the competence of the Member States.

Unfortunately the information requested on the precise legal situation in Member States is not readily available. However, it is generally the case that the right of association of soldiers is subject to restrictions due to their specific functions.

(1999/C 96/045) **WRITTEN QUESTION E-2078/98**

by Cristiana Muscardini (NI) to the Commission

(7 July 1998)

Subject: Euro-Mediterranean initiatives

Following the Euro-Mediterranean Conference in November 1995, the Euro-Mediterranean Committee of the Barcelona process was set up to gradually implement a programme of work based on the aims and methods of the

partnership between the European Union and the third countries in the Mediterranean Basin in the fields of political and security cooperation, economic and financial cooperation and cooperation in the social, cultural and human sectors.

Some three years since that first conference, can the Commission say:

1. what stage the standing committee referred to above has reached in its work?

2. whether any tangible results have yet been achieved under the implementing programme adopted in Barcelona?

3. what impact the introduction of the single currency may have on the Euro-Mediterranean partnership?

4. whether any progress has been made in defining a common area of peace and stability?

5. whether any agreements have been proposed to regulate the flow of migrants to the five Mediterranean EU Member States?

Answer given by Mr Marín on behalf of the Commission

(14 September 1998)

1. Following the Euro-Mediterranean Conference which took place in Barcelona in November 1995, the Euro-Mediterranean Committee was set up to monitor the Barcelona Process, evaluate the work programme and report on progress. Since November 1995 the Committee has met ten times, with representatives from the 27 Euro-Mediterranean partner countries. It draws up a timetable of activities (available monthly) and organises the follow-up to meetings held under the political, economic and social chapters of the process. The organisation and follow-up of the regional dialogue meetings is the responsibility of the Commission.

2. Approximately one hundred meetings have been held under the Barcelona work programme, nine of them at ministerial level, including meetings of energy ministers in June 1996 and May 1998, ministers responsible for water supply (November 1996) and industry and environment ministers (November 1997). A number of these meetings have resulted in agreement on regional projects of common interest — a list of sixteen projects was adopted following a meeting of culture ministers. Foreign ministers met for the second time in Malta in April 1997, and a special meeting took place under the UK Presidency in Palermo in June this year.

3. The partnership does concern itself with the implications of the single currency for the Mediterranean area. Studies are under way, and measures are being taken to provide information to relevant decision-makers.

4. The creation of a common area of peace and stability comes under the political and security dialogue. The political situation in the region is fraught; nevertheless, there have been eleven meetings of senior political dialogue officials since 1995 and progress has been achieved on three fronts. Agreement has been reached on partnership measures, including the establishment of a network of political and security correspondents and of human rights and disarmament inventories, the launch of a Euro-Mediterranean network of defence institutes, the planned introduction of machinery for exchanges between political and military officials and the development of a civil and military cooperation system for coping with disasters in the region. Discussions are under way on a plan of action addressing six issues: the strengthening of democracy, preventive diplomacy, confidence-building and security measures, disarmament, terrorism and organised crime. Work is also in hand on a Euro-Mediterranean Charter for Peace and Stability, an institutional dialogue and crisis prevention mechanism conceived as the linchpin of the political and security aspect of the Euro-Mediterranean Partnership.

5. A study on migrants is being carried out this year on the initiative of a Member State, and a seminar is planned for the first half of next year. The discussions are not being confined to migratory flows but will also be concerned with the economic and social implications of migration. Projects carried out as part of the economic and financial partnership will have an effect on migratory pressures.

(1999/C 96/046) **WRITTEN QUESTION E-2086/98**

by Karin Riis-Jørgensen (ELDR) to the Commission

(10 July 1998)

Subject: Transparency and access to legislative documents

The transparency of decision-making and the access to legislative documents that it implies, represent essential rights of democracy. The new Article 255 of the Treaty of Amsterdam states that any citizen of the Union, and any natural or legal person residing or having registered office in a Member State, shall have the right of access to European Parliament, Council and Commission documents. Annexed to the Final Act of the Amsterdam Treaty is the Declaration on the quality of the drafting of Community legislation.

In view of the above, can the Commission specify when it intends to present:

— a draft interinstitutional Agreement on the quality of the drafting of Community legislation, in which the institutions undertake, inter alia, not to append unilateral statements of interpretation to legislative texts;

— a legislative proposal containing conditions and fundamental principles regarding public access to the documents of the institutions of the Union;

enabling it to anticipate or apply as quickly as possible these two fundamental provisions of the new Treaty

Answer given by Mr Santer on behalf of the Commission

(31 July 1998)

With regard to the implementation of Declaration No 39 annexed to the Final Act of the Amsterdam Treaty, the Commission would recall that a group consisting of representatives from the three legal services was mandated to produce draft common guidelines relating to the quality of drafting of Community legislation, which are currently being studied by each institution with a view to final approval by the three institutions.

The Commission will present a legislative proposal relating to the implementation of the new Article 255 (right of access to documents) introduced by the Amsterdam Treaty, defining the conditions and basic principles governing access by citizens to European Parliament, Council and Commission documents, as soon as possible following the entry into force of the Amsterdam Treaty.

(1999/C 96/047) **WRITTEN QUESTION E-2089/98**

by Graham Watson (ELDR) to the Council

(10 July 1998)

Subject: Release of Nigeria's President

What steps will the Council take to encourage the release of Chief Abiola, Nigeria's President elect, and ensure the forthcoming elections herald Nigeria's return to democracy?

Reply

(19 October 1998)

The Honourable Member will be aware that Chief Abiola has since died while still in custody in Nigeria on 7 July 1998. At his family's request and with the Nigerian government's agreement, an international team of forensic experts performed an autopsy to establish the cause of death. The conclusion of their final report was that Chief Abiola died of natural causes, although his imprisonment may have affected his health.

In a statement by the Presidency dated 18 September 1998, the European Union welcomed the recent developments in the situation in Nigeria. It views with particular appreciation the government's commitment to initiate a democratization process. In this connection, the European Union welcomes the creation of a new electoral Commission which has already adopted the guidelines for registering political parties and a detailed timetable for the electoral process the first stage of which, i.e. the prior registration of parties, has just been successfully concluded.

The European Union has encouraged the Nigerian government to continue its efforts to restore a democratic society, characterised by the observance of human rights and based on the rule of law. The EU will continue to further this aim by intensifying the political dialogue which has been started.

The European Union stresses its readiness to cooperate with all political forces committed to democratic principles and the rule of law, and to assist in the building of a civil society.

(1999/C 96/048)

WRITTEN QUESTION E-2090/98

by Roberta Angelilli (NI) to the Commission

(10 July 1998)

Subject: Application of Regulation (EEC) 3820/85 in Rome

There have been various different interpretations of Council Regulation (EEC) 3820/85 ([1]) of 20 December 1985 on the harmonization of certain social legislation relating to road transport.

While the regulation has been transposed into Italian law through Article 174 of the Highway Code, Atac/Cotral, the public transport company of Rome municipality, regularly disregards the rules guaranteeing the safety of operators and maximum journey times on the grounds that the regulation is not applicable in town but only for journeys outside.

This means that there are no proper rules governing the safety of Atac drivers in Rome or others, driving periods, breaks, rest periods and periods for physical and psychophysical recovery.

Can the Commission answer the following questions:

1. Have new directives or regulations been adopted on the subject since 1985?

2. Does the regulation apply to driving in towns and metropolitan areas?

3. Does it apply to drivers who drive a total of far more kilometres in successive journeys even though each journey is less than 50 km?

4. Has the regulation been transposed in other countries and, if so, how is it interpreted in similar cases?

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

Answer given by Mr Kinnock on behalf of the Commission

(16 September 1998)

There have been no new directives or regulations which have directly impinged on the issue raised by the Honourable Member since 1986.

The exclusions and derogations within Regulation (EEC) 3820/85 do not specifically prohibit its application to urban or metropolitan areas. However Article 4(3) of the Regulation clearly states that the Regulation's provisions do not apply to regular passenger transport services where the route covered by the service is under 50 kilometres. In practice, therefore, the majority of urban passenger transport services are, in effect, excluded. Article 4(3) also clearly does not allow the cumulative total of driver journeys to be taken into account when determining whether the Regulation should apply.

The Regulation is directly applicable and provides a common set of rules for all Member States to administer. As this particular exclusion is precise, the Commission is not aware of any Member State holding a different interpretation of its provision.

(1999/C 96/049) **WRITTEN QUESTION E-2101/98**

by Sebastiano Musumeci (NI) to the Commission

(10 July 1998)

Subject: Measures to prevent the illegal importation of extra-Community citrus fruit

Citrus fruit continue to be imported illegally from third countries, often with the complicity of Member States (Spain, Portugal, the Netherlands) that naturalize produce from third countries and then admit it to Community territory as though it were their own.

By ministerial decree 126 of 22 December 1993 Italy was declared a 'protected area' so that citrus fruit from third countries cannot be introduced on to its territory for plant health reasons.

What measures does the Commission intend to take to protect Italian citrus fruit producers and consumers against fraudulent and illegal imports?

Answer given by Mr Fischler on behalf of the Commission

(3 September 1998)

The current phytosanitary regime applicable to the import of citrus fruit into the Community is specified in Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products [1] and against their spread within the Community, as last amended by Commission Directive 98/2/EC [2].

According to Commission Directive 95/40/EC of 19 July 1995 [3] amending Directive 92/76/EEC recognizing protected zones exposed to particular plant health risks in the Community [4], the protected zone which aimed at protection against unspecified harmful organisms and for which a ban on the introduction of third country citrus fruit was introduced, expired on 1 April 1996. Such recognition was not further extended on the grounds that a protection against unspecified organisms was inappropriate under internationally established principles and could not be justified scientifically. Thus, in order to comply with the Community's international obligations under the World trade organisation (WTO) the said phytosanitary regime for the import of citrus fruit into the Community including protective measures against citrus canker, citrus leaf spot and citrus black spot, became applicable to all parts of the Community.

The Community phytosanitary regime has recently been improved by Directive 98/2/EC to ensure continued adequate protection to all citrus production areas of the Community. Within the phytosanitary responsibilities of the Commission, activities are carried out for the purpose of ensuring the correct and uniform application of the provisions of the said Council Directive 77/93/EEC.

Moreover, the non-application of Community legislation by Italy and the action taken by Italy to continue to ban the introduction of the relevant citrus fruit originating in third countries is at present subject to detailed examination by the Commission in order to determine the appropriate steps to be envisaged.

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(1) OJ L 26, 31.1.1977.
(2) OJ L 15, 21.1.1998.
(3) OJ L 182, 2.8.1995.
(4) OJ L 305, 21.10.1992.

(1999/C 96/050) **WRITTEN QUESTION E-2104/98**

by Amedeo Amadeo (NI) to the Commission

(10 July 1998)

Subject: Exclusion of Ansaldo Acque from the construction of a sewage treatment plant in Athens

I have learnt that in May 1997 the Greek Ministry for environmental planning and public works (EYDE/AELMP) concluded in form and substance an international tender for the construction of a sewage treatment plant in Athens — stage 2 — for a budget of about ECU 150 000 000.

The first, feasibility, stage had already received Community funding in the form of a grant of a few million ecus.

I understand that various Italian groups that competed for the tender were excluded as early as the first round for purely formal reasons. Apparently at least one of the groups — Ansaldo Acque — has fully demonstrated that the reasons given were baseless and merely a pretext.

Now, one year later, EYDE has still not awarded the contract since appeals have been lodged with the competent Greek authorities about the technical assessment of the bids received and, as I understand it, the Community bodies responsible for the funding have not yet been involved.

1. Has what I have said changed in any way by the date of my question and, if so, how?

2. If there has been no change in procedure in the interim, are there not grounds for asking EYDE to call for tenders again with the assistance of Community organizations for reasons of competence and transparency?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

The Greek Ministry of Public Works put this public works contract, for the design and construction of a sewage treatment plant in Athens, up for competition in 1995 by restricted procedure, announcing that the contract would be awarded to the most economically advantageous tender.

The preselection phase for candidates having been completed on time, six preselected consortia submitted bids on 14 May 1997. According to the information in the Commission's possession, the technical aspects of the bids were evaluated by an assessment committee, which completed that task in June 1998. Some of the bidders lodged objections to the assessment, and these are currently being investigated by the national authorities.

The Commission has also received a complaint concerning the assessment, which it is in the process of investigating. At this stage in its examination of the case, the Commission considers that it is not in a position to ask the contracting authority to start a new call for tenders on the grounds mentioned by the Honourable Member.

(1999/C 96/051) **WRITTEN QUESTION E-2107/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(10 July 1998)

Subject: Nuclear tests

Following the recent nuclear tests in Asia, there is deep apprehension about Turkey's cooperation with Pakistan on their nuclear programmes and about the increase in Turkish activity in the nuclear power sector. Reactors are being set up in areas which are particularly prone to earthquake (Akkuyu in Turkey). Fears have also been voiced that the Akkuyu reactors are not only designed to generate electricity but also to transform the country into a nuclear power.

1. In regard to the construction of the reactors at Akkuyu, is the Commission aware of the risks of a possible severe earth tremor, and

2. will the Commission do everything within its power to monitor any aid which Turkey or any other countries provide Pakistan for the production of nuclear weapons?

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

(18 September 1998)

The Honourable Member is referred to the Commission's answer to Written Question E-1876/98 by Mr Kaklamanis ([1]).

The Commission has no competence to participate in site selection processes. Turkey's authorities, and in particular its nuclear regulatory body — the Turkish Atomic Energy Authority (TAEA) — are responsible for such selection, within the general framework of guidance from the International Atomic Energy Agency (IAEA).

The future Akkuyu nuclear power station is designed for civilian use to meet Turkey's growing demand for electricity. The contractual relations between the Community and Turkey do not allow the Commission to cooperate with Turkey on nuclear energy.

Turkey is party to the Treaty on the non-proliferation of nuclear weapons. It is the responsibility of the International Atomic Energy Agency to ensure that Turkey does not abuse the peaceful use of nuclear energy for military purposes, particularly in its relations with third countries which have not signed the Non-proliferation Treaty.

In the wake of the recent earthquake in the Adana region, the Turkish authorities have confirmed that every measure has been taken to make the future Akkuyu power station secure. No building has yet commenced on site and the consortium chosen to undertake the work should have been made public in August.

([1]) See page 12.

(1999/C 96/052) **WRITTEN QUESTION E-2109/98**

by Nikitas Kaklamanis (UPE) to the Commission

(10 July 1998)

Subject: Curious notice of competition for Cedefop

The Commission's 'Notices of Vacancies No DIV/1' of 15 June 1998 announced a vacancy for an A-grade official (a temporary A7-5 post) responsible for administrative duties. This notice is the latest of a number of curious announcements of vacant posts at Cedefop which are in breach of the Staff Regulations, sometimes subtly and at other times quite flagrantly. In the case in point, the basic qualification which Cedefop requires for appointment as an A7-5 Administrator is a 'secondary-school leaving certificate' despite the fact that this post is a senior position and calls for a level of education substantially beyond completion of secondary school studies.

This minimalist notice runs directly counter to Parliament's efforts to upgrade Cedefop staff and to the Commission's desire to improve the services offered by Cedefop.

What action will the Commission take to ensure that Cedefop immediately implements the Staff Regulations in full and that its staff recruitment procedures are transparent, as it is imperative that these conditions are satisfied if the institution is to operate smoothly at its base in Thessaloniki?

Answer given by Mr Liikanen on behalf of the Commission

(30 September 1998)

The Commission would inform the Honourable Member that on 22 June 1998 a corrigendum was made to the vacancy notice to which he refers, to the effect that a university degree was required in order to apply for the temporary A7-5 post involving the administrative duties in question.

The Staff Regulations provide that for in order to gain access to category A, 'a university education or equivalent professional experience' are required, and the European Centre for the Development of Vocational Training is bound by that provision.

(1999/C 96/053) **WRITTEN QUESTION E-2113/98**

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: Subsidies for EU wine producers

How does the Commission justify increasing subsidies for EU wine producers?

(1999/C 96/054) **WRITTEN QUESTION E-2115/98**

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: EU wine subsidies and agricultural reform

Is the proposal to increase subsidies for wine producers likely to be inconsistent with a commitment to liberalize the agricultural trade?

(1999/C 96/055) **WRITTEN QUESTION E-2116/98**

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: EU wine subsidies

How does the Commission justify increased subsidies for EU wine producers in the context of its consistent opposition to state aid for airlines, steel, textiles, etc? Is wine a special case deserving protection from competition?

Joint answer
to Written Questions E-2113/98, E-2115/98 and E-2116/98
given by Mr Fischler on behalf of the Commission

(16 September 1998)

The Honourable Member puts three questions concerning Community expenditure under the common organisation of the market in wine. She should refer to a table indicating expenditure in the wine sector from 1989 to 1998 and to the financial statement accompanying the new reform proposal for the common organisation of the market for the period 2001 to 2005, which are being sent to her directly as well as to Parliament's Secretariat.

The proposal for reform of the wine sector (submitted to the Council on agriculture of 20 July 1998) envisages an increase in expenditure in relation to the average for recent years. This increase is due basically to the introduction of restructuring measures financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section under the market organisation. Restructuring was previously financed by the EAGGF Guidance Section.

The proposed restructuring is in the Commission's view essential for the long-term balance of the sector. It involves producers whose production is not sufficiently adapted to the market. The aim of restructuring is primarily qualitative. It is believed that the better quality thus achieved will be accompanied by a limitation of yields and therefore of wine production and, moreover, will help to halt or even reverse the fall in consumption which is the principal cause of the difficulties in the sector. If the process of adjustment to the new market situation succeeds, it is obvious that in the long term expenditure can only be influenced favourably.

(1999/C 96/056)

WRITTEN QUESTION E-2114/98

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: External effects of EU wine subsidies

Is the Commission aware that the proposal to further subsidize European wine violates our proposed stance on assisting poor countries by opening up our markets fairly to their produce?

Will the proposal not have adverse effects on, for instance, Eastern European, Latin American and South African wine producers?

Answer given by Mr Fischler on behalf of the Commission

(16 September 1998)

In the Uruguay Round negotiations the Community undertook to substantially reduce export subsidies, both in terms of the quantity of wine involved and in terms of budgetary expenditure. By 2000 the quantity of wine which may be covered by export refunds will be reduced by 21 % and budgetary expenditure by 36 %. It is worth pointing out that most wine is exported without subsidies. Only table wine and concentrated grape must are eligible for refunds. Quality wine produced in a specified region (quality wine psr) is excluded. In the 1996/97 marketing year exports with refunds accounted for less than a quarter of the Community's total exports to third countries. Moreover, refunds are granted only for certain destinations, and this excludes the whole of both North and South America, South Africa and nearly all the wine-producing countries in Eastern Europe. Therefore, Community export refunds on wine have a very limited impact.

Also in the context of the Uruguay Round negotiations, the Community undertook to facilitate access to the Community wine market by doing away with the system of reference prices (minimum import prices) and by reducing customs duties by around 20 % by 2000. This will substantially reduce protection at the Community borders and will make market access easier for imports from third countries, and in particular for the countries mentioned by the Honourable Member.

(1999/C 96/057)

WRITTEN QUESTION E-2117/98

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: Food shortages in Indonesia

Is the Commission aware of the likelihood of severe food shortages which are likely to occur in Indonesia in the new few weeks?

Would the Commission also outline the contingency plans which are in place to ensure we can address the problem as soon as is possible?

Answer given by Mrs Bonino on behalf of the Commission

(14 September 1998)

The Commission shares the Honourable Member's concern about the situation in Indonesia, where a food shortage is a potential risk over the next few weeks.

The Commission, and in particular the European Community Humanitarian Office (ECHO), is monitoring very closely the situation in Indonesia, which is currently suffering the impact of the forest fires and the drought provoked by 'El Niño'. Approximately ECU 3,27 million has already been committed for Indonesia since 1995. An exploratory mission took place in May 1998 to evaluate projects financed by the Commission and identify future measures.

In this context, the Commission has allocated humanitarian aid totalling ECU 1 million pursuant to a decision of 2 June 1998 to assist Indonesian victims of forest fires and drought. Appropriations will be allocated to different sectors of activity, including aid to cover a food shortage already identified in East Kalimantan province.

(1999/C 96/058) **WRITTEN QUESTION E-2119/98**

by Glenys Kinnock (PSE) to the Commission

(10 July 1998)

Subject: Unilateral investment sanctions on Burma

Would the Commission challenge an EU Member State if it were to impose unilateral investment sanctions on Burma?

Answer given by Mr Monti on behalf of the Commission

(5 October 1998)

The Commission shares the concern of the Parliament about the situation in Burma. The Community has taken a number of steps in this respect. The common position on Burma which is due for review before 28 October 1998, does not, so far, include measures amounting to an investment ban.

As regards any investment bans by Member States, it should be noted that investment by Community nationals in other Member States or third countries, constitutes a movement of capital within the meaning of Article 73b ff. EC Treaty. Hence, the Community rules on capital movements apply to investments and investment bans. Article 73b prohibits, as a general principle, all restrictions on capital movements and payments not only between Member States but also between Member States and third countries. Therefore, Member States, as a principle, have to provide for full freedom of capital movements, including foreign direct investment, with any third country, including Burma.

The Treaty makes available to Member States a limited number of exceptions to this general principle. Thus Article 73c(1) EC Treaty provides that 'The provisions of Article 73b shall be witthout prejudice to the application to third countries of any restrictions which existed on 31 December 1993 under national or Community law in respect of direct investment — including investment in real estate — establishment, the provision of financial services or the admission of securities to capital markets'. No general restrictions by Member States on capital movements with Burma existed on 31 December 1993, which would be covered by this Treaty provision, apart from a very few sectoral restrictions (such as in the transport or fisheries sector) which apply to all third countries. Article 73g(2) allows for unilateral measures by Member States for serious political reasons and on grounds of urgency, as long as the Council has not taken Community measures.

(1999/C 96/059) **WRITTEN QUESTION E-2129/98**

by Felipe Camisón Asensio (PPE) to the Commission

(10 July 1998)

Subject: Taxation of electronic commerce

Has the Commission decided to act to ensure that no new tax not affecting other forms of trade is imposed on electronic commerce once it has become subject to indirect taxation, by seeking to take the necessary steps to establish absolute tax neutrality?

What strategy will it pursue to that end?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

The Commission has been working with Member States for over a year to establish principles for applying the Community common value added tax (VAT) system to electronic commerce. This work progressed on the common understanding between the Commission and Member States that VAT is the best and most appropriate way to apply indirect taxation to electronic commerce. The Commission is continuing to work in consultation with Member States tax authorities and the business world, to ensure that the Community VAT system is adapted as necessary to meet developments in this new environment.

It is not sufficient, however, to work only at the European level. Electronic commerce represents a global market and co-ordination is needed to find an internationally acceptable tax framework for such transactions. To this end the Commission has forwarded a communication to the Council [1] proposing guidelines for the taxation of electronic commerce stressing, amongst other things, the need for neutrality. The Council has taken note of the Commission's work in this field and confirmed that VAT, rather than other forms of taxation, should apply to transactions in this field. The Commission is to contribute to the debate in the appropriate fora to seek agreement to an international tax framework based on the indirect tax principles approved by the Council.

[1] COM(98) 374 final.

(1999/C 96/060) **WRITTEN QUESTION E-2132/98**

by Alfonso Novo Belenguer (ARE) to the Commission

(10 July 1998)

Subject: The euro and pharmaceutical packaging

Spain's Law 25/1990 of 20 December 1990 on medicines stipulates that, inter alia, the price and expiry date should feature on the packaging of pharmaceutical products.

At present, the prices on the packaging of all pharmaceutical products in Spain are quoted in pesetas.

The entry into force of the provisions on the single currency in the European Union envisages an initial transition period in which prices are to be given in euros and pesetas alike, before the obligation to quote prices in euros alone takes effect at a later stage.

This is a complex and problematic situation, insofar as some pharmaceutical products already on the market have packaging with prices in pesetas and are not due to expire until 2003.

Given this situation, does the Commission intend to take measures or action to alleviate the high costs involved in taking these products off the market and re-labelling them with prices quoted in euros?

Answer given by Mr de Silguy on behalf of the Commission

(21 September 1998)

Council Directive 92/27/EEC on the labelling of medicinal products for human use and on package leaflets [1] does not require the price to be indicated on the label. However, Article 5 of this Directive indicates that Member States may require the price on the label. Spain has made use of that option in the medicine law 25/190. Unless modified by the Spanish legislature, the obligation to include a price on the label of pharmaceutical products will continue to apply and convert into an obligation to display the price in euros as of 1 January 2002.

As established in the Commission's recommendation on the dual display of prices and financial values, there will be no legal obligation established at Community level for retailers to have dual displays during the transitional period. However, the Commission is encouraging retailers, where possible, to dual display a significant number of products with a view to facilitating the changeover for consumers and employees.

Pharmacies, like all enterprises and retailers, should be preparing for introduction of the euro, including the pricing of goods in euros which must take place no later than 1 January 2002. Inevitably, some cost will arise from technical modifications to equipment and software, and from having staff devoted to the implementation of the changeover.

However, there is no reason to think that pharmacies will face relatively higher costs associated with the re-labelling of products having shelf-lives going beyond January 2002. Such challenges will be faced by many retail sectors and for many products, e.g. books. Moreover, re-labelling occurs frequently today to cope with price changes. Finally, pharmacies should consider having dual displays of prices during the transitional period, thereby overcoming the need for any relabelling at January 2002.

For these reasons, the Commission does not intend to take specific measures targeted at the pharmaceutical industry associated with the introduction of the euro. Instead, the Commission will continue to provide assistance to enterprises in all sectors with a view to achieving a smooth and cost effective changeover to the euro. This explains why the Commission, in its recommendation, is promoting dialogue and co-operative solutions.

[1] OJ L 113, 13.4.1992.

(1999/C 96/061)

WRITTEN QUESTION E-2137/98

by Freddy Blak (PSE) to the Commission

(10 July 1998)

Subject: Restructuring of the social dialogue

1. The Commission wants to abolish the social dialogue joint committees in the post and telecommunications sector. In which areas does it think the joint committees did not function satisfactorily?

2. What reason is there to think that the new structures will function better than the joint committees?

3. How will the Commission ensure that the new structures will continue to benefit from the excellent cooperation that characterized the joint committees?

4. I have the impression that the organizations involved are broadly opposed to this decision. What is the Commission's attitude?

(1999/C 96/062) **WRITTEN QUESTION E-2214/98**

by Brian Simpson (PSE) to the Commission

(16 July 1998)

Subject: Joint Committee on Post and Telecommunications

Will the Commissioner for Social Affairs indicate why he feels the present Joint Committee should be replaced by an inferior arrangement in which postal and telecom workers will lose out and is he willing to meet with Communications International as a matter of urgency to discuss this whole issue?

Joint answer
to Written Questions E-2137/98 and E-2214/98
given by Mr Flynn on behalf of the Commission

(13 October 1998)

In its communication on adapting and promoting the social dialogue at European level [1] adopted on 20 May 1998, the Commission emphasises the importance of sectoral dialogue and points out that this is a key area for future social dialogue at European level. The Commission is also convinced that in order for sectoral dialogue to continue its positive development and to develop the process in as many sectors as possible it is necessary to modernise the existing structures and to provide balanced support for the parties.

The Communication therefore adopted a decision, in parallel with the communication, creating new sectoral committees. The decision seeks to promote social dialogue in a much greater number of sectors, without discrimination in terms of resources or status, and without dictating a specific form of dialogue which may not be appropriate to one or other sector.

Apart from giving increased flexibility and autonomy to the social partners, the only significant change compared to the current arrangements for the post and telecommunications sectors is in relation to the number of participants. As the reimbursement of travel expenses is by far the largest element of expenditure, their restriction to a maximum of 30 reimbursed participants each meeting will ensure that the greatest number of sectors overall are able to benefit from the available limited resources. This will allow for one representative per Member State on each side, and will encourage the development of European level co-ordination, which is a precondition for participation in and a qualitative output from European social dialogue.

These arrangements aim to give the social partners in each sector, not least in the post and telecommunications sectors, the opportunity to deepen their dialogue and contribute more actively at European level. This will ensure, firstly, that the interests of a large number of social partner organisations and sectors are taken into account, and, secondly, that the resources available are used to develop a quality social dialogue in as many sectors as possible.

The Commission has acknowledged the important contribution made by the post and telecommunications joint committees and is convinced that the new structures will help and not hinder the social dialogue in these sectors. The Commission has responded directly to the social partners including Communications International, to explain its views as stated above.

[1] COM(98) 322 final.

(1999/C 96/063) **WRITTEN QUESTION E-2141/98**

by Graham Watson (ELDR) to the Council

(14 July 1998)

Subject: International Criminal Court

Will the Council lend its support to moves to define as a war crime the recruiting and use of children below the age of 15 as soldiers in the current negotiations to establish a permanent International Criminal Court?

Reply

(22 October 1998)

1. The Council expresses its deep appreciation for the successful completion of the Rome Conference for the establishment of the International Criminal Court which is an achievement of historical dimensions sending a signal that the world can be made a safer and more just place to live in.

The European Union fully endorses the outcome of the Rome Conference as reflected in the statute adopted by an overwhelming majority of participating States on 17 July 1998, which lays the foundation for an effective and credible Court as an institution to fight impunity of the most heinous crimes and to deter their commission. The Council expresses the hope that the required number of sixty ratifications will be reached soon in order for the Court to become operative.

2. The definition of war crimes contained in the Statute includes a prohibition against the use of children in both international and internal armed conflict. Under this definition, conscripting or enlisting children under the age of 15 years into the national armed forces in the case of international armed conflict, or into armed forces or groups in the case of armed conflict not of an international character, using them to participate actively in hostilities constitutes a war crime in respect of which the Court has jurisdiction. This outcome is welcomed by the EU Member States, which had supported a clear and comprehensive prohibition of the use of children in armed conflict.

3. The question of the involvement of children in armed conflicts deserves a particularly important place on the international agenda. In this regard, the EU strongly supports the work of the UN Secretary General's Special Representative on Children in Armed Conflict. The EU calls upon all States to implement fully existing international standards and hopes that significant progress can be made on the optional protocol relating to the involvement of children in armed conflict.

4. More generally, ensuring full protection for children is one of the key objectives of the EU's human rights policy. The Convention on the Rights of the Child constitutes a strong and universal basis for such protection. The EU consistently promotes the implementation of the Convention.

(1999/C 96/064) **WRITTEN QUESTION E-2143/98**

by Graham Watson (ELDR) to the Commission

(13 July 1998)

Subject: AIDS

New evidence to be presented to the 12th World AIDS Conference in Geneva will indicate that access to treatment is leading to a huge divide between first world countries where incidence of the disease is falling and Third World countries where people are dying in ever greater numbers.

In view of the fact that an estimated 90 % of those infected with HIV in the Third World are unaware they are carriers, what initiatives will the Commission undertake to provide help to developing countries in identifying and treating sufferers of HIV and what support is it giving at present in terms of promoting AIDS Education awareness?

Answer given by Mr Pinheiro on behalf of the Commission

(16 September 1998)

Over the past eleven years, the Community committed more than ECU 200 million in direct support to human immunodeficiency virus/aquired imune deficiency syndrome (HIV/AIDS) intervention in over 90 different countries as well as at regional and international level. This support has focussed for a large part on targeted education of risk populations. The programme has also helped the health sector to cope with the causes and consequences of the epidemic through for example support for safe blood strategies, basic care strategies and training of medical and paramedical personnel.

Furthermore the Community has developed and increased its general support for health sectors in developing countries. In recent years nearly ECU 1 000 million was committed in African, Caribbean and Pacific (ACP) countries to strengthen health sectors in general. Obviously, this support includes the main support given by the Community for sick people including those infected with HIV, which is organised through the general health system.

In view of the calls made internationally and within the Community initiatives, the Commission has now prepared a communication identifying additional means of mobilising international solidarity for AIDS. This will be debated soon in the Parliament and the Council and includes possibilities for the Community to organise support for further initiatives if appropriate strategies and resources can be identified by the Member States and the budgetary authorities.

(1999/C 96/065) **WRITTEN QUESTION E-2146/98**

by José Valverde López (PPE) to the Commission

(13 July 1998)

Subject: Sale of medicinal products via the Internet

The safety, quality and effectiveness of medicinal products for human use are guaranteed by means of a number of directives such as Directive 65/65 ([1]), which requires administrative authorization for the marketing of medicinal products in the Union, or Directive 92/27 ([2]), which lays down the requirement for package leaflets to be included with medicinal products.

In view of the emergence of new marketing methods via the Internet (concerning in particular the marketing of medicinal products), the guarantees provided by Community law do not appear to be entirely effective.

Can the Commission say what action has been taken at European level to alleviate what has become a serious problem? Can it say whether the matter has been included on the European agenda for future trade negotiations with the USA and within the World Trade Organization (WTO)?

([1]) OJ 22, 9.2.1965, p. 369.
([2]) OJ L 113, 30.4.1992, p. 8.

Answer given by Mr Bangemann on behalf of the Commission

(9 September 1998)

The Commission remains concerned about such sale on the Internet, as this may constitute an infringement of Community law — whether of Directive 65/65/EEC (on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products) where the product in question has not been issued with a valid marketing authorization, or of Directive 92/28/EEC of 31 March 1992 ([1]) which prohibits the public advertising of prescription medicines.

It may, additionally, violate national law — in those Member States which have exercised their right under Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 ([2]) (on the protection of consumers in respect of distance contracts) to ban the marketing of certain products by distance contracts where they adjudge this to be in the 'in the general interest', and in those which have accorded pharmacists a monopoly of the sale of medicines.

Restrictive measures may be feasible where operators are established within the Community territory; not so where they are located outside it, as is frequently the case (given the trans-frontier nature of the Net). For this reason — and to ensure maximum efficacy for any measures taken by the Commission/Member States — contacts have been initiated with the WHO (which encompasses the countries most concerned by this phenomenon). This dialogue may lead to early publication of a guide for Internet users to the trans-frontier advertising and sale of medical products (including medicaments). Also, the action plan for safer use of the Net proposed by the

Commission — dealing with a number of illegal or harmful activities on the Web and promoting general measures to restrict these — may extend to certain forms of distribution of illicit drugs or medicaments.

(1) OJ L 113, 30 April 1992.
(2) OJ L 144, 4 June 1997.

(1999/C 96/066) **WRITTEN QUESTION E-2147/98**

by Sebastiano Musumeci (NI) to the Commission

(13 July 1998)

Subject: Inclusion of the Palermo-Trapani-Siracusa rail route in the trans-European rail network outline plan

At its sitting of 18 May 1995, when voting on the proposal for an EP and Council Decision on Community guidelines for the development of the trans-European transport network, Parliament adopted Amendment 80, thus inserting in Annex I, Railway Network, Italy the routes Palermo-Trapani and Siracusa-Ragusa-Agrigento-Trapani.

What degree of priority does the Commission accord to the implementation of the project for the above rail routes in Italy and what, if any, operational measures have been taken towards this end in conjunction with the national authorities?

Answer given by Mr Kinnock on behalf of the Commission

(14 September 1998)

The Honourable Member will be aware that the Parliament and the Council adopted the Decision No 1692/96/EC of 23 July 1996 on Community guidelines for the development of the trans-European transport network (1).

Under Parliament's amendment 80, only the conventional lines Palermo — Trapani and Siracusa-Agrigento were included in the guidelines. Agrigento — Trapani, a narrow gauge line closed to commercial service in 1985, did not fulfil the criteria for inclusion and could not be considered of trans-European interest.

According to the principle of subsidiarity, the implementation of projects of common interest is the responsibility of the Member State concerned. Projects concerning the lines covered by Annex 1 can be co-financed by the Community via the TEN-T budget upon request from the Member State concerned, subject to the Commission's agreement.

According to Article 18§3 of the Decision, the Commission has to report on the implementation of the projects of common interest included in the guidelines. On the basis of the information received from the Italian authorities, the situation on the two lines is understood to be that Palermo-Trapani was electrified some years ago and upgrading of the section from Palermo to Punta Raisi (airport connection) is underway and scheduled to be completed in year 2000, while for Siracusa-Agrigento minor improvements (doubling tracks) on some sections are underway.

(1) OJ L 228, 9.9.1996.

(1999/C 96/067) **WRITTEN QUESTION E-2152/98**

by Ingo Friedrich (PPE) to the Commission

(13 July 1998)

Subject: Illegal placement of foreign workers in the German construction industry

Is the Commission aware that Dutch companies are illegally arranging employment for English workers on German building sites?

To what extent does the Commission intend to take action on this matter?

Answer given by Mr Flynn on behalf of the Commission

(13 October 1998)

The Commission has no knowledge of problems of the kind mentioned by the Honourable Member, concerning the illegal supply of British labour to German building sites performed by firms based in the Netherlands.

The Commission wishes to stress that in this area, Directive 96/71/EC ([1]) of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services provides in Article 4 for cooperation between the public authorities in the Member States which 'shall in particular consist in replying to reasoned requests from those authorities for information on the transnational hiring-out of workers, including manifest abuses or possible cases of unlawful transnational activities'.

In its communication on undeclared work ([2]), the Commission noted that an effective strategy for dealing with undeclared work would need to be comprehensive, involving a mix of both sanctions and prevention.

This shows that it is for the Member States to control the provision of labour on their territory in compliance with Article 59 of the EC Treaty, since this activity represents a cross-border supply of services.

([1]) OJ L 18, 21.1.1997.
([2]) COM(98) 219 final.

(1999/C 96/068) **WRITTEN QUESTION E-2158/98**

by Katerina Daskalaki (UPE) to the Council

(14 July 1998)

Subject: Danger facing the oldest monastery in the world situated in Turkey

The Mar Gabriel Syrian Orthodox monastery, the oldest monastery in the world, is situated in an area of southern Turkey affected by the Kurdish conflict. The local authorities are preventing the training of novices at Mar Gabriel and refusing to allow any conservation work to be carried out, with the result that the historic monastery, which is already suffering from neglect, is falling into a state of total disrepair.

Can the Council make representations to the Turkish authorities with a view to ending the deterioration of this sixteen-hundred-year-old Christian monastery and the infringements of the rights of the very few monks remaining there?

Reply

(9 November 1998)

The Council regrets the developments concerning the Mar Gabriel monastery. For its part, the Austrian Presidency raised this matter at one of its recent bilateral meetings with Turkish officials and intends to bring up the subject of Christian minorities in Turkey again at future meetings.

The Council is well aware that under the Treaty of Lausanne, signed in July 1923, the Turkish Government undertook to grant full protection to churches, synagogues, cemeteries and other religious establishments of non-Muslim minorities.

In this context, the Council would stress that the promotion of human rights, and religious freedom in particular, is a fundamental aim of the European Union in its relations with Turkey. It regrets that Turkey currently refuses to continue its political dialogue with the EU in this area.

(1999/C 96/069) **WRITTEN QUESTION E-2165/98**

by Jesús Cabezón Alonso (PSE) to the Council

(14 July 1998)

Subject: Judgment of the Court of Justice of 12 May 1998 (C-106/96)

What steps does the Council intend to take to counteract, as a matter of urgency, the most negative consequences of the Court's judgment of 12 May 1998 (C-106/96)?

Reply

(3 November 1998)

The judgment delivered by the Court of Justice of the European Communities on 12 May 1998 in Case C-106/96 (United Kingdom v. Commission) gives a reminder of the Court's earlier case-law which makes it clear that, 'in the system of the Treaty, any implementation of expenditure by the Commission in principle presupposes, in addition to the entry of the relevant appropriation in the budget, an act of secondary legislation (commonly called the 'basic act') from which the expenditure derives ([1]).'

Further to that judgment, the Commission, within the framework of its responsibilities under Article 205 of the Treaty, decided to implement, in 1998, certain budget headings for projects known to be politically sensitive.

On 17 July 1998, the Council, the Commission and a European Parliament delegation established a consensus on a draft interinstitutional agreement on legal bases and implementation of the budget as from the 1999 budgetary procedure. That agreement was signed by representatives of the three institutions on 13 October 1998.

([1]) Point 22 of the grounds of the judgment, ECR 1998-5, p. I-2753.

(1999/C 96/070) **WRITTEN QUESTION P-2169/98**

by Stéphane Buffetaut (I-EDN) to the Commission

(3 July 1998)

Subject: Compulsory bottling in the region of production

In Written Question P-1657/98 ([1]), which pointed to the risk the Commission was taking in encouraging the development of a north/south divide by initiatives such as its proposal to amend Regulation No 823/87 ([2]) I asked about the lawfulness of national provisions making the bottling of quality wines p.s.r. in the region of production compulsory.

In its reply of 11 June the Commission upholds the position it adopted in Case C388/95 currently being examined by the European Court of Justice and its proposal to amend Regulation No 823/97 ([3]), which incautiously anticipates the Court's expected judgment in a case, without actually answering my basic questions, which I hereby reformulate:

1. Does current Community substantive law, in particular Articles 34, 85 and 86 of the Treaty on European Union and the Court's ruling in Case No 647/90 Delhaize Le Lion v Promalvin, authorize a Member State to adopt national provisions making it compulsory to bottle quality wines p.s.r. in the region of production?

2. Can views stated by the Commission in proceedings currently under way (Case C388/95) on the same subject be considered as an element of substantive law although the Court of Justice has not given a ruling on them?

3. Is the Commission aware that its current position is contributing largely to accentuating the north-south divide in the Union, in particular as regards budgetary problems in the farming sector, and this immediately prior to the reform of the COM in the wine sector?

(1) OJ C 31, 5.2.1999, p. 65.
(2) OJ L 84, 27.3.1987, p. 59.
(3) OJ C 108, 7.4.1998, p. 138.

Answer given by Mr Fischler on behalf of the Commission

(27 July 1998)

1. The Commission considers, that in certain cases, the national provisions making compulsory bottling of the wines of quality produced in a given region (quality wine psr) in region of production conform with milking EC and it is precisely this position which it defends before the Court of Justice.

2. The position of the Commission in a current contentious procedure is not obviously an element of positive duty. It is only the interpretation of the Commission of the positive duty in force.

3. The Commission considers that there is not North-South cleavage in this matter.

(1999/C 96/071) **WRITTEN QUESTION E-2171/98**

by Hiltrud Breyer (V) to the Council

(10 July 1998)

Subject: Castor shipments in breach of EU law

Can the Council say what action it will take following the violation by Member States of EU legislation on radiation protection, namely Council Directives 92/3/Euratom (1) of 3 February 1992 and 96/29/Euratom (2) of 13 May 1996, in the case of the Castor shipments?

(1) OJ L 35, 12.2.1992, p. 24.
(2) OJ L 159, 29.6.1996, p. 1.

Reply

(19 October 1998)

Article 21 of Council Directive 92/3/Euratom on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community (1) and Article 55 of Council Directive 96/29/Euratom laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation (2) stipulate that Member States are forthwith to inform the Commission of the laws, regulations and administrative provisions which they have adopted to comply with those Directives.

It is therefore for the Commission to ensure that Member States comply with the provisions laid down in those Directives.

(1) OJ L 35, 12.2.1992, p. 24.
(2) OJ L 159, 29.6.1996, p. 1.

(1999/C 96/072) **WRITTEN QUESTION E-2172/98**

by Hiltrud Breyer (V) to the Commission

(10 July 1998)

Subject: Castor shipments in breach of EU law

Can the Commission say what action it will take following the violation by Member States of EU legislation on radiation protection, namely Council Directives 92/3/Euratom [1] of 3 February 1992 and 96/29/Euratom [2] of 13 May 1996, in the case of the Castor shipments?

[1] OJ L 35, 12.2.1992, p. 24.
[2] OJ L 159, 29.6.1996, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 September 1998)

It should be noted that Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation will only come into effect in May 2000. Directives 80/836/Euratom of 15 July 1980 [1] and 84/467/Euratom of 3 September 1984 [2] remain valid until that time. However, the Commission has no evidence of any breach of the provisions of any of these three directives or of 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.

As to possible future actions, the Commission would refer the Honourable Member to its statement in the Plenary session of the Parliament of 17 June 1998 [3].

[1] OJ L 246, 17.9.1980.
[2] OJ L 265, 5.10.1984.
[3] Verbatim report of proceedings 17 June 1998, provisional edition, p. 20.

(1999/C 96/073) **WRITTEN QUESTION E-2176/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(10 July 1998)

Subject: Report on quality control of 2nd CSF projects

The report drawn up following the quality control of projects carried out under the second CSF concludes that nearly half of the regional development projects jointly funded by the EU are technically deficient and will have to be rectified or even redone because they were carried out on the basis of faulty studies or using sub-standard materials or do not comply with the stipulations of the contract.

The report states that sample quality controls of materials revealed that about 50 % of contractors had not complied with specifications. This applied to all materials except asphalt, for which the figure rose to around 70 %.

Is this information correct and what does the Commission intend to do to ensure that measures are taken at government level to compel the contractors responsible to carry out the necessary alterations or the entire project again in order to comply with their contractual obligations, wherever these have been breached?

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

(13 October 1998)

The Commission would refer the Honourable Member to its answer to Written Question No P-2120/98 by Mr Trakatellis [1].

[1] OJ C 354, 19.11.1998, p. 131.

(1999/C 96/074) **WRITTEN QUESTION E-2180/98**

by Ben Fayot (PSE) to the Commission

(10 July 1998)

Subject: Duties on wine

The wine sector is worried that the Commission is planning to introduce excise duties on wine.

This is of course a topic which keeps resurfacing in political discussions.

I should like to know if any new facts have arisen to justify reopening this subject, and what precisely the Commission intends to do in this connection.

In particular, does the Commission propose to demonstrate once and for all that the zero-rating of excise duties practised in all wine-producing countries leads to a distortion of competition with other drinks?

Answer given by Mr Monti on behalf of the Commission

(5 October 1998)

Under Article 8 of Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages [1], the Commission reports to the Council and Parliament every two years on the operation of the minimum rates of duty on alcoholic drinks. Such a report is now in preparation, although no decisions have been taken as to its final content.

However, the Honourable Member will recognize that the report cannot avoid examining the question of whether or not the minimum rate for wine should remain at zero. Moreover, since Article 8 specifically requires it to do so, the report will also cover the question of competition between alcoholic drinks.

[1] OJ L 316, 31.10.1992.

(1999/C 96/075) **WRITTEN QUESTION P-2182/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(3 July 1998)

Subject: Recruitment of pilots for Olympic Airways

The management of Olympic Airways recently decided to recruit 45 pilots to meet immediate requirements from a list of successful candidates which had been drawn up after a competition in 1996. The need for such a decision was confirmed by other relevant bodies of Olympic Airways (Flight Exploitation Directorate) after the decision by the management to cut the company's turnover by 10 %, on the grounds that not even the new programme could be implemented unless 45 pilots were recruited immediately. Despite all this the Ministry of Transport is refusing to endorse the adoption of this decision by the management of Olympic Airways, without giving any reason for its position.

Given that the Commission has already stated that one of the reasons for its refusal to permit an increase the share capital of Olympic Airways is constant government interference in the management of the company, and notably the recruitment of staff, will it say how it views the issue of the approval of the plan to recruit pilots and give its overall view of Olympic Airways in the light of recent developments and notably the new state of affairs created by the judgment of the European Communities' court of first instance in cases T-371/94 and T-394/94 (appeals by British Airways and British Midland Airways against the Commission decision to permit French state aid for Air France)? Does it consider that these developments may have repercussions for Olympic Airways and, if so, what kind of repercussions?

Answer given by Mr Kinnock on behalf of the Commission

(21 September 1998)

The Commission decided on 29 July 1998 that the aid initially authorised in 1994 which it had blocked in 1996 following the failure of the Greek government to respect a number of conditions should, following significant changes made by the Greek government, be allowed since it is now compatible with the EC Treaty. The amount of the aid has however been reduced in order to take fully into account aid that was not authorised by the Commission but was granted to Olympic Airways by the Greek Government.

This recent decision is based on the fact that, after thorough examination, the Commission is satisfied that all the conditions attached to the initial authorisation of the aid are now respected. These conditions include the commitment of the Greek government not to interfere in the management of the company except within the strict limits of its role as shareholder. In the course of the adoption of this decision, the Commission was not aware of any reports of interference by the Greek Government in matters relating to the recruitment of the pilots. The elements mentioned by the Honourable Member will be taken into account when the Commission assesses the way in which aid conditions have been respected. That assessment must be conducted when the Commission considers whether the payment to Olympic Airways of the last instalment of capital injection can be allowed under the Treaty and it will be undertaken in the period before June 1999.

The Tribunal of First Instance annulled the Commission's Decision of 27 July 1994 on French government aid granted to Air France, because the Court considered the Commission's reasoning on two specific aspects of the assessment on the compatibility of the aid with the common market to be inadequate.

The judgement of the Tribunal in the Air France State aid case is likely to have no implications for the Olympic Airways State aid case. The Commission recalls that its initial Decision of 7 October 1994 on Olympic Airways was not challenged before the Court. Moreover, the Commission adopted on 22 July 1998 a new Decision confirming the compatibility of the aid granted to Air France with the common market.

(1999/C 96/076) **WRITTEN QUESTION E-2189/98**

by Friedhelm Frischenschlager (ELDR) to the Council

(10 July 1998)

Subject: Human rights and female circumcision

The UN estimates that some 135 million girls and women worldwide undergo ritual circumcision.

1. Is the Council of the opinion that genital mutilation of women and girls, which is principally carried out in many African and Arab countries but also in some Asian countries and, in fact, in Europe, as a rule by immigrants, is a violation of human rights?

2. Does the Council take the view that, in future, the genital mutilation of women and girls should be made a punishable offence uniformly throughout Europe?

3. In the light of the uniform asylum policy envisaged in the Amsterdam Treaty, does the Council share the view that asylum should in any case be granted to women fleeing because they are threatened with or have already suffered mutilation (internationally, Canada is leading the way in this respect)?

4. Further to the Council's announcement in the media (Die Presse, 26 June 1998) that it would be taking more vigorous initiatives in the context of cooperation with the developing countries, will such initiatives include the dissemination of information about and the combating of this degrading and inhuman practice?

Reply

(22 October 1998)

At the 52nd UN General Assembly, a Member State tabled a draft resolution on traditional or customary practices affecting the health of women and girls (52/99). The resolution, which was sponsored by all the Member States of the European Union, was adopted without a vote on 12 December 1997.

The resolution reaffirms that traditional or customary practices affecting the health of women and girls constitute a definite form of violence against women and girls and a serious form of violation of their human rights. The General Assembly emphasises the need for national legislation or other measures prohibiting harmful traditional or customary practices, and calls on all States to implement their international commitments in this field, inter alia, under the Vienna Declaration and Programme of Action, the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women, the Programme of Action of the International Conference on Population and Development and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children.

With regard to asylum applications, the Member States, in the framework of CIREA (Centre for Information, Discussion and Exchange on Asylum), regularly exchange information on their assessment of asylum applications from countries from which large numbers of applicants originate. The issues of sexual violence and genital mutilation are always on the agenda. Asylum applications based on those grounds were also the subject of an information exchange between CIREA experts and the delegations of Canada and the United States at a meeting organised with those countries in the framework of the Transatlantic Dialogue.

However, the Council has not to date received any proposals to harmonise the Member States' policies in this area. Nor is the issue raised as such in the Council Resolution of 18 December 1997 laying down the priorities for cooperation in the field of justice and home affairs for the period from 1 January 1998 to the date of entry into force of the Treaty of Amsterdam ([1]), which was adopted after consultation of the European Parliament.

([1]) OJ C 11, 15.1.1998, p. 1.

(1999/C 96/077) **WRITTEN QUESTION E-2190/98**

by Nikitas Kaklamanis (UPE) to the Commission

(10 July 1998)

Subject: Earthquake at Adana in Turkey

The tragedy of the disastrous earthquake at Adana in Turkey on 27 June 1998 has, unfortunately, borne out my misgivings concerning Turkey's plans to set up a nuclear plant at Akkuyu, which is only 70 kilometres approximately from Adana. I had voiced my concern about the seismicity of the region in my question No E-1078/97 ([1]) to the Commission, without receiving a specific answer to the issues involved.

Having put another question, No E-3787/97 ([2]), to the Commission, I received the assurance that 'information obtained by the Commission from other sources shows that the Akkuyu site was selected by the Turkish authorities following extensive studies, focusing on seismic, geological and environmental aspects in particular, by specialised departments of several Turkish universities.'

Following the tragic events, which claimed hundreds of lives, European public opinion is, justifiably, profoundly concerned at the Turkish Government's nonchalant attitude in persisting with the construction of a nuclear reactor in an extremely earthquake-prone area, which is in fact much closer to another fault-line than the one activated, known to seismologists as 'South'.

Does the Commission intend to intervene forcefully and in what manner, following recent events, to avert the possibility of a nuclear accident, which is inherent in the planned construction of a nuclear plant at Akkuyu, in an area which has proved to be highly susceptible to earthquake?

([1]) OJ C 367, 4.12.1997, p. 74.
([2]) OJ C 223, 17.7.1998, p. 22.

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

(11 September 1998)

The Honourable Member is asked to refer to the Commission's answer to his Written Question, No E-1876/98 (1).

The Commission has no competence to participate in site selection processes. Turkey's authorities, and in particular its nuclear regulatory body — the Turkish atomic energy authority (TAEA) — are responsible for such selection, within the general framework of the guidance from the International Atomic Energy Agency (IAEA).

In the wake of the recent earthquake in the Adana region, the Turkish authorities have confirmed that all the necessary safety measures have been put in place for the Akkuyu power station. No building work has yet begun. The name of the consortium chosen to carry out construction should be published in August.

The head of the Germano-French consortium (Framatome and Siemens) bidding for the contract has said that the power station will be built using tried and tested technologies which will ensure its safety.

(1) See page 12.

(1999/C 96/078) **WRITTEN QUESTION E-2193/98**

by Fernand Herman (PPE) to the Commission

(14 July 1998)

Subject: Olive oil imports into the European Union from Tunisia

Is the quota of 46 000 tonnes for imports of olive oil into the EU from Tunisia reserved solely for the Tunisian state oil marketing body, the Office National de l'Huile?

If so, under what agreement and on what principle are Tunisian olive oil producers excluded from this quota?

The Single Market imposes a prohibitive import duty on the sale of non-Community olive oil over and above the quota. However, this quota should be open to all Tunisian producers and/or all European purchasers, and should not be the sole preserve of the state's own oil marketing body.

Does the Commission have any plans to abolish the olive oil import quotas system, and if so, when?

Answer given by Mr Fischler on behalf of the Commission

(16 September 1998)

The Euro-Mediterranean Agreement establishing an association between the Community and its Member States, on the one hand, and Tunisia, on the other (1), in addition to providing for the import of a quota of 46 000 tonnes of olive oil at a reduced rate of duty, contains provisions concerning competition and other economic provisions.

In particular, Article 37 stipulates that the Member States and Tunisia are to progressively adjust any state monopolies of a commercial character so as to ensure that, by the end of the fifth year following the entry into force of the Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of Tunisia. The Agreement entered into force on 1 May 1998. The Office national de l'huile is one of the bodies which would fall within the scope of this Article.

Concerning the possible abolition of the quota mechanism, the Community does not at present plan to do away with this mechanism which, in the case of olive oil, reflects traditional trade flows between the Community and Tunisia.

(1) OJ L 97, 30.3.1998.

(1999/C 96/079) **WRITTEN QUESTION E-2199/98**

by Bill Miller (PSE) to the Commission

(14 July 1998)

Subject: Excise duty on wine

In the light of the fact that a number of non-wine-producing Member States levy excise duty on wine, does the Commission believe that wine-producing Member States which do not levy excise duty on wine are in fact giving a state aid to that industry?

Answer given by Mr Monti on behalf of the Commission

(5 October 1998)

Community legislation governing excise duties stipulates that the minimum amount of excise duty on wine to be applied by Member States is 0 (zero) ecu. Accordingly, from the viewpoint of Community tax legislation, there is nothing to prevent a wine-producing Member State from applying that minimum amount.

Such generalised zero-rating by a Member State, which is approved by Community secondary legislation, cannot in itself be regarded as state aid within the meaning of Article 92 of the Treaty.

(1999/C 96/080) **WRITTEN QUESTION P-2202/98**

by Gary Titley (PSE) to the Commission

(10 July 1998)

Subject: Redundancies at De La Rue printing company

On 2 June 1998 De La Rue, a multinational printing company, announced 375 redundancies at its flagship company in Gateshead without informing its European Works Council which is due to meet on 15 and 16 July 1998. Does the Commission not feel that De La Rue has acted in a similar way to Renault in the Vilvoorde case, and flagrantly ignored the letter and spirit of the European works council and collective redundancies Directives?

Would the Commission agree that this action shows that the Directive on European works councils and collective redundancies are inadequate?

What action does the Commission intend to take to ensure that European companies engage in meaningful consultation with their workforces, including the timely provision of relevant information?

Answer given by Mr Flynn on behalf of the Commission

(11 September 1998)

Council Directive 92/56/EEC of 24 June 1992 amending Directive 75/129/EEC on the approximation of the laws of the Member States relating to collective redundancies [1] requires an employer contemplating collective redundancies to undertake consultations with the workers' representatives in good time with a view to reaching an agreement.

If it is the case that no consultations with the workers' representatives have taken place before the announcement of the redundancies, it would seem that the essential provisions of the Directive have not been respected. Furthermore, if the decision taken by the management falls within the scope of Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertaking and Community-scale groups of undertakings for the purposes of informing and consulting employees [2], and within the scope of the agreement concluded on the basis of Article 13 of that Directive, then the adequate procedures for informing and consulting the European works council should have been followed.

It is not accurate to state that the above-mentioned Directives are inadequate, nevertheless the Commission shares the opinion of the Honourable Member that there is a need for further legislative action to supplement and complete, within a comprehensive Community framework, the existing national and Community provisions on information and consultation of employees. That is why the Commission initiated the consultation process with the social partners on a European framework for information and consultation in this regard.

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

(1999/C 96/081) **WRITTEN QUESTION E-2208/98**

by Ulrich Stockmann (PSE) to the Commission

(16 July 1998)

Subject: Community aid for the German Land of Saxony-Anhalt during 1997

What amounts of Community aid for the German Land of Saxony-Anhalt were approved and cancelled for which measures and under which programmes for 1997:

1. the European Regional Development Fund (ERDF)?
2. the European Social Fund (ESF)?
3. the European Agricultural Guidance and Guarantee Fund (EAGGF)?
4. Community research programmes?
5. Community energy programmes?
6. Community environmental programmes?
7. Community initiatives?
8. other Community programmes?

Supplementary answer
given by Mr Santer on behalf of the Commission

(19 October 1998)

Further to its answer of 11 September 1998 (1), the Commission is now able to provide the following additional information.

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

(1) OJ C 50, 22.2.1999.

(1999/C 96/082) **WRITTEN QUESTION E-2221/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(16 July 1998)

Subject: Employment plan for Spain

Having studied Spain's action plan for jobs, what does the Commission regard as its most innovative aspects with a view to creating jobs, increasing the activity rate or lowering the current rate of unemployment in Spain?

Answer given by Mr Flynn on behalf of the Commission

(1 October 1998)

In its communication to the Cardiff European Council ([1]), the Commission carried out a preliminary examination of the national action plans for employment (NAPs), in terms of their suitability as programming documents for implementing the strategy inspired by the 1998 employment guidelines ([2]).

From this point of view, the Commission concluded that the action plans submitted by Spain and France were 'closest to the standards of transparency and articulation required in this exercise in terms of identification of the problem, quantification of the effort, resourcing and specification of the priorities, in particular as far as the EU-wide operational targets are concerned'. The Commission added that 'the NAPs of Member States such as Luxembourg, Ireland, Finland, Belgium and the UK, although less quantified, also reflect a considerable effort towards specificity'.

A more in-depth examination of the respective national strategies introduced will be the subject of a joint report, to be submitted to the European Council in Vienna in December. In this joint report, the Commission and the Member States will examine in greater depth the details of each NAP and the translation of the commitments announced into specific measures.

At the Vienna European Council in December, therefore, it will be possible to draw up a more specific and better-founded opinion on the quality of Spain's action plan and the innovative measures it contains.

([1]) COM(98) 316 final.
([2]) Council Resolution of 15 December 1997 — OJ C 30, 28.1.1998.

(1999/C 96/083) **WRITTEN QUESTION E-2222/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(16 July 1998)

Subject: Employment plan in Spain

What is the Commission's view of the Spanish Government's failure to seek the agreement of the social partners for its national employment plan?

Answer given by Mr Flynn on behalf of the Commission

(30 September 1998)

In its Communication to the European Council in Cardiff ([1]), the Commission examined, among other things, the political and institutional processes adopted by each of the Member States in preparing and approving the National Action Plans for Employment (NAPs), focussing particular attention on consultation and cooperation with the key actors at national or regional level and in some cases with the representatives of the social partners, depending on the different national circumstances.

This examination showed that 'the Member States are pursuing an inclusive strategy' and that the 'NAPs embody a more transparent and politically-driven policy approach open to scrutiny'. The increased involvement of the social partners must therefore be considered as one of the main achievements of the Luxembourg process.

As regards Spain, the information submitted by the Spanish Government shows that the two sides of industry were consulted on the national action plan, although no agreement was reached. It should also be remembered that representatives of the social partners were present at the working meetings between the Commission and the Spanish authorities. The Council resolution on the 1998 employment guidelines reaffirmed that the social partners at all levels would be involved in all stages of the process. However, the Commission is not competent to judge the consultation process between the Spanish authorities and the social partners.

In its Communication to the European Council in Cardiff, the Commission stressed the importance it attached to ensuring that all parties concerned make efforts to ensure that the input of the social partners 'is reinforced at both

national and European levels and its impact on employment duly evaluated', and to encouraging the social partners to 'reinforce, implement and evaluate the impact of their contributions (on the employment strategy)'. In particular, the social partners at national and European levels play a very important role in ensuring the success of this strategy in terms of the 'modernisation of the contractual and institutional framework for reconciling flexibility and security, establishment of systems for lifelong learning and the promotion of new forms of work organisation and employment patterns such as job rotation systems'.

The Commission hopes that these recommendations on the contribution of the social players to the employment strategy will be increasingly followed up by each Member State, depending on its circumstances, in the drawing up, implementation and evaluation of the employment guidelines.

(1) COM(98) 316 final.

(1999/C 96/084)

WRITTEN QUESTION E-2224/98

by Kirsi Piha (PPE) to the Council

(16 July 1998)

Subject: Situation in Tibet; EU policy on Tibet

Tibet's political and spiritual leader, the Dalai Lama, visited Finland on 19 June, eliciting assessments as to what the EU might be able and willing to do to adopt a common policy on Tibet. This would be desirable, as it would make it possible to intervene effectively in the human rights situation in Tibet and for the EU, in common with others, to exert pressure on the negotiations between China and Tibet.

Does the Council have any plans for adopting a common EU policy on Tibet, and if so, what would its broad outlines be?

Reply

(22 October 1998)

As the Honourable Member is aware of, a mission to Tibet by the EU Troika Ambassadors to Peking took place between 1 and 10 May 1998. The report from the mission was published on 19 June.

At present, the Council is considering what steps to take as a result of the mission.

It will continue to make known to China its concerns relating to ethnic minorities, including in Tibet, within the bilateral dialogue on human rights.

(1999/C 96/085)

WRITTEN QUESTION E-2228/98

by Kirsi Piha (PPE) to the Commission

(16 July 1998)

Subject: Freezing of budget appropriations for grants

The Court of Justice of the European Communities has frozen the Commission's social aid funds on the grounds that there is no legal basis for them, because the aid programmes concerned were not endorsed by the Council. Yet these programmes are significant from the point of view of a people's Europe.

How many projects, and which ones, will now be deprived of assistance, and for which will it be possible to secure the Council's endorsement?

Answer given by Mr Liikanen on behalf of the Commission

(17 September 1998)

Following the interinstitutional agreement on legal bases and implementation of the budget and the ad hoc agreement for 1998 reached on 17 July 1998 the Commission has authorised on 29 July the resumption of the line B3-4109 Measures for combating violence against children, adolescents and women.

The Council and the Commission have also jointly stated that, regarding the fight against social exclusion, the Council considers that the Treaty of Amsterdam, once ratified, will provide the means of establishing the requisite legal bases. The Commission will consider how redirecting the measures covered by the budget lines B3-4101 Co-operation with charitable associations, B3-4102 Preparatory actions to encourage co-operation between Member States to combat social exclusion, and B3-4116 Co-operation with non-governmental organisations and associations formed by the socially excluded and the elderly, would enable them to be regarded as preparatory to new Community action.

Moreover, the Commission has already decided on 14 July 1998 to deblock the lines B3-4106 Disabled persons, B3-4113 Integration of refugees, B3-4114 Fight against racism, xenophobia and anti-Semitism.

For the line B3-4304 Health and well-being the Commission is awaiting the adoption of the legal base. The only lines in the field of social aid for which there is not yet a solution, are the lines B3-4108 Measures in favour of the family and children and B3-440 Combating drugs.

(1999/C 96/086) **WRITTEN QUESTION E-2229/98**

by Kirsi Piha (PPE) to the Commission

(16 July 1998)

Subject: EU human rights projects

The European Union participates in many projects to promote human rights and democracy. The provision of information about the projects implemented has been very sluggish.

What will the Commission do to inform Parliament about them more swiftly? What projects were implemented in early 1998, and what funds were used for this purpose?

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

(23 September 1998)

The Commission tries to ensure that the use of the Community budget in general and the financial instruments directly related to human rights in particular is as transparent as possible.

It draws up annual reports on the implementation of the declaration on human rights and democracy, schemes in developing countries and other activities financed by Chapter B7-70. Parliament has examined these reports and, with Mr Imbeni's report, contributed considerably to improving activities in this area.

Specific details of headings B7-7040 and B7-707 are provided at the close of each financial year. A report on their use, accompanied by a full list of the associations, non-governmental organisations and other bodies that have received grants and the exact amount of such grants, is sent to the President of Parliament and the chairman of the relevant committee.

Details are not yet available for the first half of this year. Even if they were, they would not be meaningful, given that all activities financed from budget headings with no legal basis have been temporarily suspended in the wake of Judgment C/106-96 of the Court of Justice.

(1999/C 96/087)

WRITTEN QUESTION E-2232/98

by Johanna Maij-Weggen (PPE) to the Commission

(16 July 1998)

Subject: Nigeria

Is the Commission aware of the recent arrest of Isaac Osuoka (an activist with Environmental Rights Action) on 26 May 1998? He was arrested on the way to a conference of the African Forest Action Network; at the time of his arrest, leaflets intended for the conference were found in the car which referred to the human rights violations in the Niger Delta. The next day his lawyer was likewise arrested when he went to visit him! Does the Commission realize that this is just one among many arrests of human rights activists, journalists and opposition leaders in Nigeria?

How many political prisoners are there in Nigerian prisons? What steps will the Commission take to secure the release of Isaac Osuoka and other activists?

General Abacha has died and General Abdulsalam Abubakar has succeeded him by undemocratic means. Will the Commission take measures (e.g. of a diplomatic nature) against this new military government, as democracy, freedom and the rule of law still do not prevail in Nigeria? Does the new general intend to release Moshood Abiola and hold free elections?

Answer given by Mr Pinheiro on behalf of the Commission

(16 September 1998)

According to unconfirmed information, Mr. Osuoka was arrested but has subsequently been released.

It is difficult to assess the total number of political prisoners in Nigeria. The Nigerian authorities have recently released a significant number of political prisoners, but it is clear that many still remain in prison.

Regarding international action to press for return to democracy and civilian rule and full respect of human rights, the Commission acts together with the Council in the framework of the common foreign and security policy. The Union has repeatedly called for democracy and civilian rule to be restored and the release of all political prisoners. The Union adopted in 1995 common positions including sanctions against Nigeria on the grounds of serious human rights violations. These sanctions have been prolonged until 1 November 1998.

The Commission has welcomed the recent release of political prisoners and the declarations by the new head of state General Abubakar that the objective is to restore civilian rule and democracy. The Commission and the Member States want to encourage Nigeria to pursue this policy and to take further concrete measures, such as the release of all political prisoners and the holding of free and fair elections. The future Union policy vis-à-vis Nigeria will be assessed in this perspective.

The Union had repeatedly called for the immediate release of Chief Moshood Abiola. He died tragically when he was supposed to be released.

(1999/C 96/088)

WRITTEN QUESTION E-2233/98

by MaLou Lindholm (V) to the Council

(16 July 1998)

Subject: Fermented herring

From 1 July 1998, fermented herring will be covered by the same rules that apply to other fish products in the EU, which means that it may not be kept in old wooden barrels, as has been done since the 16th century, if it is to be sold in food shops, nor may it be handled on premises with wooden floors, such as old boathouses. These rules will affect a one thousand year old industry and tradition in Sweden, making the situation particularly difficult for small local producers. The EU talks of subsidiarity and not interfering in details but does the exact opposite.

Does the Council believe that such detailed regulation is consistent with subsidiarity? If not, does it intend to block the directive on fermented herring?

(1999/C 96/089)

WRITTEN QUESTION E-2235/98

by Hans Lindqvist (ELDR) to the Council

(16 July 1998)

Subject: Fermented herring

From 1 July 1998, fermented herring will be covered by the same rules that apply to other fish products in the EU, which means that it may not be kept in old wooden barrels, as has been done since the 16th century, if it is to be sold in food shops, nor may it be handled on premises with wooden floors, such as old boathouses. These rules will affect a one thousand year old industry and tradition in Sweden, making the situation particularly difficult for small local producers. The EU talks of subsidiarity and not interfering in details but does the exact opposite.

Does the Council believe that such detailed regulation is consistent with subsidiarity? If not, does it intend to block the directive on fermented herring?

Joint answer
to Written Questions E-2233/98 and E-2235/98

(19 October 1998)

1. Directive 91/493/EEC ([1]) lays down the health conditions for the production and the placing on the market of fishery products.

2. Chapter III of the Annex to that Directive, laying down the general conditions for establishments on land, stipulates in point 2(a) that such establishments shall have at least in areas where products are handled, prepared and processed:

(a) waterproof flooring which is easy to clean and disinfect and laid down in such a way as to facilitate the drainage of the water or provided with equipment to remove water.

There is therefore no specific stipulation of cement flooring. It is for the relevant national authority to assess the nature of the flooring in order to achieve the health objectives of the Directive.

3. Chapter IV(IV)(6)(c) and Chapter VI(2) of the Annex to the Directive respectively stipulate that:

6. (c) Any container used for salting or brining must be constructed in such a way as to preclude contamination during the salting or brining process.

2. Packaging materials and products liable to enter into contact with fishery products must comply with all the rules of hygiene, and in particular:

— they must not be such as to impair the organoleptic characteristics of the fishery products;

— they must not be capable of transmitting to the fishery products substances harmful to human health;

— they must be strong enough to protect the fishery products adequately.

Those derogations therefore do not explicitly require the use of plastic barrels.

4. The Council has no intention of interfering with a traditional Swedish industry, provided that that industry meets food-hygiene rules.

Furthermore, the said requirements allow the Swedish authorities sufficient latitude in applying the rules in question. The Council therefore feels that it has complied with the principle of subsidiarity.

([1]) OJ L 268, 24.9.1991, p. 15.

(1999/C 96/090) **WRITTEN QUESTION P-2238/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(10 July 1998)

Subject: Fires in Greece and Sicily

Given the exceptional situation created in Greece and Sicily by the recent fires (at the beginning of July), will the Commission say:

1. Does it intend to provide extraordinary emergency aid to the affected areas, inter alia, on the basis of Regulation (EEC) 4256/88 which provides for compensation measures in the event of natural disasters?

2. How much progress has the Greek national land register made, and to what factors does it attribute the slow implementation of this scheme?

3. Did the relevant Greek authorities submit to it before 1 November (Article 4 of Regulation (EEC) 2158/92) their plans or programmes aimed at improving the protection of forests from fires, and which ones were submitted for the current year?

4. Has it funded reafforestation in Greece over the last five years and, if so, what area of land is involved and in which regions is it located?

Answer given by Mr Fischler on behalf of the Commission

(21 September 1998)

The Commission does not have additional funds with which to take action in the disaster areas. However, by reprogramming measures under the Community Support Framework, appropriations could be allocated to eligible projects on the basis of a proposal from the Greek authorities.

The Commission has already explained that starting work on the Greek national land register was delayed because the necessary legal framework and organisational structure (Ktimalogio AE) had to be put in place first.

From 1992 to 1997 inclusive, ECU 15,5 million of aid was granted to 66 Greek projects (costing a total of ECU 37,96 million) submitted under Council Regulation (EEC) 2158/92 of 23 July 1992 on protection of the Community's forests against fire. Funding in 1998 has so far comprised ECU 2,03 million for 11 projects costing ECU 4,06 million in total.

The budgetary authorities' constant reduction of the amount of money available for protecting Europe's forests (ECU 23,5 million in 1996, ECU 16 million in 1998) means that the need to fund fire-prevention projects far exceeds the Community's ability to contribute.

In the wake of natural disasters, reafforestation schemes have been part-financed by the European Agricultural Guidance and Guarantee Fund over the past few years in Greece. However, the implementation report does not contain the kind of detailed information asked for in the Honourable Member's question.

(1999/C 96/091) **WRITTEN QUESTION E-2244/98**

by Allan Macartney (ARE) to the Commission

(16 July 1998)

Subject: Car imports and registration between Member States

Is the Commission aware of problems experienced by independent commercial car dealers in obtaining the type approval certificates from car manufacturers needed to enable dealers to register in their own Member State vehicles they have imported from another Member State?

What steps is the Commission taking to ensure that car manufacturers in Member States are meeting their obligation to provide type approval certificates to commercial car dealers?

What fee, if any, does the Commission consider manufacturers should be entitled to levy against dealers for the release of type approval certificates?

Answer given by Mr Monti on behalf of the Commission

(21 September 1998)

Article 7 paragraph 1 of Council Directive 92/53/EEC of 18 June 1992 amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ([1]) establishes that '1. Each Member State shall register, permit the sale or entry into service of new vehicles on grounds relating to their construction and functioning if, and only if, they are accompanied by a valid certificate of conformity'.

Member States must enforce the obligation of manufacturers to issue the EC certificate of conformity to all relevant unregistered vehicles. Any vehicle with an EC type-approval certificate (as from 1 January 1998 most new passenger cars of the M1 category), can be directly registered in another Member State without any other administrative formality concerning its approval. Only vehicles without an EC type-approval certificate may need to undergo a single approval procedure in order to be re-registered in another Member State. Some Member States delegate to the manufacturers or their representatives the task of issuing documents necessary for the national single approval of a vehicle which has been nationally type-approved or single approved in another Member State.

When the delegation by a Member State takes the form of a legal monopoly, the Court of justice, in its judgment of 13 November 1975, in Case 26-75, General Motors Continental NV v Commission of the European Communities ([2]), established that:

> When combined with the freedom of the manufacturer or its authorized agent appointed by the public authority to fix the price for its service, the delegation by a Member State to such person in the form of a legal monopoly of the duty governed by public law which consists in carrying out the technical inspection of vehicles before they are used on the public highway, leads to the creation of a dominant position.
>
> The abuse of such a position may be, inter alia, in the imposition of a price which is excessive in relation to the economic value of the service provided, and which has the effect of curbing parallel imports by neutralizing the possibly more favourable price levels applying in other sales areas in the Community or by leading to unfair trading in the sense of Article 86(2) (a).

Otherwise, in its judgment in Gofette and Gilliard, the Court of justice ruled concerning vehicles without an EC type-approval certificate that:

> Articles 30 and 36 of the EEC Treaty are to be interpreted as meaning that an approval procedure laid down in a Member State for vehicles imported from another Member State and already approved for use in that State only complies with the Treaty if:
>
> — the testing procedure does not entail unreasonable costs or delays and the public authorities ensure that those conditions are fully met where the manufacturer or his authorized agent has the task of carrying out the necessary checks,
>
> — the importer may, as an alternative to the checking procedure, produce documents issued in the exporting Member State where those documents provide the necessary information based on tests already carried out.

The Commission in its 'Interpretative communication on procedures for the type-approval and registration of vehicles previously registered in another Member State' ([3]), gave its view of this judgment stating that:

> If the Member States delegate certain public-law functions, such as the issue of documents needed for the type-approval and registration of a vehicle, originating in another Member State, to manufacturers or their authorized agents, they are required to ensure that those persons carry out those functions in a manner compatible with the requirements of the free movement of goods within the Union. In particular, manufacturers or their authorized agents are required to issue the documents requested of them
>
> — without requiring the presentation of the vehicle, since their action concerns the technical characteristics of the vehicle at the time it is first put on the road and not its physical condition at the time of transfer,

— without requiring the presentation of commercial documents relating to the vehicle (sales invoice, tax receipt, etc.,) except where these are absolutely necessary in order to establish the exact make of the vehicle (where the documents from the Member State of origin are insufficient for this purpose),

— at reasonable cost and within a reasonable period of time (as a guide, the cost should not exceed ECU 100 and the time should not be more than three weeks).

If the Commission receives a detailed complaint from any citizen or economic operator concerning non-compliance with Community law by another economic operator, it will investigate the complaint and will give an appropriate reply.

(1) OJ L 225, 10.8.1992.
(2) ECR 1975, P.1.367-1.381.
(3) OJ C 143, 15.5.1986.

(1999/C 96/092) **WRITTEN QUESTION E-2249/98**

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

(28 July 1998)

Subject: Number of bovine animals eligible for premiums in Spain

Given that the Council of Ministers for Agriculture, meeting in Luxembourg from 22 to 25 June 1998, did not honour the commitment it had given at a previous meeting and confirm the planned increase of the number of bovine animals eligible for premiums in Spain, does this mean that Council will not now proceed with the said increase?

Does this failure to confirm the increase also mean that the Council of Ministers for Agriculture will reject the proposal made by the Commission in its proposal for a regulation on reform of the beef and veal sector?

Reply

(22 October 1998)

The Council noted, as part of an overall compromise reached at its meeting from 22 to 25 June 1998 covering both the 1998-1999 prices package and the revised arrangements for tobacco, olive oil and bananas, that there was, at that stage, no agreement to act on the Commission proposal to increase the regional ceiling set for Spain corresponding to the number of male bovines eligible for the special premium.

This question will obviously be tackled in the forthcoming discussions when the Commission proposal to reform the beef sector is examined.

(1999/C 96/093) **WRITTEN QUESTION E-2250/98**

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

(22 July 1998)

Subject: Amusement facilities and their disregard for human rights and dignity

The recent launch of an amusement called the 'Original Shocker' — a mock electric chair — at an amusement park in Lloret de Mar, and the subsequent ban imposed on it by the Catalan authorities, have caused controversy and great concern over regulatory procedures and standards governing the amusements allowed to operate at amusement parks of this kind.

Although amusements are required to meet with the approval of the Directorate-General for Games and Shows, in practice many of them operate without that approval.

The said 'electric chair' is plainly an advertisement for the death penalty and is probably the most outrageous example of a range of amusements at permanent and travelling amusement parks throughout the European Union which show no regard for the principles of human rights or animal welfare.

What monitoring and regulatory procedures has the Commission provided for to assess the standard and safety of amusements at touring amusement parks and fun fairs?

Given the growing popularity and proliferation of such leisure facilities, frequented for the most part by children and adolescents, should the current provisions at European level not be reviewed?

What measures will the Commission take to prevent amusements of this nature from undermining human rights?

Answer given by Ms Bonino on behalf of the Commission

(5 October 1998)

With regard to the safety aspects of amusement parks and the question of Community provisions in this field, the Commission would refer the Honourable Member to its answer to Oral Question H-669/97 by Mr Willockx during question time at Parliament's September 1997 session ([1]).

The existence in amusement parks of amusements such as the one described must be considered primarily with regard to their possible harmful moral and psychological effects, particularly on younger visitors.

Existing Community regulations which might apply to amusement parks concern principally the free movement of persons and services (EC Treaty, in particular Articles 52, 56, 59 and 66, or Directive 75/369/EEC on the freedom of establishment and freedom to provide services in respect of itinerant activities) ([2]).

The Member States are responsible for any measures or rules concerning the moral or psychological harm which might be caused by the amusement in question. Member States may restrict the marketing of this type of equipment on grounds of public morality, public policy or public security or the protection of the health and life of humans on the basis of Article 36 of the EC Treaty, provided that the measures adopted are proportionate to the objectives of protection. There are at present no plans for a European initiative harmonising provisions to safeguard mental health or moral development.

([1]) Debates of the European Parliament (September 1997).
([2]) OJ L 167, 30.6.1975.

(1999/C 96/094) **WRITTEN QUESTION E-2269/98**

by Karl von Wogau (PPE) to the Commission

(22 July 1998)

Subject: Tax relief in respect of goods produced in Malta for export to the EU

Is the Commission aware that firms, for instance of British origin, are producing goods in Malta which are then exported to the EU under the terms of an Association Agreement between Malta and the EU?

Malta grants such firms full tax relief, but only in respect of goods which Malta exports to the EU.

The granting of full tax relief is distorting competition with firms producing goods within the EU. Moreover, the Commission has concluded that tax breaks are also covered by the prohibition on subsidies and aid.

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

(15 September 1998)

By virtue of the 'Industrial Development Act' enacted in 1988 and amended in 1993 with the purpose of sustaining investment promotion efforts by the Malta development corporation (MDC), a number of incentives are offered to export-oriented companies, including 'an initial 10 year tax holiday to companies, which export at least 95 % of their sales'.

This tax incentive is not only available to Community companies operating in Malta, but also to companies from other countries, including Maltese, on condition of MDC approval. The tax incentives are not only offered to products exported to the Community, but all export destinations are acceptable. The need to apply rules of origin from Malta has to be borne in mind. The Community-Malta Association Agreement indeed allows industrial products originating in Malta to enjoy free access to the Community market.

It should be added, however, that Malta, as a member of the World trade organisation (WTO), is subject to the provision of the WTO Agreement on subsidies and countervailing measures (ASCM). If Malta is granting subsidies which are countervailable under the provisions of the ASCM, and if products exported to the Community are benefiting from these subsidies and thereby causing injury to the Community industry, the latter is entitled to ask the Commission to investigate the situation. In this regard, the provisions of the Community legislation in this area will be applied (under Council Regulation (EC) 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community ([1])). The Community-Malta Association Agreement does not preclude the Community from taking countervailing duty action against imports from Malta if the relevant requirements of this regulation are met.

([1]) OJ L 288, 21.10.1997.

(1999/C 96/095) **WRITTEN QUESTION E-2277/98**

by Robert Evans (PSE) to the Commission

(22 July 1998)

Subject: Swedish Match and unfair competition

Is the Commission aware that due to the complaint by Swedish Match being upheld last year and the consequent severe anti-dumping penalty surcharges being imposed on Japanese match suppliers, match companies, including the Imperial Match Company in my constituency, have had to adjust their prices upwards to maintain profit margins?

Is the Commission also aware that Swedish Match have at the same time managed to reduce their prices by 30 %, which other companies are finding impossible to compete with?

Would the Commission agree that this seems to give Swedish Match the sort of unfair competition in the match market that they were so keen to prevent?

Answer given by Mr Van Miert on behalf of the Commission

(14 September 1998)

1. The Council adopted on 15 October 1997 Regulation (EC) 2025/97 imposing definitive anti-dumping duties on imports of advertising matches originating in Japan ([1]). The investigation in this case had shown that Japanese exporters were selling their products on the Community market at dumped prices and were thereby causing injury to the Community producers of advertising matches.

Indeed, the very purpose of the imposition of dumping duties is that the prices of the dumped imported products are raised in order to arrive at a non-injurious price level, which price level has been established in the course of the investigation. Consequently, the duties should result in higher resale prices on the Community market.

2. The Commission is not aware of the price reduction by Swedish Match as referred to by the Honourable Member and since the adoption of the Regulation referred to above, has not received any complaint in this respect.

3. The so-called 'unfair' commercial behaviour attributed to Swedish Match by the Honourable Member might be the subject of an investigation under the competition rules of the EC Treaty only if a firm in a dominant position was suspected of predatory pricing practices, according to case law of the Court of justice (judgement of 3 July 1991, AKZO Chemie v. Commission) that is to say, prices below average variable costs (that is to say, those which vary depending on the quantities produced) by means of which a dominant undertaking seeks to eliminate a competitor, or even prices higher than average variable costs but lower than average total costs if they were established within the framework of a plan having the aim of eliminating a competitor.

In the present case the Commission does not have sufficient information at its disposal to envisage opening a procedure.

(1) OJ L 284, 16.10.1997.

(1999/C 96/096)

WRITTEN QUESTION E-2279/98

by Anita Pollack (PSE) to the Commission

(22 July 1998)

Subject: Tropical forest Regulation

Since this Regulation comes to an end in 1999, when does the Commission plan to bring forward a proposal for a new Regulation?

Answer given by Mr Marín on behalf of the Commission

(14 September 1998)

The Commission will decide on a proposal for a new tropical forest regulation once it has presented to the Parliament and the Council its communication on forestry development cooperation which is presently under preparation.

(1999/C 96/097)

WRITTEN QUESTION E-2284/98

by Sebastiano Musumeci (NI) to the Council

(28 July 1998)

Subject: Emergency created by illegal immigration in southern Italy and the Italian Government's failure to take action

Sadly, over the last few weeks, the problem of illegal immigrants being disembarked along the coast of southern Italy has reached alarming proportions; in Sicily alone, in just one week, the authorities intercepted hundreds of African nationals who had been enlisted by organizations involved in transporting illegal migrants across the Mediterranean. Meanwhile, due to the reprehensible failure of the official Italian authorities to take any practical advance measures to counter illegal immigration, the influx of immigrants can no longer be contained and the majority of them, having eluded any form of control by the police or health authorities, succeed in travelling on to other Member States, where they are destined for a life of poverty and exploitation by criminal organizations among others. Thus the Italian Government, by its permissive policy, has failed to comply with the specific undertakings it made in ratifying the Schengen Agreement, thereby prejudicing public order and security in Italy and the rest of the Union.

In view of the foregoing, does the Council intend to take immediate action to urge the Italian Government to honour the undertakings made by it, and, if Italy continues to fail to fulfil its obligations, to bring an action before the European Court of Justice?

Reply

(19 October 1998)

The question put by the Honourable Member is linked to application of the Schengen Agreement and is therefore not within the Council's remit.

(1999/C 96/098)

WRITTEN QUESTION E-2286/98

by Jaak Vandemeulebroucke (ARE) to the Council

(28 July 1998)

Subject: Bilateral trade, development and cooperation agreement between the European Union and the Republic of South Africa

At the end of April 1997 the Republic of South Africa became the seventy-first member of the Lomé Convention. At the same time the European Union and the Government of South Africa are however negotiating on a bilateral trade, development and cooperation agreement. All relevant negotiations should normally have been completed by the middle of 1998. The new agreement is to replace the GATT generalised system of preferences (GSP) which has provided for lower import tariffs since 1994 for certain South African products with an asymmetrical tree trade area with the European Union.

Can the Council provide answers to the following questions:

1. Which South African products are at present subject to tariffs or other European Union levies?

2. Which South African products will still be subject to tariffs or other European Union levies following completion of the bilateral trade, development and cooperation agreement?

3. Which products from the European Union are at present subject to tariffs or other levies imposed by the Republic of South Africa?

4. Which European Union products will still be subject to tariffs or the levies imposed by the Republic of South Africa following completion of the bilateral trade, development and cooperation agreement?

5. What stage have the discussions reached on the bilateral trade, development and cooperation agreement between the European Union and the Republic of South Africa?

6. How many negotiating rounds (with whom, where, when and on what subject) have taken place since the start of the bilateral negotiations?

7. For what date is the closing discussion on the bilateral trade, development and cooperation agreement planned (with whom and where)?

8. What are, according to the Commission's 'very general study' the economic consequences of the free trade agreement for Southern Africa?

9. On what (a) principles, (b) measures, (c) tariff agreements and (d) products lists has agreement already been reached?

10. On what (a) principles, (b) measures, (c) tariff agreements and (d) products lists has agreement still not been reached? Why and who has reservations about which particular problem points?

11. Can the Republic of South Africa after approval of the agreement levy import duties on subsidised agricultural products from the European Union in order to avoid or compensate for the disruption of the agricultural sector in Southern Africa? If not, why not?

12. Can the European Union after approval of the agreement levy import duties on (a) agricultural products, (b) coal and (c) steel imported from the Republic of South Africa? If so, why and at the request of which Member State?

Reply

(9 November 1998)

On 24 April 1997 the Republic of South Africa was given a qualified membership of the Lomé Convention. This membership did not cover the trade provisions of the Convention, since they were to be covered by a separate bilateral trade and co-operation agreement to be negotiated between the EU and South Africa. The mandate to negotiate this agreement was handed to the Commission by the Council on 19 June 1995 and 25 March 1996. Since then the Commission has negotiated with South Africa and should therefore be in a better position to make the requested information available. At present the Council only has the following comments to the various questions:

Regarding the products subject to tariffs or other levies, the EU imports from South Africa products from 437 customs positions at zero duties and products from 3 473 customs positions which pay duties (1996 figures). South Africa imports from the EU products from 2 628 customs positions at zero duties and products from 5 380 customs positions which pay duties (average 1994-1996 figures).

The question of the number of products from either side subject to tariffs is precisely what is being negotiated between the two sides and can therefore not be answered at the present stage.

As to the number of negociating rounds which have already taken place, only the Commission can give a correct answer to that question, since they are the negotiators. The Council has been informed of 20 rounds of negotiations.

The negotiations have been going on since 1996 and substantial progress has been achieved in these difficult negotiations. It can be hoped that a conclusion of the negotiations is not too far away, although no date is planned for the moment.

The negotiations are taking place on a 'nothing is agreed until everything is agreed' basis. Since they are not finalised yet, an answer to questions 9 to 12 of the Honourable Member cannot be given.

(1999/C 96/099) **WRITTEN QUESTION E-2290/98**

by José Barros Moura (PSE) to the Commission

(22 July 1998)

Subject: Information leak in respect of the assessment of the National Employment Plans

To use a catch phrase which has recently become popular in my country, the Commission knows that I know that the Commission knows that I know what happened, which is why the version of events which it is now putting forward (see Question Time for June 1998, Question H-0527/98 [1]) constitutes a belated, surprising, clumsy and, as far as I am concerned, completely unacceptable rewriting of history (in this case with a small letter, of course).

Out of courtesy I shall refrain from mentioning names but I would remind the Commission that the internal document produced by its staff was passed to journalists by an official before being sent to the representatives of the Member States' governments. Furthermore, the document in question was not intended to be made public on that occasion and its covering note is dated 17 June, which is highly revealing since the document is a preparatory one for the Commission's Communication COM(98) 0316 final, which is dated 13 May. Why — unless for the purpose of covering up an 'information leak' — should a 'preliminary assessment' be officially released over a month after the publication of the Communication to which it gave rise? After the 'information leak' another official, representing some other Commission department involved, acknowledged, and expressed regret at, the fact that an internal document had been divulged without authorization.

These facts are all the more serious in view of the fact that similar incidents have, unfortunately, occurred before. The divulging of internal documents, which are so often inaccurate, has obvious and inevitable political and economic consequences (quite apart from the damage done to the prestige of the Member States), for which reason such a practice cannot be regarded as either accidental or harmless.

I would therefore retable all the questions which the Commission has left unanswered, and also ask the following additional questions:

1. Is this what the Commission understands by 'transparency': the divulging of preparatory documents as a way of criticising the Member States before they have even been able to make any response?

2. Does the Commission believe such procedures to be in accordance with the sound EU institutional practice evident in the way in which independent institutions (in particular the Commission, the Council and Parliament) cooperate?

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[1] European Parliament Debates (June 1998).

Answer given by Mr Flynn on behalf of the Commission

(6 October 1998)

In its answer to oral question H-0527/98 on the same subject, the Commission took the opportunity to enlighten the Honourable Member about the nature and objectives of the Commission departments' report on the evaluation of the national employment plans [1]. This report and the related communication [2] contain the results of the examination which the Commission is empowered to undertake in respect of the national action plans for employment based on the guidelines approved by the Council.

Playing its full part within the Employment and Labour Market Committee, the Commission helped with the preparatory work for the Cardiff European Council. Once the communication had been approved on 14 May 1998, the Commission forwarded it, along with the background report, to the representatives of the Member States in order to assist the Committee in the process of joint examination of the national plans.

As far as the employment strategy is concerned, the results of the Cardiff European Council are viewed very positively by the Commission, the Member States, the social partners and, it appears, also by Parliament. A lively dialogue has sprung up between the Commission and the Member States, resulting more recently in the organisation of bilateral meetings with all the Member States and the forwarding of implementation reports shedding light on aspects which are insufficiently developed in the action plans.

The Commission is satisfied that the European employment strategy has, since its inception, been conducted with a high degree of cooperation between the Institutions and it intends to do all it can for the future to ensure that this spirit of cooperation continues.

(1) 'From guidelines to action: evaluation of the National Action Plans – Background report'.
(2) COM(98) 316 final 'From guidelines to action: the National Action Plans for Employment'.

(1999/C 96/100) **WRITTEN QUESTION E-2303/98**

by Fernand Herman (PPE) to the Commission

(22 July 1998)

Subject: Equal treatment for European Union citizens

Participants in a recent trip organized by a senior citizens' association noted that admission charges for museums – in this instance, the Doges' Palace in Venice – infringed the principle of equal treatment for all European citizens, as Italian pensioners were admitted free, whereas Belgian pensioners were not.

This is a blatant case of discrimination on the grounds of nationality, which is contrary to the Treaty. What does the Commission, as custodian of the treaties, intend to do to end discrimination of this kind?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

The Commission agrees with the Honourable Member that the inequality of treatment as between Italian residents and residents of other Member States regarding admission charges to museums might indeed constitute a form of discrimination that was in breach of Articles 6 and 59 of the EC Treaty. It will therefore contact the Italian authorities with a view to obtaining further information.

In a similar case the Court of Justice found that a Member State had failed to fulfil one of its obligations in connection with the imposition of an admission charge for museums in its territory [1].

(1) Case C-45/93 Commission v Spain [1994] ECRI, 911.

(1999/C 96/101) **WRITTEN QUESTION E-2312/98**

by Riccardo Nencini (PSE) to the Commission

(22 July 1998)

Subject: Directive 93/42/EEC

On the 15 June 1998 Directive 93/42/EEC [1] concerning medical devices came into force. The Italian government's interpretation of this legislation as regards its application to opticians is as follows: 'the legislation in question does not apply to those carrying out the auxiliary profession of optician' (ministry of health circular of 12.6.98), which completely contradicts the ministry's earlier interpretation. The auxiliary medical profession of optician is perfectly compatible with the above directive because opticians entirely match the description of 'manufacturer' in that they are professional technicians who produce only tailor-made devices with a view to their being placed on the market under their own name. All countries except for Belgium have interpreted Directive 93/42/EEC as covering opticians by virtue of their manufacturing or assembly activities.

Does the Commission consider it necessary to take steps in order to press for the Italian government to adopt an interpretation of Directive 93/42/EEC that is more in accordance with its content?

[1] OJ L 169, 12.7.1993, p. 1.

Answer given by Mr Bangemann on behalf of the Commission

(14 October 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.

(1999/C 96/102) **WRITTEN QUESTION E-2313/98**

by Riccardo Nencini (PSE) to the Commission

(22 July 1998)

Subject: University qualification

Mr Simone Casamonti (Italian) was awarded the degree of 'Doctor of Philosophy in Environmental Engineering' by the Golden State University of Honolulu (Hawaii, USA) in 1995. It is not clear whether with this degree it is possible to pursue the above profession in a European Union country.

Can the Commission clarify this point and say specifically whether the above qualification enables its holder to work as a member of a profession in a European Union country.

Answer given by Mr Monti on behalf of the Commission

(2 October 1998)

As the Honourable Member himself indicates, the degree awarded in the United States is a university qualification. Now, the exercise of a regulated profession requires the possession of a professional qualification, and this may include, in addition to an academic qualification, the completion of training periods or the sitting of professional examinations.

Provided that it is regulated, a professional activity carried on in the engineering sector falls within the scope of 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]. In accordance with Article 1(a) of the Directive, the education and training attested by the diploma must have been received mainly in the Community or the holder must have three years' professional experience certified by the Member State which recognised a third-country diploma.

It follows that, under Community law, the first recognition of the diploma for professional reasons is not compulsory. Such recognition is, therefore, a matter for the Member States. Naturally, if the profession is not regulated, it is not necessary to seek recognition of the diploma.

For the person concerned to be able to find out about the steps, if any, that need to be taken to obtain recognition of his diploma, copies of the list of the institutions to be contacted in each Member State are being sent direct to the Honourable Member and to Parliament's Secretariat.

(1) OJ L 19, 24.1.1989.

(1999/C 96/103) **WRITTEN QUESTION E-2318/98**

by Gianfranco Dell'Alba (ARE) to the Council

(28 July 1998)

Subject: European Troika in Tibet

From 1 to 4 May 1998 an EU delegation consisting of the Troika of ambassadors to Beijing went on a fact-finding mission to Tibet. In the course of the Troika's visit to the Lhasa prison disturbances broke out which resulted in the death of seven Tibetan monks held in the prison and the injury of twenty or thirty other prisoners. More than two months after this mission has taken place the Presidency of the Council of Ministers, whilst it has just adopted the outline of the programme for EU-China relations, has still not made the report on the mission public. Instead, in reply to a question I asked on the subject on 23 June 1998 during a hearing before the European Parliament's Subcommittee on Human Rights the minister Lloyd stated, on behalf of the Council, that the report was 'in preparation'.

1. In view of the fact that exactly two months have gone by since the mission took place, what is the Council waiting for to make the report public?

2. Is the truth not rather that the document is ready but cannot be released because it cannot avoid referring to the tragic events that took place in the Lhasa prison which, it appears, the members of the Troika witnessed?

Reply

(9 November 1998)

The report referred to by Honourable Member was made public on 19 June 1998. The Troika delegation which was in Tibet from 1-10 May indeed paid a visit in Lhasa on 4 May to the Drapchi prison. It reported in detail on this visit with the following introduction remarks about the alleged incidents.

> The main interest was the treatment of political prisoners. It was subsequently reported that there had been a major disturbance in the prison on 1 May. The delegation was not aware of these reports at the time of their visit to the prison. There had been some doubts raised by the Tibetan authorities (paragraph 8) over the visit, but no explanation was given for these, and the delegation formed the impression that this was a negotiating tactic on the part of the Tibetan authorities. The delegation were also briefed, they felt unusually, in the open air outside the inner prison gates before the actual prison visit. Nonetheless, there were no visible signs of the after effects of a riot, and naturally the Prison authorities made no mention of any such incident. As far as could be ascertained the guarding was normal, with no obvious signs of extra guards or heightened security.

In August 1998 further reports of disturbances, including up to 10 deaths, before, during and after the Troika's visit reached the Presidency and some Member States. It has not been possible to confirm these reports so far.

(1999/C 96/104) **WRITTEN QUESTION E-2321/98**

by José Apolinário (PSE) to the Commission

(22 July 1998)

Subject: Interreg Community Initiative

With reference to the principle of social and economic cohesion and the unmistakeable impact thereof on regional policy, can the Commission say to what extent Portugal's inland areas are actually taken into account under the Interreg initiative? What resources were made available during the 1994-1999 period and what are Portugal's prospects under Interreg for the 2000-2006 period?

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

(15 September 1998)

The funding available to the Portuguese and Spanish authorities under the Interreg II Community Initiative for 1994-99 is approximately ECU 570 million.

Of this amount, some ECU 208 million has been allocated to the subprogramme for Portugal and ECU 363 million to the subprogramme for Spain.

Concentrating funding in the inland regions became an established principle when the Initiative was adopted because it was decided that it would cover only the border regions (at NUTS III level: Minho-Lima, Cavado, Alto Trás-os-Montes, Douro, Beira Interior Norte, Cova da Beira, Beira Interior Sul, Alto Alentejo, Alentejo Central, Baixo Alentejo and Algarve).

As regards the prospects for 2000-2006, the Commission proposes reducing the Community Initiatives to three, one of which would cover interregional cooperation. The Commission also proposes that 5 % of the financial resources be allocated to the Community Initiatives. It is not possible at this stage to say how much will be allocated to each Member State.

(1999/C 96/105) **WRITTEN QUESTION P-2322/98**

by Francesco Baldarelli (PSE) to the Commission

(13 July 1998)

Subject: Opening up the domestic market in the Republic of Macedonia

In view of the following considerations:

— the EU has well-established economic and social links with the Republic of Macedonia,

— these contacts take the form of a structured dialogue which has enabled the Union to intervene directly by means of cooperation and support programmes in various sectors in that country,

— the Republic of Macedonia is party to the international trade agreements,

— the Government of Macedonia has repeatedly placed obstacles in the path of industrial and trade initiatives in various sectors, thus flouting the principle of cooperation with the EU and its Member States, as well as the relevant bilateral and international agreements,

— the recent setting-up under Macedonian law of Apimak, a joint enterprise with a substantial (52 %) Italian holding that operates in the energy sector,

— that joint enterprise is based on the principles of partnership and cooperation that are the essential basis of agreements with third countries and were initially accepted by the Government of Macedonia,

— the firm has been subjected to a series of restrictive measures of various kinds designed to prevent the marketing of petroleum products and derivatives,

— these measures were introduced by means of a government decree aimed at preventing imports of petroleum products and restrictive administrative procedures (licences) that distorted domestic competition and undermined the principle of opening up the market to which the Republic of Macedonia had assured the EU that it was committed,

— the measure in question was irregular, as the firm in question would have accounted for only a small share of the market, which was expected to amount to10 % at the most after a few years' operation,

Can the Commission answer the following questions:

1. How can situations arise such as that described above, which violates international law and is damaging to the country's well-established links with the EU?

2. Does the Commission, in view of the foregoing and other cases of which it is aware, intend to raise this matter as soon as possible in bilateral talks to ensure that normal economic and trade relations are restored with the Republic of Macedonia?

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

(3 August 1998)

Economic relations between the former Yugoslav Republic of Macedonia and the Community have improved substantially since late 1995 and, more recently, on the basis of the cooperation agreement concluded between the Community and this country which entered into force on 1 January 1998. The Commission is however aware of problems for several Community investors in the former Yugoslav Republic of Macedonia including the case mentioned by the Honourable Member.

The former Yugoslav Republic of Macedonia is not a member of the Word trade organisation (WTO). On the other hand, the country has applied for WTO membership and should therefore respect relevant standards. The Commission also shares the view of the Honourable Member that the prohibition of imports, in this particular case, can be considered as an infringement of the principle of non-discrimination for Community imports as laid down in the bilateral cooperation agreement.

On the occasion of the first meeting of the cooperation council under the cooperation agreement which took place in Skopje on 20-21 March 1998, the Commission already stressed the importance of creating the appropriate framework conditions for crucially needed foreign direct investment in the country and to promote industrial cooperation and trade. In all bilateral relevant fora the Commission will remind the authorities of their responsibility in this respect, including in the particular case mentioned by the Honourable Member.

(1999/C 96/106) **WRITTEN QUESTION E-2324/98**

by Jannis Sakellariou (PSE) to the Council

(28 July 1998)

Subject: Peace process in the Middle East

1. How does the Council assess the prospects for achieving peace in the next two years between Israel and its neighbours?

2. Is the European Union still of the opinion that only a return by Israel of the territories occupied since 1967 or 1982 on the West Bank, the Golan Heights and in southern Lebanon can lead to a lasting peace with its Arab neighbours?

3. How can the EU support the peace process more effectively than in the past? What is an appropriate role for it alongside the USA?

4. Does the Council intend to extend the mandate of the special envoy for the peace process? How much has this mandate cost the European tax payer since its start in early 1997? Are these costs reasonable in terms of the results achieved and what concrete results have been achieved in the last two years?

Reply

(9 November 1998)

If all concerned show courage, vision and the necessary political will, a just and lasting peace in the Middle East is certainly within reach. This is the case both in the Palestinian and the Syrian and Lebanese track. It is the opinion of the Council that in order to be lasting, any settlement between the parties has to be based on the relevant UN Security Council resolutions and the principles agreed at Madrid and Oslo, including the full implementation of existing commitments. Consequently, the Council considers the principle of 'land for peace' to be a cornerstone of peace in the Middle East. The conclusions of the last two years' European Council meetings and the numerous Council declarations on the Peace Process in the same period clearly underline the Council's position on the issue.

The Council recognizes the crucial overall role of the United States in the Peace Process. It also considers the ongoing US mediating efforts as having the best chances of breaking the deadlock between Israel and the Palestinians. Accordingly, it has adopted a supporting, complementary role to that of the US. Whatever the outcome of the US mediating efforts will be, Washington will remain the most important external factor in the Peace Process. Consequently, close co-operation and co-ordination with the US will continue to be an important feature of EU involvement and will in itself contribute to the effectiveness of the Union's efforts.

In parallel to its support for, and complementary to the US initiative, the EU has played a distinct and positive role of its own to bring the Peace Process forward. The substantial economic and humanitarian assistance to the Palestinians, the dialogue with Israel on the Palestinian economy, the establishment of an EU/Palestinian Security Cooperation and preliminary work on specific input into Final Status issues like water and refugees are just some examples of EU action during the last year.

Ambassador Moratinos was nominated through a Joint Action which entered into force on 25 November 1996. The budget allocated to the office of the Special Envoy was ECU 2 137 million for the period 25 November 1996-25 November 1997 and ECU 2 051 million for the period 25 November 1997-25 November 1998. The Commission is responsible for the execution of the budget.

The nomination of a Special EU Envoy for the Middle East Peace Process has undoubtedly contributed to enhancing the EU's role in the Process. Ambassador Moratinos is respected as a valued interlocutor by all parties to the Peace Process and as such he has introduced ideas, concepts and proposals to help the parties overcome their difficulties. The presence of a roving envoy able to devote his energy and skill fully to the Peace Process means that the Union has become more present in the Process than before. It is an important conduit for bringing the Union's views and positions to bear in the region and enhances the Council's staying appraised of the thinking of the decision makers in the region. The Special Envoy has furthermore strongly enhanced the visibility of the EU in the Peace Process.

Therefore, it is the intention of the Presidency to suggest to the Council to formally extend the mandate of the Special Envoy beyond November 1998.

(1999/C 96/107) **WRITTEN QUESTION E-2328/98**

by Nikitas Kaklamanis (UPE) to the Council

(28 July 1998)

Subject: Offensive attitudes and questionable practices by American consular staff in the EU

Instances of offensive attitudes and questionable practices by USA consular staff in the EU Member States are becoming alarmingly frequent. Their treatment of European Union nationals (even in the consulate situated in Brussels, the 'capital of Europe', and elsewhere) is to put it mildly disdainful. Certain practices are obviously designed to extract money (for example a minimum charge of $45 for a visa). The need to obtain a visa to visit the USA is in itself an unacceptable anachronism which is offensive to European Union nationals.

1. Are Americans wishing to visit EU Member States required to obtain visas?

2. What steps does the Council of Ministers intend to take in response to the anachronistic and offensive requirement by the American authorities that European Union nationals wishing to visit the USA obtain visas?

3. What is the purpose of questions on the visa application forms such as:

Are you a member or representative of a terrorist organization? etc.?

4. What steps does the Council of Ministers intend to take on behalf of the EU to make it clear to the American Consular authorities in Member States of the Union that they must treat European Union nationals in the same way that European Union consular authorities treat towards American citizens?

Reply

(22 October 1998)

In reply to the first question, the Council would refer the Honourable Member to the Commission communication pursuant to Council Regulation (EC) 2317/95 of 25 September 1995 determining the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States, published in the Official Journal of the European Communities C 101 of 3 April 1998.

The Council is not competent to reply to the Honourable Member's second, third and fourth questions.

(1999/C 96/108) **WRITTEN QUESTION E-2333/98**

by John McCartin (PPE) to the Commission

(27 July 1998)

Subject: Registration tax on vehicles

Is the Commission aware of the imposition of a registration tax on vehicles imported to Ireland second-hand from other Member States? The Irish Revenue Authorities impose this tax on a notional value which always exceeds the real market value. Does the Commission agree that this tax contravenes the principles of the single market?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

The Commission is aware of the imposition of a registration tax on second hand cars in Ireland. Generally the Irish registration tax on passenger cars is charged on the first registration of the vehicle as a percentage of the retail value including VAT (open market selling price). In accordance with the case law of the Court of justice, as confirmed by the judgement of 23 October 1997 in case C-375/95 (Commission v Greece), the registration tax on second hand cars is to be calculated on the basis of the current value of the car taking into account the actual depreciation of the vehicle. With regard to vehicles brought permanently from one Member State into another, a system of taxation can only be considered compatible with Article 95 of the EC Treaty if it is proved to be so structured as to exclude any possibility of imported products being taxed more heavily than domestic products, so that it cannot in any event have a discriminatory effect. In other words Article 95 of the EC Treaty is infringed where the taxation on the imported product and that on the similar domestic product are calculated in a different manner on the basis of different criteria which lead to higher taxation being imposed on the imported product. The value of the imported second hand car should then be compared with second hand cars which are for sale in Ireland. Indeed, the resale price of the latter includes a residual part of the taxes paid at the time of their first registration in Ireland (generally, when the car was new).

In the circumstances, it is difficult to conclude from the information given about the calculation of the tax base according to a notional value that the Irish registration tax on imported second hand cars has to be regarded as an infringement of the basic principles mentioned above. If the Honourable Member has knowledge of particular cases, the Commission would like to examine them. It would not fail to take the necessary measures if the principles of Community law were found not to have been respected. In this context the Commission recently

adopted a proposal for a Council directive (1) in order to amend existing Community legislation and improve the free movement of persons and vehicles. In the case of transfers of residence from one Member State to another, it proposed that Member States should not impose registration taxes on vehicles brought into their territory.

(1) OJ C 108, 7.4.1998.

(1999/C 96/109) **WRITTEN QUESTION E-2336/98**

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

(27 July 1998)

Subject: Destruction of the habitat of the Bubulcus ibis in Arrecife (Lanzarote)

In May of this year the Arrecife (Lanzarote, Canary Islands) local council lopped some branches off trees which constitutes virtually the entire nesting area for a colony of cattle egrets (Bubulcus ibis) which had established themselves in one of the city's parks. According to the Spanish Ornithology Society (SEO-Birdlife) there were approximately 100 nests in the area but as a result of the tree lopping operation the number of examples of the species may have been reduced by half.

The Bubulcus ibis is protected under various Spanish and Canary Island laws (Law 4/89 of 27 March 1989 on the conservation of natural areas and of wild flora and fauna; Royal Decree 439/1990 relating to the National Catalogue of Threatened Species, Annex II of which includes the species in question as being one of 'special interest'; the Order issued on 14 September 1997 by the Canary Islands Government) and also falls within the scope of Directive 79/409/EEC (1) on the protection of wild birds.

Is the Commission aware of the above facts?

Will the Commission seek relevant information from the appropriate Spanish authorities in order to establish whether or not the birds directive has been contravened?

What other measures will the Commission adopt in order to ensure compliance with the above directive and to provide protection for the bird population in question?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 September 1998)

The Commission is unaware of the circumstances referred to by the Honourable Member. It will make the necessary contacts to establish all the facts and will certainly inform the Honourable Member of the results of its enquires.

Until further details are known about the problem referred to by the Honourable Member, the Commission is unable to say what measures, if any, it will adopt to ensure compliance, in this case, with Directive 79/409/EEC on the conservation of wild birds.

(1999/C 96/110) **WRITTEN QUESTION E-2347/98**

by Graham Mather (PPE) to the Commission

(27 July 1998)

Subject: Euro coins — Ecofin meeting of 6 July 1998

The press release issued following the meeting of the Ecofin Council referred to above states that: 'Ministers were also informed by Commissioner de Silguy of problems raised by the European associations of the visually handicapped and of the industry of vending machines concerning the technical specifications of the 50 and 10 euro coins (difficulties distinguishing these coins from others). In the light of these concerns Ministers invited the Commission to present a proposal to modify the regulation of 2 May 1998 on the technical specifications of euro coins accordingly'.

1. What is the total cost of manufacturing and melting down these coins?

2. What provision was made for consulting European associations of the visually handicapped and the vending machine industry prior to the decision on the technical specifications of these coins, and what was the outcome of that consultation?

3. Is the Commission satisfied with the arrangements and procedures for the launch of euro notes and coins, given this situation and bearing in mind previous disputes such as those related to the symbols to be displayed on the notes and coins?

Answer given by Mr de Silguy on behalf of the Commission

(21 September 1998)

The adoption of Regulation (EC) 975/98 [1] on technical specifications of euro coins had been preceded by an intensive consultation process which involved all user groups including the European vending association (EVA) and the European blind union (EBU). The problems recently raised by those two associations only appeared after development by the mint directors of the detailed technical specifications necessary for production and based on the Council Regulation, and after testing of the first samples issuing from the first production runs.

The implications of the changes envisaged will be relatively limited, given that no Member State has yet started producing or buying blanks for the 50 cent coins and only France has produced a limited quantity of 10 cent coins (0,1 % of the total number of coins to be produced). Moreover the modification of the specifications of 10 cent coins will not affect the specifications of the blanks needed for those coins, allowing therefore use of the blanks already purchased or produced for this purpose.

The Commission believes that the improvements of the system will contribute to ensure the acceptance of the new coinage system by the European citizens. The changes envisaged have been established in consultation with the EVA, EBU, consumers organisations and the mint directors and have their agreement.

[1] OJ L 139, 11.5.1998.

(1999/C 96/111)

WRITTEN QUESTION E-2350/98

by James Moorhouse (ELDR) to the Council

(28 July 1998)

Subject: Relations with China

During his trip to China, President Clinton publicly described the bloodshed in Tiananmen Square as ‘wrong’ and spoke in favour of human rights.

Does the Council envisage following his example in its official contacts with the Chinese authorities?

Reply

(9 November 1998)

The European Union’s position on the bloodshed in Tiananmen Square in June 1989 is well-known. Like the United States, the Union is now trying to engage China further, through an upgraded political dialogue, in the international community, and promoting China’s transition to an open society based upon the rule of law and respect for human rights.

The human rights situation in China is an issue of constant concern for the Union. All EU Member States share a common objective in wanting to achieve tangible improvement in the human rights situation in China.

Human rights are constantly on the agenda in the political contacts at all levels between the Union, its individual Member States and China.

In autumn 1997 the European Union resumed the dialogue on human rights with China at experts level. A meeting in October 1997 in Luxembourg and one in December 1997 in Beijing were followed by rounds of talks, firstly in Beijing at the end of February 1998 (in the margins of a joint legal seminar on the protection of human rights and the administration of justice) and then in London in May 1998. The next round is scheduled to take place in Beijing at the end of October 1998, following a joint legal seminar on the death penalty and conditions of detention and on the issue of minorities. This will be immediately followed by a one-week seminar on the fundamental rights of women. The dialogue on human rights is being supplemented by specific cooperation programmes to implement human rights related projects agreed between the Union and the Chinese authorities.

Before the start of this year's session of the Commission on Human Rights (CHR) the Council will evaluate the human rights situation in China as well as the ongoing EU-China dialogue on human rights and the human rights cooperation programme it agreed with China with a view to arriving at a joint EU position at the CHR.

(1999/C 96/112) **WRITTEN QUESTION E-2353/98**

by Claudio Azzolini (PPE), Guido Podestà (PPE), Antonio Tajani (PPE) and Guido Viceconte (PPE) to the Commission

(27 July 1998)

Subject: Restoration of justice and the rule of law in Italy

In an interview given to the magazine 'America Oggi', the Milanese Public Prosecutor, PierCamillo Davigo, expressed serious doubts as to the political legitimacy of Mr Silvio Berlusconi's appointment at that time as Italian Prime Minister. The views expressed by the Assistant Public Prosecutor of Milan give the impression that the Milan Public Prosecutor's Office is a political counterweight, foreshadowing conflicts discrediting and destabilizing the Establishment.

For some time now the European Parliament has been urging, by a large majority, the need to separate the various judicial careers precisely in order to avoid incidents such as those revealed through the activities of some of the Italian Public Prosecutor's Offices.

Can the Community Institutions rapidly take all the appropriate urgent measures within their powers necessary to ensure that the rule of law is reestablished within the Italian judicial departments and to penalize and prevent the continuation or repetition of the serious incidents mentioned above which are an infringement of the fundamental rights and guarantees of European citizens and a clear sign that the criminal justice system is being used for political purposes?

Answer given by Mrs Gradin on behalf of the Commission

(17 September 1998)

The question of the Honourable Member seems to suggest that the accustions by the Milan Public Prosecutor's Office against Mr Berlusconi may upset the balance between the judiciary and the executive power in the Italian Republic. This could be seen as an infringement of the traditional separation of powers which is inherent in the constitutional system of Italy and the other Community Member States. In the present state of Community law the maintenance of the separation of powers is a matter for each Member State. The European Union does not have the power to interfere in the constitutional systems of its Member States, except to the extent necessary to uphold the supremacy of Community law.

(1999/C 96/113) **WRITTEN QUESTION E-2354/98**

by Claudio Azzolini (PPE), Guido Podestà (PPE), Antonio Tajani (PPE) and Guido Viceconte (PPE) to the Council

(28 July 1998)

Subject: Restoration of justice and the rule of law in Italy

In an interview given to the magazine 'America Oggi', the Milanese Public Prosecutor, PierCamillo Davigo, expressed serious doubts as to the political legitimacy of Mr Silvio Berlusconi's appointment at that time as

Italian Prime Minister. The views expressed by the Assistant Public Prosecutor of Milan give the impression that the Milan Public Prosecutor's Office is a political counterweight, foreshadowing conflicts discrediting and destabilizing the Establishment.

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Reply

(19 October 1998)

The Council has no competence to deal with the questions raised by the honourable Members of the European Parliament.

(1999/C 96/114) **WRITTEN QUESTION E-2364/98**

by Nikitas Kaklamanis (UPE) to the Commission

(27 July 1998)

Subject: Improved forestry protection and fire fighting resources in Greece

Recent fires in Greece have revealed that the country is disastrously ill-equipped, lacking in modern forestry protection and fire-fighting resources. In particular, its airborne firefighting fleet is inadequate and outdated, with the result that fires cannot be rapidly and effectively extinguished and vast areas of forest land are destroyed, with incalculable consequences for the development of the country.

1. Has the Greek Government requested funding for the purchase of firefighting aircraft, and helicopters and other logistical and infrastructural resources as part of the measures to protect the physical environment provided for under the 1994-1999 Community Support Framework (second Delors package)?

2. Can the Commission provide funding for this purpose?

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

(9 October 1998)

The Community has already part-financed firefighting equipment intended for the fire services in Greece, in particular under the integrated Mediterranean programmes, the Community Support Framework (CSF) for the period 1989-1993, the special measures for the Greek Aegean islands, the CSF for the current period (1994-1999) and the Cohesion Fund. The equipment consisted mostly of purpose-built land vehicles.

The Greek authorities have not submitted a request to the Commission for the purchase of aerial firefighting equipment under the current CSF. If such a proposal were to be made, the Commission would consider it in the context of the programmes under that CSF, in relation to other priorities and available budget funds. The Commission would point out, however, that part-financing this type of investment would have no sense unless it were part of an integrated and coherent measure which took account of the Greek forest fire protection plan, on which it delivered a favourable opinion on 7 March 1994, under Regulation (EEC) 2158/92 [1].

[1] OJ L 217, 31.7.1992.

(1999/C 96/115)

WRITTEN QUESTION P-2372/98

by Angela Kokkola (PSE) to the Commission

(15 July 1998)

Subject: Fires in Greece and Southern Italy

In view of the major disasters caused by recent fires in Sicily and Greece and the unforeseen ecological impact thereof:

1. Will the Commission provide special aid to the stricken areas under Regulation (EEC) 4256/88 ([1]);

2. In accordance with the principle of subsidiarity, what measures are being envisaged by the Commission in response to the impact of the fire disasters?

3. Does it intend to review its position regarding forestry and to propose a common policy in this area?

4. Would it support the creation of a European Research Centre for the purpose of preventing and combating forest fires in the Mediterranean countries of the European Union?

([1]) OJ L 374, 31.12.1988, p. 25.

Answer given by Mr Fischler on behalf of the Commission

(21 September 1998)

1. The Commission does not have any extra resources under Regulation (EEC) 4256/88 as regards the EAGGF Guidance Section to help the stricken areas replant the forests destroyed by fires. However, reprogramming within the Community Support Framework could free unused appropriations for reallocation to emergency measures in response to the fires.

2. and 3. The Commission would like to draw the attention of the Honourable Member to the fact that the Community has been pursuing a policy on protection of its forests, and by extension on preventing forest fires, since 1986. Council Regulation (EEC) 2158/92 of 23 July 1992 on protection of the Community's forests against fires ([1]) extended and strengthened the framework for this policy. While respecting the principle of subsidiarity, it has allowed the Community to support Member States' forest-fire prevention efforts. Half of Europe's forest has now been classified as forest-fire risk areas, for which Member States have drawn up protection plans. Between 1992 and 1998, in areas classified as high-risk the Commission contributed ECU 42 million to 77 prevention projects in Greece and ECU 34,8 million to 55 projects in Italy. On top of this it provides assistance under the EAGGF Guidance Section for development measures and the protection of forests under regional and rural development programmes. In its proposal for a Regulation on support for rural development from the EAGGF ([2]), the Commission again proposed that the protection of forests against fires and the replanting of forests destroyed by fires can continue to form part of the rural development programmes submitted by the Member States.

It is nonetheless clear that the continual reduction by the budgetary authorities of assistance available for the specific measure on the protection of forests (from ECU 23,5 million in 1996 to ECU 16 million in 1998) is likely to threaten the effectiveness of this measure.

This measure also facilitated the introduction of the Community forest fire information system, which now permits analysis covering more than 500 000 fires occurring between 1983 and 1996 and affecting a total of six million hectares. Thanks to this system, we now have an extremely detailed description of forest fires and their causes, on a Community, national and regional level. This gives us an operational monitoring instrument and permits evaluation of the protection plans already mentioned and of the planning of prevention measures.

The Commission plans to replace the current system of financing projects by a system of financing programmes starting from the year 2000 at the latest. This will help establish closer links between forest protection plans and the use of Community assistance for schemes that include prevention measures.

The Commission would also like to draw the Honourable Member's attention to the fact that Community assistance cannot be granted for forestry measures in high-risk areas unless a protection plan has been forwarded to the Commission. This principle was recently approved in the proposal on support for rural development from the EAGGF.

The Commission is of the opinion that this measure exhausts the political leeway given to the Community under the Treaty. The Member States are largely responsible for regional planning and forestry policy, such as changes in land use or decisions on reafforestation of areas destroyed by fires. The Commission is also currently drafting a proposal on a European forestry strategy, based on the detailed recommendations set out in the Thomas report on Community forestry policy adopted by Parliament in January 1997. Clearly the protection of forests against fire must play a significant role in such a strategy.

4. The Commission has already contributed to the financing of a significant number of forest fire prevention projects under the framework programmes in the field of research and development (Fuego, Inflame, Prometheus, etc.), and continues to do so. It will proceed with these measures in future, as they have produced some convincing results. The Commission does not therefore believe it is justified to set up a European Research Centre for the purpose of preventing and combating forest fires in the Mediterranean countries of the European Union.

(1) OJ L 217, 31.7.1992.
(2) OJ C 170, 4.6.1998.

(1999/C 96/116) **WRITTEN QUESTION P-2374/98**

by Sebastiano Musumeci (NI) to the Commission

(17 July 1998)

Subject: Emergency created by illegal immigration in southern Italy and the Italian Government's failure to take action

Sadly, over the last few weeks, the problem of illegal immigrants being disembarked along the coast of southern Italy has reached alarming proportions; in Sicily alone, in just one week, the authorities intercepted hundreds of African nationals who had been enlisted by organizations involved in transporting illegal migrants across the Mediterranean. Meanwhile, due to the reprehensible failure of the official Italian authorities to take any practical advance measures to counter illegal immigration, the influx of immigrants can no longer be contained and the majority of them, having eluded any form of control by the police or health authorities, succeed in travelling on to other Member States, where they are destined for a life of poverty and exploitation by criminal organizations among others. Thus the Italian Government, by its permissive policy, has failed to comply with the specific undertakings it made in ratifying the Schengen Agreement, thereby prejudicing public order and security in Italy and the rest of the Union.

In view of the foregoing, does the Commission intend to take immediate action to urge the Italian Government to honour the undertakings made by it, and, if Italy continues to fail to fulfil its obligations, to bring an action before the European Court of Justice?

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

No. The Schengen arrangements have not yet been incorporated into the framework of the Union and, in principle, it is not for the Commission to take a position on matters relating to Schengen.

(1999/C 96/117) **WRITTEN QUESTION E-2377/98**

by Eryl McNally (PSE) to the Commission

(27 July 1998)

Subject: Maximum residue limits

I have received a letter of concern from one of my constituents who has read that new legislation is due to come into effect after 1 January 2000 with request to maximum residue limits on drugs used to treat horses.

Could the Commission inform me of any European intentions to present animals from being harmed when this legislation becomes active.

Are there any plans to differentiate between animals for leisure and competition purposes and those that are intended for the food chain? By what mechanisms would this differentiation take place? (i.e. freeze branding, micro chipping or ear tagging)?

Could you also inform me of any proposed increase in insurance for horses which may result from the entry into force of these regulations?

Answer given by Mr Bangemann on behalf of the Commission

(22 September 1998)

Council Regulation (EEC) 2377/90 of 20 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ([1]) came into force on 1 January 1992. It is related to Article 4 of Council Directive 81/851/EEC ([2]). According to this directive, a marketing authorisation can only be issued for a veterinary medicinal product for use in food producing animals, if the active substances contained in this product are listed in Annex I, II or III of Council Regulation (EEC) 2377/90. The inclusion in Annex I, II or III of Council Regulation (EEC) 2377/90 means that the substance was evaluated with a positive result.

Council Regulation (EEC) 2377/90 established a transition period for so called 'old substances' (substances already on the market before 1 January 1992). For these substances an application for the establishment of maximum residue limits (MRLs) accompanied by the necessary documentation had to be submitted to the European Agency for the evaluation of medicinal products (EMEA) in London before 1 January 1996. This exemption has already been prolonged from 1 January 1997 to 1 January 2000 through Council Regulation (EC) 434/97 of 3 March 1997 ([3]).

It has been suggested that substances used in horses kept for sporting purposes should be excluded from these requirements. However, many horses enter the meat production chain at the end of their lives, irrespective of whether they were kept for meat production or recreational purposes. This is also the case with horses in countries where horsemeat is not usually consumed since these horses are often exported to other countries where they are slaughtered for human consumption. Separation of sporting or recreational animals from meat-producing animals is not easily achieved: any system of control would need to be both straightforward and reliable. However, simply relying on documentation (especially if such documentation just takes the form of a declaration by the horse's owner) will not fulfil these requirements. Indelible marking with microchips, branding and tattooing have all been suggested and discussions are still under way concerning the effectiveness and feasibility of such marking systems. It is clear that any solution will have to be valid for the whole Community and not for specific Member States.

The Commission is also considering various options to facilitate the authorisation of veterinary medicinal products in certain circumstances. Any solutions will have to consider products which were on the market before Council Regulation (EEC) 2377/90 came into force. At present, the Commission is making an effort to find a solution for existing problems which takes the principles of consumer protection into account.

Insurance fees for horses are established by the companies active in this field according to their own risk analysis.

([1]) OJ L 224, 18.8.1990.
([2]) OJ L 317, 6.11.1981.
([3]) OJ L 67, 7.3.1997.

(1999/C 96/118) **WRITTEN QUESTION P-2383/98**

by Anna Karamanou (PSE) to the Council

(27 July 1998)

Subject: Funding for centres for the rehabilitation of torture victims

The recent decision by the Court of Justice that there is no legal basis for certain Community budgetary headings has immediate implications for a large number of centres for the rehabilitation of torture victims, including the Athens centre, which receives 95 % of its funding from the European Union. In view of the fact that the Athens

Centre for the Rehabilitation of Torture Victims receives a large number of refugees from the Balkans, eastern and central Europe and the Middle East and provides valuable support for victims who are seeking information, assistance and medical care, what steps will the Council take to overcome the obstacles created by the decision of the European Court of Justice so that EU funding for the valuable work done by such centres may continue?

Reply

(19 October 1998)

The Honourable Member's attention is drawn to the fact that, at the Budget Council meeting on 17 July 1998, the Council approved the Commission's intention, within the context of its responsibilities under Article 205 of the Treaty, of implementing in 1998 certain headings for which a legal basis had been proposed but not yet adopted.

The Council considers that the implementation of measures for which a legal basis has been proposed and which are recognised as being politically sensitive — such as the measure referred to by the Honourable Member, insofar as it comes within the sphere of human rights measures — could therefore be resumed without delay.

Also at the meeting, the Parliament and the Council undertook, each for the budget headings that concerned it, to ensure that the legislative procedures in progress were speeded up so that decisions on basic instruments that were proposed but not yet adopted could be taken as soon as possible.

(1999/C 96/119) **WRITTEN QUESTION P-2386/98**

by Paul Rübig (PPE) to the Commission

(17 July 1998)

Subject: Production aid for sugar-free peaches and Williams and Rocha pears

In Regulation (EC) 504/97 ([1]) of 19 March 1997 the Commission redefined the implementing provisions for the system of production aid for products processed from fruit and vegetables. For the 1997/98 marketing year provision was made for aid to be granted for peaches and Williams and Rocha pears (in syrup and/or natural fruit juice) in the amount of ECU 8 128/100 kg net and ECU 15 532/100 kg net respectively, provided that a given minimum price set by the Commission was paid at the time the raw material was purchased in the EU. This system is primarily intended to ensure that products processed from Community primary products are marketed at competitive prices.

Since Austria's accession to the EU attempts have been made to extend this system to include sugar-free products (stewed peaches and Williams and Rocha pears) so that the cost advantage due to the aid may also be passed on to consumers of sugar-free and low-sugar products. Such products might thus enjoy the same advantages as fruit in sugar syrup and/or natural fruit juice.

When will the Commission include sugar-free products of Williams and Rocha pears and of peaches in the product aid system and so create the conditions for account to be taken of future nutritional awareness of sugar-free and low-sugar products through competitive prices?

([1]) OJ L 78, 20.3.1997, p. 14.

Answer given by Mr Fischler on behalf of the Commission

(14 September 1998)

In view of the particular importance of these products for certain regions of the Community, the Council included provision for aid for the production of Williams and Rocha pears and peaches (in syrup and/or natural fruit juice) in its Regulation (EC) 2201/96 on the common organisation of the markets in the processed fruit and vegetable products ([1]).

In its implementing regulation ([2]), the Commission defined 'fruit juice' so that the natural sugar content of the fruit was maintained, in line with the products covered by the Council Regulation.

The aid scheme does not cover therefore all processed products containing peaches and pears and, in particular, it does not apply to sugar-free or low-sugar products. It rather aims to support producers of peaches and pears in the Community who thus benefit from prices higher than those paid in non-member countries for competing products.

Moreover, the Council laid down guarantee thresholds for this aid scheme in order to avoid increased production in view of the large availability of raw materials and the elasticity of processing capacity.

It appears therefore that the extension of Community support to new products would run counter to the aims of the Council in instituting this aid scheme and the Commission does not intend to submit such a proposal.

(1) OJ L 297, 21.11.1996.
(2) Regulation (EC) 504/97 of 19 March 1997 (OJ L 78, 20.3.1997).

(1999/C 96/120) **WRITTEN QUESTION E-2388/98**

by Allan Macartney (ARE) to the Commission

(27 July 1998)

Subject: Religious freedom in Pakistan

Given the recent death sentence pronounced on Ayub Masih, is the Commission satisfied that religious freedom is adequately protected in Pakistan, and are steps being taken to monitor the situation of minority religious groups?

Answer given by Mr Marín on behalf of the Commission

(15 September 1998)

Through its delegation in Islamabad, the Commission has followed the case of Ayub Masih very closely, and has expressed grave concern over the death of the bishop of Faisalabad.

The Commission participated in a fact-finding mission in Faisalabad and Sahiwal and met diocesan staff, the parents of Ayub Masih and local Christians.

On 14 May 1998, the Union Troika delivered a démarche on the blasphemy laws to the Pakistani minister of Law and expressed great disquiet over the existence of the death penalty for blasphemy, stressing the need to take appropriate measures to avoid abuses.

In conceptual terms, protection of religious freedom can coexist with a blasphemy law in the legislation. The problem resides in the way it is applied, possible abuses and the level of punishment foreseen in the legislation.

Although religious freedom is, at the moment guaranteed by the constitution in Pakistan, the minority religious groups fear that an Islamisation of the State could further restrict this freedom. Moreover, the existence of the death penalty for blasphemy can be used to threaten and intimidate minority groups.

The Commission attaches great importance to all aspects of human rights in Pakistan, and therefore to the protection of religious freedom. It will therefore continue to monitor closely the situation and participate in all actions aimed at improving human rights conditions in the country.

(1999/C 96/121) **WRITTEN QUESTION E-2397/98**

by Heidi Hautala (V) to the Commission

(27 July 1998)

Subject: Position of midwives

The work of midwives has a long tradition in Finnish maternity care. Nowadays practice has changed. Women are not in the care of a midwife throughout pregnancy, but often encounter one for the first time when soon to give birth. Midwives are not allowed to work in maternity advice centres, which restricts their scope to exercise their profession. The 'district nursing' (Fi. väestövastuu) system has meant that one nurse/health care officer may have only a few pregnant women per year in her care. This puts at risk the preservation of professional skills, and entails the danger that problematic or high-risk pregnancies may not be recognised.

The training of midwifery students in the care of pregnant women is not provided by midwives, and consequently Directive 80/155/EEC ([1]) is not being applied in Finland. What measures does the Commission propose to take to ensure that these problems are eliminated and this directive applied in Finland?

([1]) OJ L 33, 11.2.1980, p. 8.

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

The Commission is not aware of the problems mentioned by the Honourable Member. They do not appear, however, to infringe Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking-up and pursuit of the activities of midwives.

As regards the fact that midwifery training is not entrusted to a midwife in Finland, Directive 80/155/EEC does not stipulate which professional has to be responsible for such training. Accordingly, this is a matter exclusively for the Member State concerned.

As for the other problems mentioned, they too do not appear to be at variance with the Directive in so far as it does not establish for midwifes a monopoly over the exercise of their activities, which are listed in Article 4.

(1999/C 96/122) **WRITTEN QUESTION P-2409/98**

by Joan Colom i Naval (PSE) to the Commission

(17 July 1998)

Subject: Commission presence in Macao

The European Parliament's delegation for relations with the People's National Assembly of China undertakes a visit to the People's Republic of China approximately every two years. The most recent visit took place this year at the end of May and during the first week of June.

As on previous occasions the Commission's office in Peking provided assistance in various ways, from logistical support to information meetings. In particular, the Commission representative attended several of the official meetings and one of the office's staff accompanied the delegation throughout its visit to Dalyan.

Since it was set up, Parliament's delegation has on two occasions included Macao in its itinerary: in 1991 and also this year, from the evening of Saturday, 6 June to mid-afternoon on Sunday, 7 June, during which time it held meetings with the Governor, the Macao Legislative Council and the leaders of various projects to which the EU is contributing. Throughout the day in Macao, nobody attended from the Commission's office in Hong Kong, despite the fact that Macao falls within its jurisdiction.

Does the Commission not consider that sending a representative to Macao was something which falls within the Hong Kong office's area of responsibility? Was it not thought worthwhile to send a representative? Since the Hong Kong office attended the meeting with consuls in Hong Kong, why did it not send a representative to Macao?

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

(17 September 1998)

The office of the Commission in Hong Kong is also accredited to Macau. The Commission office in Hong Kong maintains close contact with the Macanese authorities and has been active in following a number of programmes which the Commission maintains in Macau.

The Parliament delegation to which the Honourable Member refers visited Macau and Hong Kong 6-8 June 1998. The office of the Commission in Hong Kong organised the programme for that delegation in close cooperation with the Parliament Secretariat. Meetings of the Parliament delegation with local authorities and institutions both in Hong Kong and Macau were arranged with the cooperation of the office of the Commission in Hong Kong.

The office particularly organised and participated in the meeting of the Parliament delegation with the Union heads of mission in Hong Kong, the agenda of which covered topics relating both to Hong Kong and Macau.

Unfortunately, for staffing reasons, the Commission's office in Hong Kong was unable to be represented at the meeting in Macau.

(1999/C 96/123) **WRITTEN QUESTION P-2411/98**

by Yvan Blot (NI) to the Council

(28 July 1998)

Subject: Famine in North Korea

Alarming reports are reaching Europe on the situation in North Korea, in particular from the German Red Cross or Médecins sans Frontières. The famine has said to have killed two to three million people (about 10 % of the total population) since 1995 and continues to ravage the country, brutally impacting on some 20 % of the population, with a further 75 % barely managing to survive. The state of the population's health is catastrophic, while hospitals lack rudimentary equipment and medicines. International aid on a huge scale appears largely to have been diverted by regime officials, either for resale or to supply the armed forces.

Other, much less alarmist rumours, claim that the situation is no more than one of shortages that have been blown up out of all proportion by media under the Marxist dictatorship's control in order to elicit the international community's generosity as a means of making good the country's economic failings.

1. Can the Council specify the conditions in which European Union 'observers' conducted their on-the-spot inquiries, the extent of the territorial area to which they were allowed access and the freedom of movement granted to them by Pyongyang's Marxist regime?

2. Can the Council specify what action, if any, it will take to ensure that humanitarian aid reaches only those who genuinely need it?

3. If the extent of the food-supply catastrophe turns out to have been a lie, what steps will the Council take to cease supporting one of the last and bloodiest of Communist dictatorships in the late twentieth century?

Reply

(22 October 1998)

1. The report of the UK Presidency-led Technical Mission to North Korea from 9 to 16 May 1998 was published at the beginning of June. This extensive report itself covers the conditions under which the mission conducted its enquiries, including access and free movement.

2. The Council shares the concerns of the Honourable Member regarding the distribution of humanitarian aid. The Union's concerns were alleviated by the mission's report, but continuous attention is needed to prevent misuse and to bring home the need for transparency if our assistance is to be effective or, indeed, available. This message has been put clearly in the contacts that the Union has had with North Korea.

3. The aid programmes to North Korea from the European Community and the Member States are of a purely humanitarian nature, though it is hoped that they will also promote our objective of peace and stability in the Korean Peninsula. They are in any event aimed exclusively at alleviating the plight of the North Korean people, and not at supporting the North Korean regime. It should be noted in this context that countries like the Republic of Korea and the US have similar programmes. It remains to be seen how far North Korea's unwelcome decision to spend its own scarce resources on missiles and satellites will affect the approach of the international community to humanitarian assistance.

(1999/C 96/124) **WRITTEN QUESTION P-2412/98**

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

(22 July 1998)

Subject: Relief from customs duty for charities

According to Council Regulation (EEC) 918/83 [1] of 28 March 1983 setting up a Community system of reliefs from customs duty, charities may apply for relief of import duty for medical equipment manufactured outside the EU.

The Royal Marsden NHS Trust in my constituency of East Sussex and Kent South submitted a claim which was approved by the UK Department of Trade and Industry but was disallowed by the Dutch authorities.

Is there a time limit within which claims are to be submitted?

If so, what is the duration of this period?

Will retrospective claims be eligible to receive relief?

[1] OJ L 105, 23.4.1983, p. 1.

Answer given by Mr Monti on behalf of the Commission

(22 September 1998)

Commission Regulation (EEC) 2290/83 [1], which lays down the provisions for implementing Articles 50 to 59 of Council Regulation (EEC) 918/83 setting up a Community system of reliefs from customs duty, stipulates that authorisations for importing goods duty free shall be valid for six months. As things stand, such authorisation cannot be requested retrospectively, i.e. when the goods have actually been imported.

However, if such authorisation has been given when the goods are imported but is not presented in support of the customs declaration, subparagraph 2 of Article 256(1) of Commission Regulation (EC) 2454/93 of 2 July 1993 [2] laying down certain provisions for implementing Council Regulation (EEC) 2913/92 establishing the Community Customs Code allows the document authorising import free of duty to be submitted within up to three months from the time the declaration for release into free circulation was accepted.

[1] OJ L 220, 11.8.1983.
[2] OJ L 253, 11.10.1993.

(1999/C 96/125) **WRITTEN QUESTION E-2414/98**

by Nikitas Kaklamanis (UPE) to the Commission

(27 July 1998)

Subject: Misleading plates on Turkish lorries engaged in international road haulage

Misleading plates on Turkish vehicles engaged in international road haulage are a source of enormous confusion. Hundreds of Turkish vehicles travel along European roads bearing a plate in the left corner marked 'TR' ('Turkey') which is similar to that which Community lorries are entitled to bear.

These plates are misleading and illegally imitate a Community model which has been established for the 15 Member States of the Union.

Will the Commission say what measures it intends to take to ensure the removal of these misleading plates from Turkish lorries engaged in international road haulage?

Answer given by Mr Kinnock on behalf of the Commission

(26 October 1998)

The Turkish practice concerning licence plates is not incompatible with Community law or Turkey's international obligations and accordingly the Commission does not intend to take any initiative on the matter.

(1999/C 96/126) **WRITTEN QUESTION E-2415/98**

by Katerina Daskalaki (UPE) to the Commission

(27 July 1998)

Subject: Leaking of a document concerning Turkey

On 9 July a 'report' by the Commission representative in Ankara was leaked to the press. The contents of this report — which have not been denied — raise many questions about the policy the Commission should be pursuing and its objectivity in this instance. In this report Michael Lake who has already been transferred to Budapest underestimates and justifies Turkish aggressiveness towards a Member State, Greece, turns a blind eye to human rights violations in Turkey, seeks to persuade the Commission of the marginalization of Cyprus, inveighs against the European Parliament and boasts that he co-authored a speech given by the Turkish President Demirel.

Will the Commission give its views about the above (beyond the fact that the document has been leaked) and say how it intends to rein in the exaggerated and partisan zeal of its official?

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

(11 September 1998)

It is not unusual for departing heads of delegation to express their personal views in an informal report upon departure from a posting.

Mr Lake's report falls into this category and its contents do, therefore, not necessarily have to conform in all aspects with the positions of the Community.

These positions on the issues addressed in the report are well-known and there is no need to make further comment.

The responsible member of the Commission called recently the Greek Foreign minister Pangalos in order to ensure that there was no misunderstanding about the nature of the report.

(1999/C 96/127) **WRITTEN QUESTION E-2419/98**

by Anita Pollack (PSE) to the Commission

(27 July 1998)

Subject: EU funds London

Will the Commission please itemise all EU funding received in London since July 1994, including structural, social, LIFE, research and other assorted Community initiative funds, their destination, amounts, and a brief description of the projects?

Supplementary answer given by Mr Santer on behalf of the Commission

(28 October 1998)

Further to its answer of 4 August 1998 ([1]), the Commission is now able to provide the following additional information.

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

([1]) OJ C 50, 22.2.1999.

(1999/C 96/128)

WRITTEN QUESTION E-2420/98

by Patricia McKenna (V) to the Commission

(27 July 1998)

Subject: Notifications of placing on the market novel foods or novel food ingredients pursuant to Article 5 of Regulation (EC) 258/97

To date, how many notifications of placing on the market of novel foods or novel food ingredients pursuant to Article 5 of Regulation (EC) 258/97 has the Commission received?

Can the Commission give full details of all such notifications, in particular:

— applicant;

— description of food or food ingredient;

— scientific evidence submitted;

— date of notification;

— date of transmission to Member States?

Answer given by Mr Bangemann on behalf of the Commission

(24 September 1998)

The Commission has received seven notifications so far pursuant to Article 5 of Regulation (EC) 258/97 concerning novel foods and novel food ingredients.

The Commission is sending direct to the Honourable Member and to the Parliament's secretariat a table that provides the requested information.

(1999/C 96/129)

WRITTEN QUESTION E-2422/98

by Concepció Ferrer (PPE) to the Council

(30 July 1998)

Subject: Action against capital punishment

In Luxembourg the Council of Foreign Affairs Ministers took a decision to step up their international campaign against capital punishment, which is a fundamental violation of human rights. The Union has consequently proposed to work for the universal abolition of the death penalty and has called for the use thereof to be progressively restricted.

In view of the fact that such a call is to be issued to countries which still practise capital punishment, can the Council say whether, pursuant to the above decision, it will also be issued to the USA?

Reply

(9 November 1998)

The European Council has decided, as an integral part of its human rights policy, to strengthen its international activities in opposition to the death penalty. The EU will work towards the universal abolition of the death penalty as a strongly held policy agreed by all EU Member States.

On 29 June 1998, it agreed internal guidelines for demarches and representations it will make on capital punishment towards third parties as well as in multilateral fora. In the process of attaining the primary objective of abolition, the EU will call, in cases where the death penalty still exists, for its use to be progressively restricted, and insist that it be carried out according to minimum standards. It will also press, where relevant, for moratoria to be introduced.

The EU set out its policy regarding capital punishment in the memorandum it submitted to the 53rd UN General Assembly; it has intervened in individual cases and also made representations along these lines to the United States authorities.

(1999/C 96/130) **WRITTEN QUESTION E-2424/98**

by Concepció Ferrer (PPE) to the Commission

(30 July 1998)

Subject: Health protection programmes

The European Union is one of the major international contributors to health protection in developing countries. Of all the continents which benefit from the EU's assistance, Africa is the one which currently has the highest rate of infant mortality, which is mainly due to causes which could be avoided if an appropriate prevention programme were introduced.

Could the Commission say what health protection programmes are currently operating in Africa and how much funding has been allocated since 1994? Of this funding, what percentage is set aside for child health programmes?

Answer given by Mr Pinheiro on behalf of the Commission

(16 September 1998)

The Community is very conscious of the necessity to reduce infant mortality in Subsaharian Africa.

The communication from the Commission to the Council and the Parliament on Community and Members State's policy on cooperation with the developing countries in the field of health [1] emphasises the need to focus the support to health services in developing countries on the most essential and effective activities i.e. a minimum package of activities designed to meet the most serious and widespread problems. Mother and child health is certainly part of this minimum essential package.

Since 1994 to the end of 1997, some ECU 215 million has been committed under the European development fund (EDF) for support to primary health care projects in African, Caribbean and Pacific (ACP) countries. In addition to this amount, and for the same period, some ECU 330 million has been mobilised through counterpart funds under the Structural adjustment facility to secure priority expenditure of national health budgets of those ACP countries engaged in a macro-economic reform process.

An important share of those amounts (which cannot be identified precisely) should assist in improving child health. Among primary health care projects recently committed, it is worth to mention a ECU 9,5 million project to support improvement of immunization programmes in eight Sahelian countries.

For the 8th EDF, some 30 ACP countries have requested support to the health sector. Special attention will be given in the design of those new programmes to improvements of mother and child health.

On top of this the Community is currently cooperating with the World Bank, World health organisation (WHO) and other international donors and non-governmental organisations (NGOs) in order to follow this important question.

(1) COM(94) 77 final.

(1999/C 96/131)

WRITTEN QUESTION E-2425/98

by Concepció Ferrer (PPE) to the Commission

(30 July 1998)

Subject: Languages used by the Commission for the purposes of the Internet

A number of requirements must be met by those wishing to use the Internet. Apart from purely material ones, such as having a computer and being connected to the system, a knowledge of English is also called for since that is the language in which most of the information available on the network is presented.

All the EU institutions have servers connected to the network which provide a major service to the general public. In most cases, however, only those who know English are able to take advantage of the service since English is the most widely used language on the various institutions' servers, in particular the Commission's directorates-general.

Does the Commission not believe that it should be possible for the Internet pages of the various Community bodies to be read in the various official languages of the EU, or at least in French, as is the case at the European Parliament, for example?

Answer given by Mr Oreja on behalf of the Commission

(15 September 1998)

Although English remains worldwide the single most spoken language on the web, it is now second to the preference for users own native language. According to various recent surveys, non-natives English speakers account today for less than half of the global on-line population (55 millions). In Europe, it is reckoned that more than 4 % of the population is on-line and that non-native English speakers represent now an overwhelming majority of the total.

The interinstitutional web-site Europa, coordinated by the Commission, has anticipated the linguistic realities of the web and is today a genuine multilingual server, offering a very large percentage of its contents in each of the eleven official languages. A survey carried out early 1998 among more than 5 000 Europa users shows that almost 70 % of them consider the present multilingual development of Europa as satisfactory and that only 10 % are still unsatisfied. A high degree of satisfaction is similarly expressed for other measures such as quality of navigation, content, presentation and interactivity.

Improvements are still possible. As a matter of fact, if most documents on Europa are by now systematically offered in 11 languages, not all of the home pages,index, and presentation pages are presented in more than one language.

The Commission, for its part, is making a major effort to improve this situation, taking into account the targeted audiences of each site.

The sites most relevant for the general public are (or will be soon) totally or almost totally available in 11 languages. This is notably the case for the euro site, the site dedicated to citizens rights within the single market, EUR-Lex, press releases of the Spokeman's service, Office for official publication, career opportunities, DG VI, DG X, DG XII, DG XVI, DG XXIV, as well as the Secretariat general and the legal, translation and Conference services.

Other sites particularly relevant for wide professional use (DG IV, DG V, DG XII, DG XV) offer full trilingual navigation tools and texts, plus documents in eleven languages. Eurostat also offers a complete trilingual approach. Other sites of more recent creation belonging to this category (DG II, DG VII, DG XI, DG V, DG XVII, DG XXII, DG XIII and DG XXIV) offer documents in several or all official languages, but have still to develop a more multilingual presentation of their contents.

Finally, the sites managed by the DGs dealing with external relations vary according to their audiences. DG VIII is bilingual (French and English), DG I offers documents in three languages (Spanish, French and English), ECHO uses four (English, Spanish, French and Portuguese) and DG I and DG IA are mainly English based. However, basic documents related to enlargement are available in the eleven official languages of the Union and in the languages of the candidate countries, and documents concerning the instruments of commercial policy are offered in three languages (English, French and German).

It must also be realized that some particularly volatile pages such as 'what's new' or last minute presentations can only be managed in one single language, understandable by the greater number.

Maintaining a fully or partially multilingual server requires considerable resources which are not necessarily available to the extent needed. However, the Commission is convinced that all the institutions present under Europa will continue to increase the efforts aiming at satisfying the needs expressed by their actual and potential users.

(1999/C 96/132) **WRITTEN QUESTION E-2426/98**

by Concepció Ferrer (PPE) to the Commission

(30 July 1998)

Subject: Cultural policy as a source of job creation

On account of its socio-economic dimension the culture sector is a major factor in endogenous regional development which is capable of making a significant contribution to employment, both in regional economies and in private industry.

To date the sector has created 3,1 million jobs in the EU Member States (2,1 % of the total). Many of these culture-related jobs and activities provide essentially part-time or self-employed work and are highly vulnerable from the point of view of stability and sustainability.

Has the Commission any proposals to help improve the stability and sustainability of employment in the sector concerned?

Answer given by Mr Flynn on behalf of the Commission

(2 October 1998)

The 1998 employment guidelines, adopted by the Council on 15 December 1997 ([1]) established specific objectives to be incorporated into the national employment plans drawn up by the Member States. This important step toward co-ordination of the Member States' employment policies within the framework of the European employment strategy is based on the four pillars of employability, entrepreneurship, adaptability and equal opportunities. The policy orientations are particularly relevant for sectors of employment such as the cultural sector in seeking to promote an enterprise culture and a business-friendly environment, to improve the skills and the work experience of the workforce, and to take into account the fact that current forms of employment are increasingly diverse.

In the communication 'Community policies in support of employment' ([2]) submitted to the Cardiff European Council, the Commission has made specific reference to the employment potential of this sector. Moreover, under the terms of Article 128 (4) of the draft Amsterdam Treaty, the Community must take cultural aspects into account and must reconcile the inherent objectives of the measures taken with cultural objectives, in particular as regards respect for cultural diversity, the encouragement of creativity and cultural development and support for cultural co-operation and exchanges. In its communication on the first Community framework programme in support of culture (2000-2004), presented on 6 May 1998 ([3]), the Commission proposes to ensure the integration of cultural aspects into Community action and policy under three headings, namely a legislative framework favourable to culture, the cultural dimension of support policies and culture in the Community's external relations.

([1]) OJ C 30, 28.1.1998.
([2]) COM(98) 354 final.
([3]) COM(98) 266 final.

(1999/C 96/133)

WRITTEN QUESTION E-2429/98

by Frédéric Striby (I-EDN) to the Commission

(30 July 1998)

Subject: EU aid to Alsace, particularly the Department of Haut-Rhin

1. What has been the total amount of EU aid to Alsace since January 1995, and to the Department of Haut-Rhin in particular?

2. For what projects and from which Funds has this aid been granted?

3. What specific projects have been funded in the following areas and how much did the aid amount to in each case:

— youth

— training

— employment promotion

— universities

— R&D

— culture

— twinning

— cross-border cooperation

— economic development

— citizen information?

Supplementary answer
given by Mr Santer on behalf of the Commission

(28 October 1998)

Further to its answer of 22 September 1998 ([1]), the Commission is now able to provide the following additional information.

In view of the length of its answer, the Commission is sending it direct to the Honourable Member and to Parliament's Secretariat.

([1]) OJ C 50, 22.2.1999.

(1999/C 96/134)

WRITTEN QUESTION E-2431/98

by Françoise Grossetête (PPE) to the Commission

(30 July 1998)

Subject: Interpretation of Article 4 of the Sixth VAT Directive

Some companies operate long-term vehicle rentals on the basis of so-called 'open-book' contracts, the purpose of which is to give the hirer a share in the financial outcome of the rental, arrived at on the basis of the real running costs of vehicles, the duration of their use and the profit from the transaction.

In the event of the rented vehicle being stolen or damaged, the contract provides for the vehicle involved to be professionally valued, on the understanding that the rental firm will be compensated by the insurance company solely on the basis of the value thus determined; the rental firm will then charge the hirer any difference between the indemnity value arrived at by expert appraisal and the net book value of the vehicle as it appears in the rental company's accounts.

On the other hand, in the event of accident or loss the rental firm does not receive damages for termination of contract equivalent to the discounted value of future rental payments which would have been received if the contract had taken its normal course.

Would the Commission confirm that the indemnity thus paid to the rental firm, equivalent to the professionally appraised value of the stolen or damaged vehicle, does not fall within the scope of VAT as defined in Article 4 of the 6th Directive.

Would the Commission also confirm, in the light of Article 11 A I of the 6th Directive, that compensation received in this way has no direct link with the rental contract concluded and cannot be interpreted as a price supplement intended to balance financially the transactions between the contracting parties, and that the compensation in question does not therefore attract VAT.

Answer given by Mr Monti on behalf of the Commission

(5 October 1998)

The Commission agrees that indemnities paid out by insurance companies following the realisation of the risk insured by them cannot be regarded as the consideration of a supply of services and therefore do not fall within the scope of VAT.

As to the treatment of the amount charged to the hirer if the indemnity paid out by the insurance company to the rental company is lower than the net book value in the rental company's accounts, it is clear that this charge is not paid for the consideration of a service supplied by the rental company. The payment by the hirer is based on an external fact (the fact that the car is stolen, damaged, lost or subject to an accident) not related to the taxable transaction of hiring out of the car. Therefore the payment of an indemnity by the hirer to the rental company cannot be regarded as the consideration of a supply of services and does not fall within the scope of VAT.

(1999/C 96/135) **WRITTEN QUESTION E-2434/98**

by Friedhelm Frischenschlager (ELDR) to the Commission

(30 July 1998)

Subject: EU delegation in Bratislava — appointment of a delegation head

Relations between the EU and the Republic of Slovakia are of particular importance not only in the general context of enlargement, but also in relation to the quality of the democratic system, respect for human rights and the rights of minorities, questions of nuclear safety, etc.

The office of the EU delegation in Bratislava, and particularly its head, are of particular importance when it comes to cooperation with the Slovakian authorities and pursuing efficiently the interests of the EU and its Member States. Despite its importance, the post of head of the EU delegation in Bratislava has now been vacant for over a year, although the Commission's appointing policy usually aims to replace delegation heads either immediately or at least very quickly.

Is it correct that, because of an intervention by Austria, the internal Commission procedure to advertise the post of head of the EU delegation in Bratislava, which should have been completed in September 1997, was stopped?

Is it correct that the Commission undertook at that time to appoint an Austrian to the position?

Is it correct that Austria dragged, or is still dragging, its heels over the selection of a suitable candidate? If so, does the Commission know why Austria has so far failed to put forward a final candidate for the position, or why it has been so slow to do so?

If the answer to the above questions is only a partial 'yes', or 'no', what are the reasons for the unseemly delay in appointing the EU ambassador to Bratislava?

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

(15 September 1998)

The post of head of delegation in Bratislava was originally published internally in the Commission.

In the framework of the recruitment of officials for the three Member States that joined the Community in 1995, the post of head of delegation was subsequently earmarked for an Austrian citizen.

In the framework of the procedures established for such cases, the Commission has examined a number of Austrian candidates and is on the point of designating the successful candidate.

(1999/C 96/136) **WRITTEN QUESTION E-2435/98**

by Irini Lambraki (PSE) and Konstadinos Klironomos (PSE) to the Commission

(30 July 1998)

Subject: Destruction of vineyards by heatwave

At the beginning of July 1998 a prolonged heatwave caused enormous damage over an extensive viticultural area in Greece: vineyards growing table grapes and high-quality wine grapes are the worst affected.

Will the Commission say whether there is any scope for addressing a disaster of this kind which will have long-term repercussions for the market in quality wines and severely affect producers' incomes and whether it intends to support the replanting of the vineyards destroyed by this heatwave?

Answer given by Mr Fischler on behalf of the Commission

(22 September 1998)

The common market organisation (CMO) in wine does not make general provision for granting aid in the event of bad weather. Nor do the regulations governing the CMO provide for either production-based or area-based aid. The only reference to natural disasters is in Article 78 of Council Regulation (EEC) 822/87 of 16 March 1987 on the common organisation of the market in wine [1], under which exemption may be granted from such requirements as compulsory distillation — which is not relevant in this case.

The Community legislation currently in force provides for two ways in which, at the Member State's instigation, a programme can be launched to help wine-growers replant vineyards damaged by drought:

— national investment aid for planting vineyards, in accordance with Commission Regulation (EEC) 2741/89 of 11 September 1989 laying down criteria to apply under Article 14 of Council Regulation (EEC) 822/87 on national aid for the planting of wine-growing areas [2] (the Commission must receive prior notification of such aid);

— investment aid for replanting funded jointly by the Community under the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), which must fall within the financial allocation for Greece for the current programming period (1994-1999) and comply with the relevant procedure laid down in the Objective 1 Community Support Framework; any reprogramming intended to remedy drought damage would need to be submitted for approval to the Commission by the Greek Government as soon as possible.

[1] OJ L 84, 27.3.1987.
[2] OJ L 264, 12.9.1989.

(1999/C 96/137) **WRITTEN QUESTION E-2445/98**

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

(30 July 1998)

Subject: Activities of the Chiquita multinational in Latin America

Recent reports appearing in various sectors of the media contain a number of interesting revelations on the activities of the Chiquita multinational in various Latin American countries.

These include the following:

— Chiquita secretly controls dozens of allegedly independent companies in order to evade restrictions on land ownership and laws on national security in Central American countries;

— Chiquita and its subsidiary firms have carried out operations using pesticides which have affected the health of their workers and people living in the area despite an agreement signed with an environmental group (Rainforest Alliance) to adhere to safety standards. The pesticides used include some which are not permitted in any EU country;

— hundreds of people in one district in Costa Rica have been exposed to emissions of toxic gas from a factory belonging to a subsidiary of Chiquita.

Is the Commission aware of the information reported in the media?

Does the Commission know whether the Chiquita multinational or its subsidiary firms comply with the parameters established to protect the health of their workers and conserve the environment?

Answer given by Mr Marín on behalf of the Commission

(22 September 1998)

The Commission is keeping a watching brief on Chiquita in a number of Latin American countries.

It is aware that various Costa Rican bodies have brought actions in the local civil court and various United States courts against the use of highly toxic pesticides. The plaintiffs were successful in the US courts and damages were paid, but numerous complaints are still being lodged.

Reports in the media suggest that Chiquita is complying with its basic economic undertakings and pays the minimum wage for banana workers laid down by Costa Rican law. The monitoring of Chiquita's activities from the standpoint of environmental conservation is purely a matter for the Costa Rican authorities.

(1999/C 96/138) **WRITTEN QUESTION E-2450/98**

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

(30 July 1998)

Subject: Port at Granadilla (Tenerife, Canaries)

The Spanish Ministry of Public Works is supporting the construction of a port on the coast which forms part of the municipal district of Granadilla (Tenerife, Canary Islands). The port will be large enough to contain, among other things, a breakwater 3 600 m long and a quay 2 000 m long. The area of sea taken up by this new installation will stretch to more than one million square metres.

The project will have a wide-ranging impact on the environment, including:

a) direct and indirect effects on part of an area put forward as an area of Community interest by the Canaries Government, known as the 'Sebadales del Sur de Tenerife'.

That area contains a large number of habitats covered in the Habitat Directive which would be seriously damaged, e.g:

— sand banks

— cliffs with flora endemic to the Macaronesian Islands

— thermophilous scrubs.

The species Caretta caretta, a reptile listed as a priority species in Annex II to Directive 92/43/EEC ([1]) can also be found in the area;

b) irreversible changes to the formation of sediment along the south-eastern coast of the island, which would seriously affect the Montaña Roja protected natural area, also proposed as a place of Community interest. The habitats listed in the directive and found in this area include the priority habitat defined as fixed dunes with herbaceous vegetation (grey dunes);

c) various effects on biological development, the functioning of the coastal system, marine pollution in the area, the social and economic impact on the coast, etc.

Is the Commission aware of the port construction project in Granadilla?

Does the port receive any form of Community funding?

Does the Commission consider the conservation of areas which are to be protected under the Habitat Directive to be compatible with the construction of the above infrastructure?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 September 1998)

The Commission was not aware of the situation the Honourable Member has described. It will make the necessary contacts to gather full details of the situation and to ensure that the Community environment legislation relevant to this particular case is being fully observed.

It can confirm, however, that neither the European Regional Development Fund nor the Cohesion Fund has co-financed the project.

(1999/C 96/139) **WRITTEN QUESTION E-2458/98**

by Honório Novo (GUE/NGL) to the Council

(30 July 1998)

Subject: Bad weather and damage to agriculture in Portugal

Recent weather conditions in Portugal (torrential rain, hail and wide fluctuations in temperature) have caused serious damage in some of the country's main agricultural sectors.

The collapse in production of pears (by around 70 to 80 % at national level), cherries (around 70 % in the Beira Interior and Trás-os-Montes regions), grapes (around 60 % in the Ribatejo, Douro-Minho and Trás-os-Montes regions) and olives (above all in the Alentejo and Trás-os-Montes regions) are some of the most serious examples. It is thus clear that there will be a sharp fall in income, especially for small farms and small family farms.

Can the Council say if it will look into the possibility of helping, through additional resources, to alleviate the damage to agriculture arising from the bad weather in Portugal?

Reply

(22 October 1998)

The Council is aware of the situation caused in Portugal because of the adverse weather conditions.

It would point out that, at a general level, Article 92(2)(b) of the EC Treaty provides that 'aid to make good the damage caused by natural disasters or exceptional occurrences' is compatible with the common market. Under Articles 92 and 93 of the Treaty, the Commission monitors the compatibility of systems of aid existing in the Member States.

As far as horizontal Community legislation is concerned, the Council would point out that it does not fund losses in production occasioned by bad weather.

Nevertheless, Article 5(h) of Regulation (EEC) 4256/88 laying down provisions for implementing Regulation (EEC) 2052/88 as regards the EAGGF Guidance Section [1], stipulates that the latter may provide financial assistance for restoring agricultural and forestry production potential damaged by natural disasters.

The Council would further draw the Honourable Member's attention to certain provisions laid down in the fruit and vegetables sector by Commission Regulation (EC) 411/97 of 3 March 1997 laying down detailed rules for the application of the basic regulation on fruit and vegetables as regards operational programmes, operational funds and Community financial assistance [2].

Under Article 2(5) of that Regulation, in the case of a natural disaster recorded by the competent national authorities, the last three production years — rather than just the last preceding year stipulated as the general rule — are taken into account to calculate the value of the production marketed by a producer organisation which has submitted an operational programme.

The purpose of this is to minimise the impact of a poor harvest on the determination of the ceilings on financial assistance set by the Commission, and thus avoid compromising the implementation of the operational programme in question.

Finally, Portugal has referred the problem to the Commission which, within the scope of its powers and on the basis of the dossier submitted by the Portuguese authorities, is currently looking into the feasibility of implementing specific measures compatible with Community legislation.

[1] OJ L 374, 31.12.1988, p. 25.
[2] OJ L 63, 4.3.1997, p. 9; OJ L 202, 30.7.1997, p. 45.

(1999/C 96/140)

WRITTEN QUESTION E-2469/98

by Mark Watts (PSE) to the Commission

(30 July 1998)

Subject: Port State Control Directive

Is the Commission satisfied that the Port State Control Directive can be satisfactorily enforced in the area under the jurisdiction of the Port of London Authority, given that their recent Pilotage Direction No 5 significantly reduced the number of vessels boarded by port officials?

Answer given by Mr Kinnock on behalf of the Commission

(14 September 1998)

The Commission has no evidence to suggest that the reduction in boarding of vessels by pilots in the port of London will result in a significant reduction of Port State Control inspections. The decision by Port State Control officers to inspect a vessel is based on a large number of other criteria, particularly taking into account the ship inspection history, the ship's age and type and the performance of the Flag State in which it is registered.

Moreover, the fact that in a given port of a Member State the number of Port State Control inspections diminishes does not automatically imply that there is a reduction in the number of vessels inspected at national level and it cannot be considered, in itself, to be a violation of Directive 95/21/EC [1].

[1] OJ L 157, 7.7.1995.

(1999/C 96/141)

WRITTEN QUESTION E-2475/98

by Leonie van Bladel (UPE) to the Council

(1 September 1998)

Subject: European DNA database of murderers and rapists and European database of missing children

1. Is the Council aware that with present-day social mobility the fast and efficient exchange of information relating to serious crimes, such as rape and murder, and of the particulars of children reported missing in Europe, is an absolute necessity?

2. Will the Council take the initiative of enabling a European DNA database to be established as soon as possible in order to allow the DNA profiles of serial rapists and murderers and of rapists and murderers of children to be exchanged?

3. Will the Council launch initiatives as soon as possible to enable a joint European database containing full particulars of missing children to be established?

Reply

(9 November 1998)

The Council Resolution of 9 June 1997 on the exchange of DNA analysis results ([1]) invites Member States to consider establishing national DNA databases with a view to exchanging DNA analysis results between them. The Resolution further calls on Member States to build up their databases using the same DNA markers, in accordance with the same standards and in a compatible manner. The choice of markers and standards to be used and of a system of information exchange are to be determined on the basis of studies.

Feasibility studies are being carried out on developing agreed markers and standards of DNA profiling and the system of exchanging DNA data between Member States with the help of the European Network of Forensic Science Institutes (ENFSI) and with the assistance of EU funding under the STOP programme (Joint Action of 29 November 1996 establishing an incentive and exchange programme for persons responsible for combating trade in human beings and the sexual exploitation of children) ([2]).

The establishment of a European DNA database will have to be considered as a second stage once the conditions for the exchange of the DNA analysis results are in place. In this context an appropriate role for Europol will be considered.

Some Member States already have in place a national DNA database, others are in the process of establishing one within the next years. Work on agreeing common profiling markers and standards is continuing with a view to placing before the Council proposals to facilitate the exchange of DNA analysis results between Member States.

As part of the implementation of the Joint Action of 24 February 1997 concerning action to combat trafficking in human beings and sexual exploitation of children ([3]), the Council, at its meeting on 19 March 1998, agreed on proposals to establish national coordination points for missing persons and to improve the working methods of the existing points, with priority being given to high-risk categories of missing persons. A network of these national coordination points will be created.

In this context the Council recalls the work done within the framework of the Schengen Information System (Article 97 of the Schengen Convention of 19 June 1990) and Interpol (Automated Search Facility).

([1]) OJ C 193, 24.6.1997, p. 2.
([2]) OJ L 322, 12.12.1996, p. 7.
([3]) OJ L 63, 4.3.1997, p. 2.

(1999/C 96/142) **WRITTEN QUESTION E-2476/98**

by Leonie van Bladel (UPE) to the Council

(1 September 1998)

Subject: Pirate production in the music industry

1. Is the Council aware of the difficulties encountered by the music industry as a consequence of pirate production through the Internet, which is depriving the industry of income estimated at some ECU 4,5 billion worldwide?

2. Is the Council aware that existing copyright legislation is much too weak to deal adequately with the problem of illegal copying of sound recordings?

3. What action is the Council prepared to take in the short term to put a stop to unlawful copying practices in the music industry?

4. Will the Council instruct the Commission to put pressure on countries in Central and Eastern Europe to take legal action against pirate producers?

Reply

(3 November 1998)

The Council is aware of the problems resulting from piracy in the music industry, including through the Internet.

With regard to the adaptation of copyright legislation in the Community to take account of the new digital environment, the Council has begun its examination of the Commission's proposal for a European Parliament and Council Directive on the harmonisation of certain aspects of copyright and related rights in the Information Society, and looks forward to receiving the European Parliament's Opinion at first reading on this proposal in the near future.

As far as music piracy in Central and Eastern European countries is concerned, the Council would point out that under the terms of the Europe Agreement, countries of Central and Eastern Europe with which such an Agreement has been concluded are obliged to improve the protection of intellectual, industrial and commercial property rights in order to provide for a level of protection similar to that existing in the Community, including comparable means of enforcing such rights. The Council is satisfied that the Commission is making every effort to ensure adequate protection of intellectual property rights by Central and Eastern European countries. The Council notes that the primary objective of the Europe Agreement and the enhanced pre-accession strategy is to ensure that countries which have applied for membership of the European Union arrive at a position in which they have adopted in full, and can implement effectively in all areas, the Community 'acquis', including intellectual property rights.

(1999/C 96/143) **WRITTEN QUESTION E-2477/98**

by Astrid Thors (ELDR) to the Commission

(30 July 1998)

Subject: Bioterrorism

According to reports in a specialist periodical, medical research has ascertained that it would be relatively easy for a ruthless terrorist organization to attack a city for example using biological agents such as anthrax. Man-made epidemics could spread out of control.

What action does the Commission intend to take to reduce the risk of terrorist attacks using biological weapons, and, if they did occur, to reduce their impact?

Answer given by Mrs Gradin on behalf of the Commission

(21 September 1998)

There is a high level of international awareness of the risk of biological and toxin weapons, as well as other weapons of mass destruction being used by rogue states or by terrorist organisations. The Commission is fully involved in the activities of the European Union related to these important issues, which take place under both the second and third pillars.

A European priority has been the promotion of universal participation in, and compliance with, multilateral disarmament and non-proliferation conventions such as the Nuclear non-proliferation treaty (NTP), the chemical weapons conventions (CWC) and the biological and toxin weapons convention (BTWC) and, at the same time, to continue to strengthen export control regimes.

The BTWC prohibits the development, production and stockpiling of biological weapons. Member states, along with others participating in the fourth review conference in 1996, recognised the need to ensure the effective fulfilment of obligations under the Convention which would help exclude the use of biological and toxin weapons for terrorist activities.

The European Union believes that 1998 is a year of crucial importance in the negotiations on a protocol to strengthen compliance with the BTWC, which would include verification measures, and adopted a common position to this effect on 4 March 1998. Union demarches to promote BTWC universality are in preparation and informal meetings of BTWC technical experts are continuing.

At the same time, in terms of operational police and customs activity, there is increasing exchange of information and co-operation within the Union. On 23-24 March 1998, for instance, the United Kingdom Presidency organised a seminar on chemical and biological terrorism for some 27 countries including Member States and accession states as well as the United States and other G8 members. The Commission provided financial support ('OISIN' funding) for the seminar which addressed the threat posed by chemical and biological terrorism and ways of improving the response. Among the conclusions was agreement to expand the directory of counter terrorist competencies to include specific expertise on chemical biological terrorism.

At the 18 May 1998 Community-United States summit, in which the Commission fully participated, chemical and biological terrorism was specifically identified in the 'counter terrorism statement of EU-US shared objectives' as an area of mutual interest where thinking had been shared and best practice compared.

It can be seen, therefore, that the Member States and the Commission are strongly committed to both political and practical measures to reduce the risk of terrorist attacks using biological weapons, and that work to develop more effective counter-measures and responses continues in the context of the wider international comunity.

(1999/C 96/144)

WRITTEN QUESTION E-2482/98

by Franz Linser (NI) to the Council

(1 September 1998)

Subject: Visits to parliamentary committees by members of the Austrian Federal Government

In order to ensure satisfactory communication between the Council and the European Parliament, it is customary for the relevant Ministers of the Member State which holds the Council Presidency to visit Parliament's committees and, inter alia, present their programmes.

1. Will an Austrian Federal Minister or an Austrian Secretary of State visit the Committee on Transport and Tourism between now and 31 December 1998?

2. If so, when, and who will it be?

3. If not, why not?

Reply

(9 November 1998)

As the Honourable Member will no doubt be aware, Mr Einem, the Austrian Minister for Science and Transport, and Mr Farnleitner, Federal Minister for Economic Affairs, met the European Parliament's Committee on Transport and Tourism on 1 and 28 September 1998 respectively, to present the Presidency's programme.

Statements to Parliamentary Committees by Ministers from the Member State holding the Presidency of the Council have now become a well-established practice, which helps encourage exchanges of views between the Council and the European Parliament on the various subjects under examination.

(1999/C 96/145) **WRITTEN QUESTION E-2483/98**

by Karl Habsburg-Lothringen (PPE) to the Commission

(30 July 1998)

Subject: Free movement of goods — Hungary

On 1 February 1994 the Association Agreement between the European Union and Hungary came into effect; it provides for the application, on a reciprocal basis, of the provisions of Articles 30 and 36 of the EC Treaty concerning the free movement of goods.

Is the Commission aware that Hungary is nonetheless prohibiting the sale of food products which are legitimately manufactured and marketed within the Community, namely energy drinks, and is invoking 'mandatory requirements' in connection with this measure, while being unable to cite reservations on health grounds?

What does the Commission propose to do to ensure that the provisions of the Association Agreement with Hungary concerning the free movement of goods are applied?

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

(1 October 1998)

While the Europe agreement with Hungary came into effect on 1 February 1994, the trade related part of the agreement was already put into effect on 1 March 1992 as an interim agreement.

The Commission is well aware that Hungary prohibits the sale of an energy drink which is legitimately manufactured and marketed within the Community and which had been marketed in Hungary for six years. The Hungarian authorities rely on article 35 of the Europe agreement permitting the prohibition of imports for public health reasons, and claim that the high content of caffeine, taurine and certain vitamins could cause harm to human health. Therefore, they called for the content to be lowered before renewing the permission for sale and marketing of this product.

The Commission does not share this opinion since the energy drink is not harmful for public health and such decrease of the content of caffeine, taurine and certain vitamins would change the product substantially. This issue was already discussed several times with the Hungarian authorities both in the institutional framework of the Europe agreement (association committee and various sub-committee meetings) and in other contacts. Despite the Commission's several requests to remove this trade barrier, the Hungarian authorities have neither renewed the permission for the import and marketing of this product nor provided the Commission with the scientific evidence for this prohibition. The Commission will continue to follow this issue closely and request the removal of this trade barrier.

(1999/C 96/146) **WRITTEN QUESTION E-2491/98**

by Allan Macartney (ARE) to the Commission

(30 July 1998)

Subject: Exploitation of fishing quotas

Can the Commission give a precise indication as to the level of quota, excluding quota swaps, which is exploited by nationals of a Member State other than the one which was originally allocated the quota? If so, can the Commission clarify which countries this involves and to what extent this practice is carried out?

Specifically, can the Commission provide up-to-date statistics on the exploitation of quotas by Dutch nationals, which had previously been allocated to countries other than the Netherlands?

Answer given by Mrs Bonino on behalf of the Commission

(10 September 1998)

The Commission regrets to inform the Honourable Member that it is unable to provide him with the information required since this is not available.

For the purpose of management of the total allowable catches (TAC) and quota system, only data relating to each stock's cumulative catch from vessels flying the flag of each Member State are required. Only those data are consequently reported to the Commission.

(1999/C 96/147) **WRITTEN QUESTION E-2498/98**

by Gerardo Fernández-Albor (PPE) to the Commission

(30 July 1998)

Subject: Community aid for tourism undertakings investing abroad

One of the objectives which will have a major impact on the Community tourism sector is its internationalisation, both in terms of attracting tourists to the European Union and selling services or operating facilities abroad.

A dual objective can be achieved in this way, by exporting the technological capacity of Community tourism undertakings and contributing to development in a large number of developing countries, in addition to the support provided to Community tourists visiting the countries concerned.

Can the Commission list the Community programmes which supply aid for Community tourism undertakings investing abroad, and can it provide information on the experience gained in this respect and any changes which it considers necessary in order to strengthen the presence of Community tourism undertakings outside the EU's borders, particularly in developing countries?

Answer given by Mr Papoutsis on behalf of the Commission

(15 October 1998)

The Commission shares the honourable Member's point of view regarding the growing internationalisation of tourism in the Member States and its major contribution to international trade, especially with non-member countries. Indeed, for the Member States tourism accounts for a third of all imports and exports of services, while direct investment by Community undertakings in non-member countries in 1995 amounted to ECU 4 700 million in the hotel and catering branch alone ([1]).

Although the Community does not have any specific programme to foster tourism investment by European undertakings in non-member countries, there are several Community programmes and schemes of a horizontal type that can help. This applies, for example, to actions as part of the new European strategy for market access and improving the process for liberalising services.

Also, as part of talks at the World Trade Organisation, and more especially as part of the GATS agreement on services, the Community is playing a prominent role in securing commitments to open third countries' markets and improve the terms governing investments and ventures by European undertakings in the sector of tourism.

As part of policies for development and cooperation with non-member countries, financial instruments such as ECIP, EBAS and Alinvest can promote the internationalisation of European tourism undertakings outside the Community and make it easier to export their knowhow.

The latest reports on Community measures affecting tourism [2] contain a review of the main actions that have benefited tourism undertakings in this context.

[1] Eurostat, Balance of Payments — Quarterly Statistics 2-98, p. 70; European Union Direct Investment — Yearbook 1997, p. 73.
[2] COM(97) 332 final and SEC(97) 1419.

(1999/C 96/148) **WRITTEN QUESTION E-2500/98**

by Joaquín Sisó Cruellas (PPE) to the Commission

(30 July 1998)

Subject: Anorexia and bulimia

The Association against Anorexia and Bulimia (ACAB) recently presented itself to the public in Spain and called on advertisers to refrain from using impossible stereotypes in their advertising and to use other models, so that young people would no longer seek to imitate the stereotypes. The Association also appealed for an increase in resources for treating this illness. According to the figures provided, the number of consultations linked to anorexia and bulimia is increasing by 20 % each year in Spain, the majority of victims of this disorder being girls.

Given that the impact of these illnesses is growing constantly and is particularly affecting our young people, has any initiative been taken in the European Union with a view to tackling these disorders?

Answer given by Mr Flynn on behalf of the Commission

(20 October 1998)

The Commission shares the Honourable Member's concern about the increasing number of those, especially girls, suffering from anorexia or bulimia in Spain and in the Community in general.

The Community action programme on health promotion, information, education and training [1] covers this important public health issue, and the 1998 work programme provides for 'attention to be given to the issue of bodyweight as a broad concept affecting the well-being of people, as well as eating disorders and other problems related to body image'.

The Commission is at present funding two projects related to the prevention of eating disorders. One investigates the frequency and distribution of sub-clinical eating disorders in six European countries in order to develop preventive measures for these disorders. The second aims to improve the knowledge of this disease, to set up a database on specialised centres and an internet site, and to organise a conference at European level to disseminate the results.

[1] Decision 645/98/EC — OJ L 95, 16.4.1996.

(1999/C 96/149) **WRITTEN QUESTION E-2501/98**

by Gianni Tamino (V) to the Commission

(30 July 1998)

Subject: Construction of an artificial island near the Bay of Cádiz

The Spanish Ministry of Defence intends to build an artificial island 700 metres from the boundary of the Bay of Cádiz Natural Park, which would contain a platform for logistical exercises. No information is available on the

surface area of the island, although its volume is put at 6900 cubic metres, while the dimensions of the platform would be 25 by 12 metres formed by two slabs weighing 637 tonnes each and capable of resisting the direct impact of a vertically falling object weighing 1000 kg. Moreover, auxiliary installations would be built within and outside the natural park (landing stage and access road, store and workshops, breakwaters to protect the island, etc.). The installations situated inside the park would include three bases for launching Mistral, Roland, Aspid, Milan and Tow missiles. If the Ministry of Defence submits the project as being 'in the interest of national defence', it will be able to avoid application of the provisions of the Andalusian Law 7/94 on environmental protection, which requires a study to be made in advance of the environmental impact of most of the elements which make up this project (artificial island, high-tension network, road, workshops and bases, landing stage and breakwaters).

The salt flats of San Félix-Tres Amigos, in which the project is to be located, represent the most significant area in the natural park because they retain the physical and chemical conditions necessary for the subsistence and biological development of their birdlife, and they have been put forward by the Andalusian Government as a special bird protection area as part of the Community network Natura 2000. On 26 May 1998 the Spanish environmental protection association AGADEN presented the Commission with a report protesting against the project.

Has the Commission been consulted by the Spanish authorities on this project, including aspects linked to the safety of the civil population and of the region?

Can the Commission say what measures it will take to prevent the project from endangering the site already proposed as a Natura 2000 area? If the project is carried out, does the Commission not intend to intervene also to ensure that an environmental impact assessment is carried out on the work planned?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 September 1998)

The Commission has received a complaint concerning the situation described by the Honourable Member.

In appraising the complaint, the Commission has made the necessary contacts to gather full details of the situation and to ensure that the Community environment legislation applicable to this particular case is being fully observed.

The Commission will inform both the complainant and the Honourable Member of any development in its appraisal of the complaint.

(1999/C 96/150)

WRITTEN QUESTION E-2503/98

by Yvan Blot (NI) to the Council

(1 September 1998)

Subject: The situation in Kosovo and protection of the cultural heritage

Members of the European Parliament recently received letters alerting them to the dangers of Kosovo's architectural and cultural heritage being destroyed in the event of conflict.

The writer of the letter, who also wrote to the Director-General of Unesco on behalf of the association he heads, believes that giving Kosovo's buildings, both Orthodox and Muslim, world heritage status could play an important part in preventing the situation from degenerating.

1. What is the Council's position on the granting of world heritage status to Kosovo's monuments?

2. If it is in favour of the granting of such status, does the Council intend making representations of any kind to Unesco?

Reply

(3 November 1998)

1. Article 128 of the Treaty establishing the European Community stipulates, inter alia, that:

> The Community and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture [...].

Implementation of this provision requires submission of a proposal from the Commission to the European Parliament and the Council. Since no such proposal concerning the question raised by the Honourable Member has been put to the Parliament and the Council, they cannot act officially in this context.

2. The Council is, however, aware of the threats to the architectural and cultural heritage in Kosovo. The question of the protection of sights and monuments of great cultural and/or religious value has been tackled on several occasions by the European Union in its proposals on the future status of Kosovo, in particular in the context of the Contact Group. The Council hopes that these representations will help towards a resolution of the present crisis and the safeguarding of Kosovo's architectural and cultural heritage.

(1999/C 96/151) **WRITTEN QUESTION P-2522/98**

by Karla Peijs (PPE) to the Council

(27 July 1998)

Subject: Use of statistics in the Stability Pact

Regulations (EC) 1466/97 [1] and 1467/97 [2] and the resolution on the Stability and Growth Pact [3] include provisions pursuant to which countries with a government deficit of more than 3 % are required to make a non-interest-bearing deposit which may, if the worst comes to the worst, be converted into a fine.

1. Can the Council indicate the point at which and on the basis of which statistics these decisions (the implementation of the excessive deficit procedure, the requirement to make a deposit or the imposition of a fine and the lifting of the excessive deficit procedure) will be taken under the Stability Pact?

2. Can the Council indicate what action will be taken should revised GDP figures result in a change in the amount of the deposit or fine? Can it confirm that the ultimate fine will be imposed on the basis of definitive figures? Can it confirm that, with regard to the ultimate establishment of GDP, reference will be made to Article 10(8) of Regulation (EEC) 1552/89 on the system of the Communities' own resources [4]?

3. Will the Council take measures before Economic and Monetary Union begins on 1 January 1999 in order to clarify how Regulation 1467/97 on the Stability Pact will apply to this issue, possibly by means of a Council Decision, in order to enhance confidence in the smooth functioning of the Stability Pact?

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[1] OJ L 209, 2.8.1997, p. 1.
[2] OJ L 209, 2.8.1997, p. 6.
[3] OJ C 236, 2.8.1997, p. 1.
[4] OJ L 155, 7.6.1989, p. 1.

Reply

(3 November 1998)

1. As regards the point at which the Council decides to impose a penalty under Article 104c(11) of the EEC Treaty, Regulation No 1467/97 provides in particular that it shall do so:

— within ten months of the date on which the participating Member State reports forecasts relating to its excessive government deficit if the State in question has not acted on the successive Council decisions provided for in Article 104c(7) and (9). An expedited procedure may be used in the event of a deliberately planned deficit; or

— immediately on the expiry of the time limits laid down in the Council's decision to give notice where the actual data communicated by the Member State in question show that the deficit recorded has not been corrected.

As regards the lifting of any sanctions imposed, Regulation No 1467/97 provides in particular that all outstanding sanctions are to be abrogated if the Council decides that an excessive deficit has been corrected.

2. As regards the basis of the data applicable to the calculation of sanctions, it is constituted in accordance with Regulation No 3605/93, by the actual GDP figures at market prices as defined in Article 2 of Directive 89/130/EEC, Euratom ([1]) in a manner consistent with the European System of Integrated Economic Accounts (ESA).

Obviously changes to those data might justify review of any sanctions imposed.

The provisions of Regulation No 1552/89 cited by the Honourable Member (Article 10(8)) concern the Communities' being provided with their own resources. It should be recalled, however, that the fines or deposits imposed pursuant to Article 104c(11) are not own resources strictly speaking but form part of the other resources referred to in Article 201 of the Treaty.

Although in this situation the aforementioned provisions and the other provisions applicable to own resources do not apply automatically to the case in point, there is no reason why those rules should not be taken as a basis in the event of review of the fines or deposits imposed.

3. As regards the third question, no proposal in the area referred to is before the Council at present. It should, however, be recalled that the Council provided some clarification concerning the Stability Pact in the statement by the Ecofin Council and the Ministers meeting within that Council adopted on 1 May 1998 ([2]), particularly in part 5.

([1]) OJ L 49, 21.2.1989, p. 26.
([2]) OJ L 139, 11.5.1998, p. 25.

(1999/C 96/152)

WRITTEN QUESTION E-2525/98

by Graham Watson (ELDR) to the Commission

(1 September 1998)

Subject: Cross-border 'junk mail'

As cross-border 'junk-mail', i.e. bogus lotteries and false competitions, is now a widespread phenomenon throughout the European Union, does the Commission intend to take action to reduce the perpetuation of such a problem?

Answer given by Mrs Bonino on behalf of the Commission

(13 October 1998)

The Commission has no specific information on the extent of cross-border 'junk mail' relating to bogus lotteries and false competitions.

At present, the organisation of cross-border lotteries falls under the provisions of Article 59 of the EC Treaty et seq. as interpreted by the Court of justice in the 'Schindler' judgement (case C-275/92). In accordance with this judgement and given the peculiar nature of lotteries which involves a risk of crime or fraud, it is justified that national authorities have a sufficient degree of latitude to determine what is required to protect the players and to maintain order in society. In those circumstances, it is for them to assess if it is necessary to prohibit or restrict the activities of lotteries, provided the restrictions are not discriminatory.

Besides, Directive 97/7/EC of the Parliament and of the Council of 20 May 1997 on consumer protection with respect to distance contracts ([1]), which is to be brought into force by the Member States no later than 3 June 2000, provides for restrictions on the use of certain means of distance communication. According to Article 10(1), the prior consumer consent is required for a supplier's use of automatic calling machines and facsimile machines. Article 10(2) stipulates that 'Member States shall ensure that means of distant communication, other than those referred to in paragraph 1, which allow individual communication may be used only where there is no clear objection from the consumer.'

The Commission considers that these restrictions, provided that appropriate implementing measures are taken at the national level, represent an adequate legal basis for effectively dealing with situations such as those indicated by the Honourable Member.

(1) OJ L 144, 4.6.1997.

(1999/C 96/153) **WRITTEN QUESTION E-2527/98**

by Graham Watson (ELDR) to the Commission

(1 September 1998)

Subject: Political oppression in Burma

As the military dictatorship of Burma has carried out countless atrocities against the Burmese people and the population of the country lives in extreme poverty despite an abundance of natural resources, what action does the Commission intend to take?

Would the Commission advocate the imposition of economic and financial sanctions against the Burmese government?

Answer given by Mr Marín on behalf of the Commission

(28 September 1998)

The Commission continues to press its partners to urge the government in Burma to engage in a substantive dialogue with the opposition. In particular, this has been an important issue in recent discussions with its Association of South East Asian nations (ASEAN) partners.

Under the common position, co-operation with Burma remains suspended and will continue to be so until substantial progress is made towards democratisation and the respect of human rights. Only humanitarian programmes will be funded.

In addition, outside the political framework, it has to be recalled that the Union has temporarily withdrawn Burma's access to the tariff preferences granted within the framework of the schemes of generalized tariff preferences (GSP) because of the practice of forced labour (Council Regulation (EC) 552/97 of 24 March 1997 (1)).

The Union has decided to keep additional measures under consideration, whilst prolonging the common position on Burma. The decision regarding the imposition of further sanctions against the Burmese government has to be taken under the Common foreign and security policy (CFSP) framework and not by the Commission alone.

(1) OJ L 85, 27.3.1997.

(1999/C 96/154) **WRITTEN QUESTION E-2530/98**

by Graham Mather (PPE) to the Commission

(1 September 1998)

Subject: Contacts for Commission information campaigns

Has the Commission purchased, in the last five years, research, polling or consultancy services from the company Carville, Greenburg and Gould/NOP, or the UK-based organisations 2010 or the Foreign Policy Centre?

Answer given by Mr Oreja on behalf of the Commission

(30 September 1998)

The Commission has no knowledge of having engaged the services of the companies referred to in the Honourable Member's question.

(1999/C 96/155)

WRITTEN QUESTION E-2535/98

by André Fourçans (PPE) to the Council

(1 September 1998)

Subject: Operation of European financial markets

The advent of the euro will result in the increasing integration of Europe's financial markets. The recent announcement of an alliance between the London and Frankfurt stock exchanges is an early indication of this.

Within this new framework which will gradually be established, does the Council consider that a greater harmonization of the rules governing the operation of European financial markets is needed or rather that a European monitoring institution should be set up, modelled on the Security and Exchange Commission in the United States?

Reply

(3 November 1998)

It should be noted that the European Council meeting in Cardiff in June 1998 invited 'the Commission to table a framework for action by the time of the Vienna European Council to improve the single market in financial services, in particular examining the effectiveness of implementation of current legislation and identifying weaknesses which may require amending legislation'.

Accordingly, the Commission recently submitted a proposal for a European Parliament and Council Directive on the taking up, the pursuit and the prudential supervision of the business of electronic money institutions.

In addition, following its initial Action Plan for the Single Market, the Commission has just submitted two proposals for European Parliament and Council Directives amending Directive 85/611/EEC relating to undertakings for collective investment in transferable securities (UCITS).

At present, the Council has no other Commission proposals before it on European harmonisation in the banking and stock exchange sector.

(1999/C 96/156)

WRITTEN QUESTION E-2538/98

by Cristiana Muscardini (NI) to the Council

(1 September 1998)

Subject: Pensions and politicisation of the European civil service

The independence of the European civil service is a sign of transparency and democracy. The basic provisions governing that civil service are the Staff Regulations of Officials and Other Servants, which are applied by the Council by means of legislative acts. As a result, any decision taken by any institutional authority without the Council's agreement has no legal force, no legal basis and is, above all, against the spirit of those regulations.

Can the Council therefore:

1. provide genuine career planning for officials based on the criteria of transparency and democracy?

2. immediately make appointments to the vacant posts in high grades in the EP's establishment plan and comply with the principle that priority should be given to staff in the institution in which the appointment is being made, putting an end to inter-institutional transfers for which there is at present no justification?

3. arrange for all the expenditure necessary for the proposed purchase of the buildings in Brussels and Strasbourg and undertake as a priority to ensure sufficient funding for the budget items relating to staff?

4. shelve the proposal to create a fund to finance future pensions, given that sizeable payments have already been made by all officials to fund their own pensions (8,25 % of their monthly salary) and that the supplementary payments made by the Member States would be sufficient to guarantee the pension scheme, without threatening to reduce the budget items relating to pensions?

Reply

(22 October 1998)

The Council would remind the Honourable Member that, pursuant to Article 24 of the Treaty establishing a single Council and a single Commission of the European Communities, the Staff Regulations of officials and the Conditions of Employment of other servants of the European Communities are laid down by the Council, acting by a qualified majority and after consulting the other institutions concerned.

To date the Commission has not placed any proposal before the Council on either the creation of a fund to finance pensions or amendments to the provisions relating to the career of officials.

The Council points out that, pursuant to Article 29 of the Staff Regulations, the implementation of procedures for filling vacant posts in an institution is a matter for that institution's appointing authority.

The expenditure referred to in point 3 of the Honourable Member's Question concerns Section I of the European Communities' General Budget and is the subject of budgetary decisions taken by the European Parliament as part of its administrative autonomy.

(1999/C 96/157) **WRITTEN QUESTION E-2539/98**

by Cristiana Muscardini (NI) to the Commission

(1 September 1998)

Subject: Pensions and the politicisation of the European civil service

The independence of the European civil service is a sign of transparency and democracy. The basic provisions governing that civil service are the Staff Regulations of Officials and Other Servants, which are applied by the Council by means of legislative acts. As a result, any decision taken by any institutional authority without the Council's agreement has no legal force, no legal basis and is, above all, against the spirit of those regulations.

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Answer given by Mr Liikanen on behalf of the Commission

(30 September 1998)

1. As part of its reform programme, MAP 2000, adopted on 24 September 1997, the Commission has embarked on whole range of activities to improve the career development of its officials (recruitment, integration into departments, promotions, competitions to change category, training). The work undertaken within the Commission and the various working parties representing the different departments, staff and the administration should shortly result in various proposals for the rationalisation, improvement, simplification and increased transparency of existing systems so that each official can manage his career more rewardingly and find greater satisfaction both in his work and in his working environment. However, career advancement depends primarily on the personal commitment of each official to it, and the Commission cannot programme careers.

2. The Commission must bear in mind that each institution is solely responsible for the appointments made in its departments and that the Commission can in no circumstances interfere in appointments made by Parliament or any other institution. Nor can it put an end to interinstitutional transfers, which are provided for in Article 29(1)(c) of the Staff Regulations of Officials of the European Communities.

3. The Commission understands that the proposed purchase of buildings in Brussels and Strasbourg is a reference to Parliament as an institution and that this is a matter for that institution. While, in the recent past, the Commission has made purchases and paid deposits on long-term building leases accompanied by purchase options as a result of the transfer of appropriations entered initially in budget items relating to staff, these operations had been approved by the budgetary authority and were made possible mainly by considerable gains over and above budget assumptions in the relationship between the ecu and the Belgian franc.

4. With regard to the request by the Honourable Member to shelve a proposal to create a fund to finance pensions, the Commission states that it has not yet made a proposal to that effect. The Commission would recall that, in response to a request by Parliament, it has undertaken a study of alternatives for financing the pension scheme for Community officials and servants, which is currently funded from the budget. Moreover, the Commission is aware of and accountable for the contributions made by way of deduction from the salary of every official and other servant with a view to financing their share of the scheme.

(1999/C 96/158) **WRITTEN QUESTION E-2540/98**

by Roberta Angelilli (NI) to the Commission

(1 September 1998)

Subject: Workplace (‘luogo di lavoro’)

Under Italian law, the protection of health and safety at work are governed by Legislative Decree No 626 of 19 September 1994 supplemented by Legislative Decree No 242 of 19 March 1996. In this context the prevention of accidents at the workplace (‘luogo di lavoro’) is particularly important. However, that expression can be used in a general sense to mean the place or premises where work is performed or in the specific sense of work station or production unit. An increasingly wide interpretation has been adopted in the case-law on accidents at work so that ‘workplace’ (‘luogo di lavoro’) has come to mean any place where there are work stations (‘posti di lavoro’) and any other place within the undertaking or production unit to which there is access for work purposes or in the course of work. The sole exceptions from the scope of the legislation are means of transport, temporary or mobile construction sites, the mining industries, fishing boats, fields, woods and other land forming part of a forestry estate but located away from the estate buildings. Some cases are, however, not so easy to determine: for example, a tram, albeit a means of transport, is in every respect the workplace of the tram driver contrary to the restrictive literal interpretation of the rule.

1. Can the Commission indicate what is meant by ‘workplace’ under the Community directives on the protection of health and safety at work?

2. If in the particular case of the driver the means of transport is not deemed to be his workplace, can the Commission indicate what his workplace is deemed to be?

Answer given by Mr Flynn on behalf of the Commission

(7 October 1998)

1. According to Article 2 of Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) ([1]), for the purposes of the application of this Directive '‘workplace’ means the place intended to house workstations on the premises of the undertaking and/or establishment and any other place within the area of the undertaking and/or establishment to which the worker has access in the course of his employment'.

The sectors excluded from the scope of this Directive by Article 1(2) thereof are covered by specific directives, with the exception of means of transport, concerning which the Council has yet to adopt a position on the proposal for a Directive forwarded by the Commission ([2]), and fields, woods and other land forming part of an agricultural or forestry undertaking.

2. The means of transport constitutes the workplace of its driver or pilot. However, this workplace is not covered by Directive 89/654/EEC because it is excluded by Article 1(2). Nevertheless, it is covered by the other relevant directives on health and safety at work, notably Framework Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ([3]).

([1]) OJ L 393, 30.12.1989.
([2]) COM(92) 234 final of 16.11.1992 and COM(93) 421 final of 1.10.1993 (amended proposal).
([3]) OJ L 183, 29.6.1989.

(1999/C 96/159) **WRITTEN QUESTION E-2544/98**

by Kirsten Jensen (PSE) to the Commission

(1 September 1998)

Subject: Allergies and intolerance

What initiatives will the Commission take in regard to intolerance of inhaling odours, chemicals and fumes (MCS)?

Have funds been earmarked for research into the origin of this form of intolerance?

Answer given by Mr Flynn on behalf of the Commission

(29 October 1998)

Heightened responses to chemicals at levels far lower than those at which most people respond are often referred to as, or associated with, chemical intolerance or multiple chemical sensitivity (MCS). In the absence of compelling scientific evidence on the relation between exposure to specific agents and health effects, surveys as to the existence and nature of conditions commonly named MCS have concluded that the lack of definitions and diagnosis presents the most important obstacle in collecting valid data on MCS. The Commission supported such work in 1994. In this context, the Honourable Member is also referred to the Commission's answer to Written Question E-2904/97 by Mrs Breyer ([1]). More generally, a rising prevalence of allergies and manifestations of allergic diseases can be observed throughout the Community. This has prompted the Commission to propose a public health action programme on pollution-related diseases by which it intends to tackle this problem, together with diseases linked to environmental pollution ([2]). Work on definitions and diagnosis on conditions such as MCS might be initiated under such a programme.

People working professionally with chemicals are covered by the Community legislation on health and safety at work, such as Council Directive 80/1107/EEC ([3]), 89/391/EEC ([4]), 90/394/EEC ([5]) and 98/24/EC ([6]). Such directives lay down minimum requirements under Article 118A which are to be applied in the workplace.

Within the programme on biomedicine and health research (Biomed 2, 1994-1998), namely under the area occupational and environmental health, research on allergies of public and occupational health importance is currently supported. This aims to improve the scientific knowledge needed to increase the safety and health protection of workers with an emphasis on the prevention of occupational diseases. Within the programme on environment and climate (1994-1998), research on identification of early indicators of health impairment from exposure to environmental pollutants is currently supported, including projects on indicators of metal sensitisation and health effects of air pollution.

In the Commission proposals for the fifth framework programme, research into diseases and allergies related to or influenced by the environment, and research into their treatment and prevention has been included in the key action 1 'health, food and environmental factors' within the thematic programme 'quality of life and management of living resources'.

(1) OJ C 134, 30.4.1998.
(2) OJ C 214, 16.7.1997.
(3) OJ L 327, 3.12.1980.
(4) OJ L 138, 29.6.1989.
(5) OJ L 196, 26.7.1990.
(6) OJ L 131, 5.5.1998.

(1999/C 96/160) **WRITTEN QUESTION E-2555/98**

by Johanna Maij-Weggen (PPE) to the Council

(1 September 1998)

Subject: The deteriorating situation in West Papua (now Indonesian province of Irian Jaya)

Is the Council fully informed about the situation in Irian Jaya (Indonesia), where seven persons have been killed by Indonesian forces since 1 July 1998 and scores of seriously wounded people taken to local hospitals in Biak and Sorong in particular, for no other reason than having demonstrated in favour of more autonomy and greater independence for their region?

Will the Council ask the Indonesian government to clarify these acts of violence and report to the European Parliament?

(1999/C 96/161) **WRITTEN QUESTION E-2569/98**

by Graham Watson (ELDR) to the Council

(1 September 1998)

Subject: Human rights in Indonesia

Following numerous human rights violations by Indonesian troops during the pro-democracy demonstrations held in Irian in May, June and July of this year, what action does the Council intend to take to ensure that human rights are respected in the region?

Joint answer
to Written Questions E-2555/98 and E-2569/98

(3 November 1998)

The Council is aware of the disturbances which have occurred in Irian Jaya in July 1998. Regarding these particular incidents, it has already been conveyed to the Indonesian authorities that the European Union expected that utmost restraint would be exercised and that new force would not be used. Furthermore the EU has welcomed the announced investigation of the incidents in Irian Jaya and expressed hopes for an early release of arrested persons.

(1999/C 96/162) **WRITTEN QUESTION E-2558/98**

by José Apolinário (PSE) to the Commission

(1 September 1998)

Subject: The NUTS and Agenda 2000

Can the Commission confirm the geographical distribution of the areas eligible under NUTS 2 for the UK, following the submission of Agenda 2000?

Answer given by Mr de Silguy on behalf of the Commission

(13 October 1998)

The Commission presented its proposals for Agenda 2000 ([1]) in July 1997. Its proposals for new regulations relating to the structural funds and the Cohesion fund for the period 2000-2006 were published in March 1998.

In mid-1995, the Statistical office of the Community (Eurostat) was informed by the Office for national statistics (ONS) of the United Kingdom that following a comprehensive reform in regional and local administration, significant changes would be proposed to the nomenclature of territorial units for statistics (NUTS) system.

The first draft proposal for reform of the NUTS in the United Kingdom was forwarded to the Commission for comment in mid-1996, followed by a formal proposal in June 1997. After examination of the technical merits of the proposals in the light of the underlying principles of the NUTS system, a new NUTS classification for the United Kingdom was agreed in June 1998. It involved very minor changes at the NUTS 1 level, a significant revision of the NUTS 3 regions with related changes at the NUTS 4 level, as well as more limited changes at the NUTS 2 level.

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

(1999/C 96/163) **WRITTEN QUESTION E-2567/98**

by Peter Truscott (PSE) to the Council

(1 September 1998)

Subject: Respite and shared care for disabled adults

Could the Council please clarify the following points about respite and shared care for disabled adults in the EU. What EU regulations relate to the standards for respite and shared care for disabled adults across Europe? What regulations exist for standards in day care facilities for disabled adults? And finally, how does the standard of provision compare between Member States?

Reply

(22 October 1998)

The Council would like to inform the Honourable Member that there is no legislation at Community level in the fields to which his question refers. The Commission has not submitted any proposals on that subject to the Council.

(1999/C 96/164) **WRITTEN QUESTION E-2570/98**

by Patricia McKenna (V) to the Commission

(1 September 1998)

Subject: Environment statistics database

I am informed that the European Commission now has a new environment statistics database which is currently only available for use by the Commission and cannot be accessed by the European Parliament.

Can the Commission confirm whether such a database exists? What environmental statistics are contained in this database? When, if at all, it is planned that Members of the European Parliament should have access to this database? Why were Members not immediately informed of and given access to this database?

Answer given by Mr de Silguy on behalf of the Commission

(6 October 1998)

The Commission has no environment statistics data base which is accessible by policy-making departments of the Commission but not by the Parliament. In fact, environment data on Union, EFTA and candidate countries, once verified by Eurostat, is transferred to New Cronos, which is the general dissemination data base of Eurostat, equally accessible for Commission and Parliament staff.

The Honourable Member may be referring to the internal Eurostat database ENVSTAT, which has been set up for Eurostat's internal production purposes only and contains a mix of validated and non-validated data. This database is accessible exclusively to Eurostat staff responsible for correcting and completing the data. Once the data is completed and released, it is transferred to the New Cronos data base as described above.

(1999/C 96/165) **WRITTEN QUESTION E-2580/98**

by Bárbara Dührkop Dührkop (PSE) to the Council

(1 September 1998)

Subject: Right of European citizens to vote in local elections in Belgium

Following the decision of the Court of Justice of 9 July 1998 finding against Belgium for not having incorporated the implementing directive for Article 8b(1) of the Treaty, concerning the right of all European citizens, including those living in a Member State other than their Member State of origin, to vote in local elections, what measures does the Council intend to adopt to guarantee the right of all European citizens residing in Belgium to vote in the local elections to be held there in October 2000?

Reply

(19 October 1998)

As the Honourable Member is aware, it is for the Court of Justice, pursuant to Article 164, to ensure that the law is observed in the interpretation and application of the Treaty, while it is for the Commission to ensure that Community law is duly applied, in keeping with Article 155. Pursuant to Article 171, it is also the Commission's duty to act should a Member State fail to take the necessary measures to comply with a judgment of the Court of Justice.

(1999/C 96/166) **WRITTEN QUESTION E-2583/98**

by José Barros Moura (PSE) to the Commission

(1 September 1998)

Subject: Practical aspects of the free movement of persons

Two citizens of different Member States (an Italian woman and a Portuguese man) decide to get married or live together. Accordingly, one of the two is obliged to move to the Member State of the other, giving up his or her job or taking leave on personal grounds or some similar arrangement. In most circumstances, the partner who moves will inevitably have difficulties in achieving integration, in terms of circumstances and opportunities, in the host country.

Is it possible, given the particular and specific nature of this situation, to recognise at Community level the right of such citizens to retain their existing welfare entitlements (especially as regards medical assistance) in their Member State of origin, irrespective of which Member State they are living in at the moment when they need to make use of those entitlements?

As far as medical assistance is concerned, it ought not to be necessary to resort to the cumbersome red tape entailed by forms E111 and E112; in the case of the latter, eligibility is dependent on a long-winded procedure.

Where it is necessary to resort to form E112, should it not be possible, in the case of the woman concerned, for instance to be able to return, when she decides to have a child, to her country of origin and give birth to the child there, in order to be near her immediate family (i.e. her parents) and on emotional and human grounds?

A further question arises in relation to form E112: should one of the partners concerned, at a certain age, have problems that necessitate an operation and therefore require regular check-ups by his or her personal or family doctor, or treatment of a specific nature, should that person not be able to exercise the right to return to his or her Member State of origin without having to go through the E112 procedure? Equally, should the costs of treatment not be borne by the Member State of origin rather than that of residence?

Answer given by Mr Flynn on behalf of the Commission

(9 October 1998)

The social security systems of the Member States are coordinated by Council Regulations (EEC) 1408/71 and 574/72 ([1]). It must be noted, however, that the Regulations only aim at coordinating and not harmonising the national social security schemes. Member States are free to decide which benefits they provide and how they organize or finance their different social security systems.

A person who, following marriage to a citizen of another Member State, moves to the Member State of the spouse will usually become entitled to protection in the field of health care in the new Member State of residence. If the person concerned wants to return to his Member State of residence in order to seek special medical treatment the rules in Regulation (EEC) 1408/71 require a prior authorization by the health care system in the Member State of residence. If the person receives prior authorization (form E 112) the Member State of residence guarantees to cover the costs as if the person were entitled to the benefits in the Member State where the treatment is sought.

The Administrative commission on social security for migrant workers has previously considered the possibility of reaching a common interpretation under which the delivery of a child in another Member State would automatically be treated as a case of urgent need. This would mean that prior authorisation via form E 112 would no longer be required. Unfortunately it was not possible to achieve unanimous agreement on this issue. There was concern with the fact that the Member State of residence would be obliged to reimburse to the other Member State the full medical costs of the birth, even where these costs were considerably higher than in their own system.

([1]) Amended and updated by Regulation (EC) 118/97 — OJ L 28, 30.1.1997.

(1999/C 96/167) **WRITTEN QUESTION P-2587/98**

by Otto von Habsburg (PPE) to the Commission

(29 July 1998)

Subject: Advertising for automobiles and motorcycles

According to a report in a leading German newspaper, the Commission has drawn up a proposal to restrict automobile and motorcycle advertising on the grounds that such forms of transport are dangerous, as evidenced by the large number of accidents involving them.

1. Is this true or is it a typical piece of disinformation by the anti-European lobby?

2. If the report is true, what is the justification for this proposal which threatens to undermine economic freedom and would really be only a further step towards a socialist bureaucracy?

3. What action will the Commission take to prevent further outbreaks of dirigistic lunacy?

Answer given by Mr Kinnock on behalf of the Commission

(23 September 1998)

The Commission has absolutely no intention of introducing a ban on car advertising as erroneously reported in some German newspapers.

In several Member States voluntary codes of conduct are applied which encourage advertising agencies and their customers, the car industry, to limit advertisements that could be considered to be linked to dangerous behaviour on the road. Various public discussions about the possibilities of applying such a voluntary code throughout Europe may have led to misunderstanding on the part of some journalists, particularly those who did not take the trouble to make enquiries to various voluntary organisations, public authorities and the Commission before writing their stories.

(1999/C 96/168) **WRITTEN QUESTION E-2588/98**

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

(1 September 1998)

Subject: Unpublished declarations to minutes of Council meetings

Are there any declarations to the minutes of Council meetings that were not published in 1997 and 1998 and, if so, how many and on what subjects?

Reply

(9 November 1998)

1. In 1997, 361 statements for the minutes of Council meetings at which legislative acts were adopted were published.

However, on 20 January 1997 when the Council adopted Directive 97/3/EC amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ([1]), one statement was not published.

2. In the first six months of 1998, 170 statements for the minutes of Council meetings at which legislative acts were adopted were published.

However, on 23 March 1998 when the Council adopted:

— a Council Decision on the conclusion on behalf of the Community of the Convention on Transboundary Effects of Industrial Accidents, one statement was not published;

— a Council Decision on the conclusion by the European Community of the Protocol to the 1979 Convention on long-range transboundary air pollution on further reductions of sulphur emissions, two statements were not published.

As the Honourable Member can see, 99,72 % of statements were published in 1997 and 98,24 % in the first half of 1998.

([1]) OJ L 27, 30.1.1997, p. 30.

(1999/C 96/169) **WRITTEN QUESTION E-2589/98**

by Herbert Bösch (PSE) to the Council

(1 September 1998)

Subject: School trips within the European Union

At present, school trips within the European Union made by classes which include pupils who are not nationals of an EU Member State entail a disproportionate degree of bureaucracy and expense.

When a secondary school class from Dornbirn was planning a trip to other EU States, a list of pupils first had to be drawn up and passports and visas checked.

Those pupils from non-EU countries who did not have their own passports with valid visas had to provide an up-to-date photograph. The completed EU pupil travel forms, accompanied by photographs, had to be checked again by computer at the local authority offices and certified against payment of a fee.

1. Has the Council previously been made aware of complaints about the disproportionate bureaucracy involved in school trips within the EU? What has already been done regarding this issue?

2. What proposals are on the table and what initiatives has the Council undertaken or does it intend to take?

3. Would a certificate issued by the school management not be sufficient for cross-border travel within a united Europe?

4. When can schools in the EU expect to see a simplification of this bureaucracy?

Reply

(9 November 1998)

1. The Council has not received any complaints from citizens about school trips.

2. On 30 November 1994 the Council, considering that the granting of travel facilities for school pupils who are legal residents in a Member State is an expression of a common will to improve the integration of third-country nationals, adopted a Decision on a joint action concerning travel facilities for school pupils from third countries resident in a Member State ([1]). The aim of the joint action is to eliminate the visa obligation for pupils who are nationals of a non-member country residing in a Member State and who request admission to the territory of another Member State, either for a short stay, in transit or in the context of a school trip.

3. The aforementioned joint action stipulates that the list of pupils must be signed by the headmaster/headmistress of the school and certified by the authority responsible for matters relating to aliens. However, it is for the competent authorities of the Member State of departure to authenticate the list for the purpose of confirming that those participating in the trip have the right of re-entry to the territory of that State.

4. The Council periodically evaluates the said joint action. In the light of the results of such evaluations, the Council does not, at this time, feel that it is necessary to amend the legal arrangements applicable to such trips.

([1]) OJ L 327, 19.12.1994, p. 1.

(1999/C 96/170) **WRITTEN QUESTION E-2596/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(1 September 1998)

Subject: Take-up rate of appropriations from Structural Funds and Cohesion Fund

What is the overall take-up to date of appropriations (absolute amounts and percentages) from the Structural Funds and the Cohesion Fund by each Member State: in relation to the total amount of appropriations for the current period (1994-1999), and in relation to the schedule up to the present point in time?

Supplementary answer
given by Mr Liikanen on behalf of the Commission

(16 October 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.

(1999/C 96/171) **WRITTEN QUESTION E-2598/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(1 September 1998)

Subject: Failure of Libya to pay off debts owed to Greek construction firms and other commercial enterprises

Since 1980, the Libyan Government has owed a number of Greek construction companies and other commercial enterprises the sum of US$ 644 000 000 for work carried out in Libya, which has never been repaid on a regular basis and ceased to be repaid at all once the embargo was imposed. Meetings between the Greek Ministry for Economic Affairs and a Libyan State Commission to discuss the issue have proved fruitless, despite the fact that the Libyan Government itself agrees that it owes a substantial portion of the amount claimed by the companies. In view of the fact that other companies from other Member States of the Union (Germany, Italy, etc.) are in the same position, will the Commission say whether it will take any action that might resolve this problem?

Answer given by Mr Marín on behalf of the Commission

(23 September 1998)

The Commission has taken note of the Libyan Government's failure to pay its debts to Greek companies since the embargo was imposed. However, the terms of its exclusive competence for economic and social affairs under the first pillar do not give it any legal power to intervene in this matter, in the absence of any contractual ties between the Community and Libya.

Recent developments in the Lockerbie case, and the possibility of a suspension of the embargo by the United Nations Security Council, might create a new basis for resolving the problem of Libya's cessation of bilateral payments to the Member States concerned. Should such efforts prove fruitless, the Commission is willing, within its sphere of competence, to support any démarches undertaken by the Member States concerned through the appropriate European institutions.

(1999/C 96/172) **WRITTEN QUESTION E-2599/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(1 September 1998)

Subject: Progress with implementation of Community Support Framework for Greece

The Community Support Framework (CSF) for Greece is a little less than a year and a half away from its scheduled date of expiry.

Will the Commission say what amounts and percentages of the appropriations allocated for the CSF for Greece have been disbursed to date:

1. in relation to the budget allocated for the whole of the operational period of the CSF (1994-1999),

2. in relation to the budget for the period from the commencement of the programme until the present time (July 1998), and

3. in relation to each operational programme jointly funded under the CSF for Greece?

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

(9 October 1998)

On 1 September 1998, payments under the current Community Support Framework (CSF) for Greece amounted to ECU 7 213 million out of a planned total of ECU 13 933 million. This represents 52 % of the funding programmed for the entire 1994-1999 period and 68 % of that programmed up to the end of 1998.

A great improvement is usually expected in the last three months of the year, given that expenditure is normally concentrated towards the year-end. The Commission stresses that the commitments under the CSF must be undertaken before 31 December 1999, although the payments can legitimately continue beyond this date.

The Commission is sending direct to the Honourable Member and to the Parliament Secretariat a table detailing the payments for each operational programme and the percentages they represent.

(1999/C 96/173) **WRITTEN QUESTION E-2600/98**

by Anna Karamanou (PSE) to the Council

(1 September 1998)

Subject: Violence and sexual harassment at the workplace

A recent report by the International Labour Organization reveals that threats, physical violence and sexual harassment are the main causes of insecurity among workers. The ILO report states that, in Europe, the percentage of women who are subjected to physical assault at the workplace is almost twice the corresponding figure for men, while, in the UK, the number of workers who receive threats is over 53 %. In particular, psychological harassment has assumed alarming proportions in the western world, especially in Austria, Denmark, the UK, Germany and Sweden. As regards sexual assault, France is the world leader, with 20 % of working women having been victims of sexual harassment. In what ways does the Council intend to intervene and what measures does it propose to take to deal with this serious problem?

Reply

(22 October 1998)

The Council would inform the Honourable Member that in March 1997 the Commission launched the second stage of consultation of the social partners on sexual harassment at the workplace. The Council has so far not yet received a formal proposal on the matter from the Commission.

In connection with the question put, the Council would also point out to the Honourable Member that on 9 July 1998 it received from the Commission a proposal for a Decision on a medium-term Community action programme on measures providing a Community-wide support to Member States' action relating to violence against children, young persons and women (the Daphne Programme) (2000-2004). That proposal will shortly be examined by the Council's bodies.

(1999/C 96/174) **WRITTEN QUESTION E-2607/98**

by Patricia McKenna (V) to the Commission

(1 September 1998)

Subject: European Court of Justice

The judgment of the European Court of Justice in Case C-321/95P has been described as 'an unfortunate situation detrimental to the rule of law' by the Belgian Environment Minister. It results in a situation whereby defenders of collective rights are barred from the outset from challenging the decisions of EU institutions, resulting in a serious vacuum in judicial protection in issues of collective interest.

Does the Commission accept that this ruling presents a serious challenge to democracy and subsidiarity in the European Union?

In Case C-321/95P, Greenpeace, plus other organisations and individuals tried to challenge the Commission's decision to continue Community financing of two oil-fired power stations, the construction of which had begun before an environmental impact assessment had taken place. The project was therefore in breach of Directive 85/337/EEC ([1]) and Community decision C(91) with regard to structural funds.

Is it not completley unacceptable that, in circumstances where collective rights are in question, this ruling allows the EU to act without groups and organisations having legal redress.

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

(1999/C 96/175)

WRITTEN QUESTION E-2688/98

by Kenneth Collins (PSE) to the Commission

(1 September 1998)

Subject: Access to justice

Bearing in mind the recent court judgment in Case C321/95P Greenpeace and others v Commission where:

1. the Court of First Instance maintained a rigid interpretation of Article 173 of the EC Treaty,

2. and which the Court of Justice in its subsequent ruling of 2 April found that the Commission's action in this case affected public participation rights only indirectly, and that such rights can be protected at national level,

3. which implies that the Community's citizens are unable to challenge infringements of Community law unless it has a direct effect upon them,

can the Commission indicate what action is being taken to fill the legal vacuum created by Article 173 and when the citizens of the European Community may expect to be able to enjoy the right of access to justice in the context of Community law

Joint answer
to Written Questions E-2607/98 and E-2688/98
given by Mr Santer on behalf of the Commission

(13 October 1998)

The conditions of admissibility of actions brought by individuals to have Parliament and Council instruments, Council instruments, or Commission instruments annulled are governed by the fourth paragraph of Article 173 of the EC Treaty.

The Commission would point out that this legal remedy is available not only to the Member States and the other institutions, but also to individuals who are directly and individually concerned. Consequently, there is no legal vacuum here.

The Commission would also refer the Honourable Member to the answer to Written question E-606/97 by Mr Salafranca Sánchez-Neyra ([1]).

In its report on certain aspects of the application of the Treaty on European Union, drawn up at the request of the Corfu European Council on 24 and 25 June 1994 in preparation for the intergovernmental conference intended to revise the treaties, the Court said that 'it may be asked ... whether the right to bring an action for annulment under Article 173 of the EC Treaty (and the corresponding provisions of the other Treaties), which individuals enjoy only in regard to acts of direct and individual concern to them, is sufficient to guarantee for them effective judicial protection against possible infringements of their fundamental rights arising from the legislative activity of the institutions' (point 20 of the report). The intergovernmental conference which adopted the Treaty of Amsterdam discussed the matter, but the provision in question was not amended on this point by the Amsterdam Treaty.

([1]) OJ C 367, 4.12.1997.

(1999/C 96/176)

WRITTEN QUESTION E-2616/98

by Johanna Boogerd-Quaak (ELDR) and Laurens Brinkhorst (ELDR) to the Council

(1 September 1998)

Subject: International child pornography scandal

A shocking quantity of child pornography was found in Zandvoort (Netherlands) in July 1998. The accused had been disseminating pictures of sex — including sex with babies — via the Internet. He is allegedly part of an international network producing and selling child pornography. Some of this information was made know to the Belgian and Dutch police by private individuals.

1. Does the Presidency intend to put the question of child pornography, and in particular a European network of hotlines with the Commission playing a coordinating role, on the agenda of the next General Affairs Council after the Summer recess?

2. What proposals does the Presidency have for making Interpol not only responsible for an exchange of information but also more effective in the actual fight against child pornography, not least via the Internet, particularly now that private individuals have proved how an international porn network can be exposed effectively and efficiently?

3. What action has the Presidency already taken towards establishing a convention, under the auspices of the United Nations, against child pornography on the Internet?

Reply

(20 November 1998)

1. The Council meeting on 5 October 1998 and the European Conference meeting held on 6 October enabled major progress to be made in the fight against child pornography.

In particular, the Council on 5 October adopted conclusions aimed at completing as rapidly as possible current work on the draft joint action on the fight against child pornography on the Internet. This action which was presented by the Austrian Presidency at the Council in August 1998 has been submitted to the European Parliament.

The Council also decided to speed up work on the Community Action Plan on promoting safe use of the Internet and protection against illegal and harmful contents on the Internet and on the Daphne programme on measures relating to violence against children, young persons and women.

2. The Council intends to extend Europol's brief with regard to the trafficking of human beings as rapidly as possible. It will be remembered that the Council had extended the mandate of the Europol Drugs Unit to include the prevention and fight against trafficking in human beings by means of a joint action dated 16 December 1996 ([1]). At its meeting on 4 and 5 December 1997, the Council furthermore reached agreement on amending the definition of traffic in human beings as contained in the Annex to the Europol Convention so as to include the production, sale and distribution of child pornography material.

Mention should also be made of the Joint Action of 24 February 1997 ([2]) to combat trafficking in human beings and sexual exploitation of children. At the meeting of the European Conference on 6 October 1998, a decision was taken to examine whether and how the measures provided for under this action could be extended to all States taking part in the European Conference.

3. As regards talks on future United Nations Conventions, the Presidency proposes that the Council define a common position:

(a) on the draft United Nations Convention on the suppression of organised transnational crime which it hopes will cover the fight against child pornography;

(b) and as regards the fight against the production of child pornography material (before its dissemination on the Internet), on the draft optional Protocol to the Convention on the rights of the child relating to child prostitution and child pornography.

The Presidency also fully supports the ongoing negotiations on an ILO Convention for the elimination of the most heinous forms of child labour and in particular the inclusion of child pornography in its definitions.

4. Finally, the Member States are working in close cooperation with Interpol in the fight against child pornography.

(1) OJ L 342, 31.12.1996, p. 4.
(2) OJ L 63, 4.3.1997, p. 2.

(1999/C 96/177) **WRITTEN QUESTION E-2617/98**

by Sören Wibe (PSE) to the Commission

(1 September 1998)

Subject: Commission policy on public opinion

In the Swedish Government, for example, it is considered impossible in principle for a member of the government to express a view which contradicts the political line adopted by the Swedish Government.

What is the position within the Commission? Can a commissioner take a different political line from the one adopted by the Commission as a whole ahead of a government conference, for example? Can a commissioner take a liberal line on drugs if the Commission as a whole does not advocate such a policy?

Answer given by Mr Santer on behalf of the Commission

(20 October 1998)

The Commission would point out that it adopts its positions in accordance with the conditions laid down in the Treaties. They reflect the will of the Members of the Commission as a whole, and only these are binding on them.

The Commission has had the occasion to recall in reply to written and oral questions by Members of Parliament (1) that its Members exercise a political function and, while honouring the obligations imposed by the function, remain free to express their personal opinions quite independently and on their own responsibility.

(1) For example, reply from President Rey to oral question No 10/68 by Mr Habib-Deloncle, and Commission replies to Written Questions Nos 44/83 by Mr Bendebien, 1682/85 by Mr Vandemeulebroucke, and 1404/97 by Mr Pasty, OJ C 55, 10.3.1986; OJ C 391, 23.12.1997.

(1999/C 96/178) **WRITTEN QUESTION E-2618/98**

by Sören Wibe (PSE) to the Commission

(1 September 1998)

Subject: Team Europe

What is the annual budget for the Commission's Team Europe information activities? Can the Commission account for the content of the estimate of expenditure for Team Europe?

Answer given by Mr Oreja on behalf of the Commission

(1 October 1998)

The global annual budget for Team Europe according to the contract with Deloitte and Touche as approved by the Commission is ECU 956 413. This covers the running of the Team Europe information service. However, as the contractor is only being paid for actual expenses, the budget for 1997-1998 is just above ECU 670 000. A copy of the contract with Deloitte and Touche for support to the members of Team Europe is sent direct to the Honourable Member and to the Parliament's Secretariat.

The Team Europe 1997 activity questionnaire gives a very good picture of the members' activities and which audiences they reach. In 1997, the members of Team Europe were in direct live contact with over 300 000 people, who had the opportunity to question them and receive answers about Community policy. The report together with a summary is sent direct to the Honourable Member and to the Parliament's Secretariat.

Finally, Team Europe has just undergone an external evaluation and the Commission is awaiting the evaluation report, which naturally will be available to the Honourable Member.

(1999/C 96/179) **WRITTEN QUESTION E-2624/98**

by Marlies Mosiek-Urbahn (PPE) to the Commission

(1 September 1998)

Subject: Programme for senior citizens based on the 'European voluntary service for young people'

The European voluntary service for young people between the ages of 18 and 25 is extremely popular; every year the European Commission finds placements for young people in the social sector, to give them the opportunity to spend a year working in another EU country gaining experience in the areas of the arts, environment, rural development, equal opportunities, health and so on.

Senior citizens would also be very interested in the setting up of a similar programme to allow older people to spend a year doing voluntary work in another EU country with financial support from the EU so that they could get to know the country, its culture, language and people. Does the Commission plan to extend the successful voluntary scheme for young people to those over the age of 55?

Answer given by Mme Cresson on behalf of the Commission

(8 October 1998)

The European voluntary service programme which has been recently adopted (Decision No 1686/98/EC of the Parliament and the Council of 20 July 1998 establishing the Community action programme 'European voluntary service for young people' ([1])) aims to provide young people aged between 18 and 25 with an educational experience outside formal education schemes.

The Commission has no plans at the moment to initiate a similar programme for older people. However, the Commission does recognise the importance of voluntary action as part of an active approach to ageing.

The Commission is currently preparing a communication on issues affecting older people, including active ageing. This should be ready by the end of the year in time to feed into the policy debate surrounding the United Nations international year which, in 1999, has the theme of 'Towards a society for all ages'.

([1]) OJ L 214, 31.7.1998.

(1999/C 96/180) **WRITTEN QUESTION E-2637/98**

by Otto von Habsburg (PPE), Hiltrud Breyer (V), Charles Goerens (ELDR), Klaus-Heiner Lehne (PPE), Claudia Roth (V), Wilmya Zimmermann (PSE) and Karl Habsburg-Lothringen (PPE) to the Commission

(1 September 1998)

Subject: Visa requirement for Bulgaria and Romania

1. How, in the Commission's opinion, can the strategy for bringing Bulgaria and Romania closer to the European Union be reconciled with the visa requirement for their nationals?

2. Is the Commission aware of the sometimes unreasonable conditions under which visas are issued to Bulgarian and Romanian nationals for entry into a Member State of the EU? Does the Commission intend to ease the requirements and conditions for the issue of such visas and to abolish them in the foreseeable future?

3. Does the Commission regard the proportion of Roma people in the two countries as an obstacle to the removal of the latter from the common list compiled pursuant to Article 100c of the Treaty establishing the European Community? If so, why?

Answer given by Mr Monti on behalf of the Commission

(10 November 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/181) **WRITTEN QUESTION E-2642/98**

by John McCartin (PPE) to the Commission

(1 September 1998)

Subject: Coordination of action in Sudan

Does the Commission consider that there is any coordination of action between national governments of the Member States active in the Sudan in the relief of the famine and does it consider that such coordination could improve the effectiveness of their efforts?

Answer given by Mrs Bonino on behalf of the Commission

(17 September 1998)

Most humanitarian assistance for those affected by war and drought in Sudan is channelled through organisations (United Nations or non governmental organisations (NGOs)) working under the umbrella of Operation Lifeline Sudan (OLS). OLS is a coordination mechanism, as well as a legal framework.

Under OLS auspices, regular coordination meetings are held, both in Khartoum and in Nairobi. Some of these meetings are exclusively for donors, including Member States. In the view of the Commission, such meetings serve to ensure a reasonable level of coordination between donors.

On a more general level, a revised system for exchange of information between the Commission and the Member States on funding decisions for humanitarian assistance was introduced in 1997. This system aims to strengthen coordination by means of a 48 — hour turn-around retransmission on Internet of funding decisions and statistics.

(1999/C 96/182) **WRITTEN QUESTION E-2644/98**

by John McCartin (PPE) to the Commission

(1 September 1998)

Subject: Coordination of NGO action in Sudan

Can the Commission state which NGOs using EU resources are active in the Sudan in the area of famine relief and whether there has been any effort at EU level to coordinate the work of these NGOs?

Answer given by Mrs Bonino on behalf of the Commission

(17 September 1998)

The following agencies and non governmental organizations (NGOs) are already supported by the Commission for feeding programmes and food distribution in Sudan: United Nations World food programme, United Nations international children's fund (UNICEF), Médecins sans Frontiéres (Belgique), Medair (CH), Save the Children (United Kingdom), Care International, Dutch InterChurch Aid, and Oxfam (United Kingdom). New allocations are expected to be confirmed shortly for the following additional organisations, also for feeding programmes: International Committee of the Red Cross, International Rescue Committee (United States), Care (Germany), Médecins sans Frontiéres (the Netherlands), Médecins sans Frontiéres (Switzerland), Merlin (United Kingdom), and Action contre la Faim (France).

The following other organisations are also supported by the Commission to provide vital humanitarian assistance in Sudan, but in sectors other than feeding programmes and food distribution (health, distribution of relief items, and food security programmes such as animal health, fishing equipment, seeds and tools): German Red Cross, Goal (Ireland), Pharmaciens sans Frontiéres (France), COSV (Italy), Médecins du Monde (France), International Aid Sweden, Vétérinaires sans Frontiéres (Switzerland), Vétérinaires sans Frontiéres (Belgique), Intermon (Spain), Hôpital sans Frontiéres (France) and International Rescue Committee (Spain).

(1999/C 96/183) **WRITTEN QUESTION E-2647/98**

by Edward Newman (PSE) to the Commission

(1 September 1998)

Subject: Schengen visa

1. Since the Commission enjoys the status of observer to the Schengen Group, of which the United Kingdom is not a member, can the Commission specify what means of appeal is available to a third country national residing in the UK or in his or her country of origin who is denied a Schengen visa on the grounds that at least one Schengen State has listed him or her on its 'blacklist'?

2. Does this third country national have the right to know which Schengen Member State(s) is/are opposed to his/her entry into its/their territory? If yes, how can the person avail himself/herself of this right?

3. If this third country national feels for example that (s)he is a victim of mistaken identity or erroneous data collected, what possibilities are there to rectify any errors?

Answer given by Mr Monti on behalf of the Commission

(5 October 1998)

Until the entry into force of the Amsterdam Treaty, which incorporates the Schengen arrangements into the framework of the Union, those arrangements remain intergovernmental in nature, and so it is not for the Commission to provide the information sought by the Honourable Member.

(1999/C 96/184) **WRITTEN QUESTION E-2656/98**

by Antoinette Spaak (ELDR) to the Council

(1 September 1998)

Subject: Use of languages in the Institutions of the European Union

1. What was in the past, and what is at present, the number of pages produced in the original in a language of the European Union, and in which languages were/are they sent for translation?

2. What is the position of the European institutions, in the light of enlargement, as far as languages are concerned?

Reply

(3 November 1998)

1. As regards the Council, the Language Service of the General Secretariat has detailed statistics on the origin and number of documents sent for translation since 1993. The number of original pages produced and their breakdown into languages are given in the table below.

2. All standard documents, which are subject to general distribution, are in principle translated into all the other official languages. Documents not for general dissemination (working documents, staff notes, preparatory documents, administrative documents, etc.) are not always translated into all the languages, depending on the needs of the addressee, without this practice prejudging the language arrangements laid down, in particular in Regulation No 1.

3. As regards enlargement, the Council's position on languages will be decided upon during negotiations with the applicant States.

Number of pages produced by the Council General Secretariat

	Before A/FIN/S accession				After A/FIN/S accession							
	1993		1994		1995		1996		1997		1998 (first six months)	
	pages	%	pages	%	pages	%	pages	%	pages	%	pages	%
total pages	114 491	100	127 993	100	122 521	100	133 066	100	133 879	100	76 475	100
Spanish	949	0,83	674	0,53	3 338	2,72	1 088	0,82	940	0,70	603	0,79
Danish	991	0,87	1 319	1,03	772	0,63	1 395	1,05	532	0,40	398	0,52
German	1 896	1,66	6 136	4,79	2 400	1,96	2 051	1,54	2 366	1,77	2 130	2,79
Greek	507	0,44	839	0,66	328	0,27	459	0,34	384	0,29	446	0,58
English	32 374	28,28	35 324	27,60	23 414	19,11	46 480	34,93	54 329	40,58	40 928	53,52
French	66 021	57,66	72 533	56,67	80 852	66,99	60 969	45,82	56 709	42,36	21 564	28,20
Irish	Figures not available											
Italian	464	0,41	768	0,60	731	0,60	1 846	1,39	991	0,74	562	0,73
Dutch	743	0,65	1 369	1,07	811	0,66	731	0,55	2 443	1,82	595	0,78
Portuguese	352	0,31	598	0,47	467	0,38	703	0,53	440	0,33	307	0,40
Finnish					926	0,76	3 470	2,61	1 386	1,04	542	0,71
Swedish					815	0,67	1 864	1,40	1 676	1,25	711	0,93
Multilingual	10 194	8,90	8 433	6,59	7 667	6,26	12 010	9,03	11 683	8,73	7 689	10,05

(1999/C 96/185) **WRITTEN QUESTION E-2658/98**

by Ernesto Caccavale (UPE) to the Commission

(1 September 1998)

Subject: Infringement of rules on public service contracts by the firm Multiservizi of Catania

At the suggestion of the municipal executive, the city council of Catania decided in 1997 to set up a semi-public company called Multiservizi S.p.A to be responsible for cleaning, caretaking and security services, without issuing a call to tender to offer an equal opportunity to all firms which might be suitable to carry out such work. This operation, which was supposed to provide new jobs, has actually led to a significant reduction in the number of people employed and an increase in the overall cost of the service. Multiservizi S.p.A. has not complied with the clauses designed to protect workers — which were in the past imposed on the winning firms when calls to tender were issued — providing for the direct transfer of employees, and has instead meant that workers have had to resign from the firms which supplied the services previously, in the hope that they would be reemployed.

1. Can the Commission therefore say: if it does not consider it necessary and appropriate to ascertain the regularity of the procedure followed by the city council in assigning this contract; and

2. whether it does not consider that there are sufficient reasons for suspecting that there has been an infringement not only of Community legislation on free competition, but also of Directive 92/50/EEC [1] relating to the coordination of procedures for the award of public service contracts, which obliges contracting authorities to adhere to criteria of economic advantageousness, transparency and publicity?

[1] OJ L 209, 24.7.1992, p. 1.

Answer given by Mr Monti on behalf of the Commission

(23 September 1998)

The Commission will contact the Italian authorities in order to ascertain the necessary points of law and of fact so that it can check whether the contracting-out by the municipality of Catania of cleaning, caretaking and security services to the company Multiservizi S.p.A. was done in compliance with the Community public procurement rules.

(1999/C 96/186) **WRITTEN QUESTION E-2660/98**

by Riccardo Garosci (PPE) and Luigi Florio (PPE) to the Council

(1 September 1998)

Subject: The Lehrer murder — the absence of extradition between Sri Lanka and Italy prevents justice from being done

An Italian citizen, Erika Lehrer Grego, was killed in Italy on 21 March last by a Sinhalese (Sri Lankan) citizen. The murderer, Pereira Nishantha Sudath, immediately left Italy and returned to his country of origin after having, however, confessed to the murder.

In the absence of bilateral extradition agreements with Sri Lanka, the Italian judicial authorities cannot request the extradition of the murderer, who is now happily living and working in Sri Lanka. This absence of diplomatic instruments creates a serious injustice and highlights once again the need for the interests of Community citizens to have joint diplomatic representation (as Parliament pointed out in its report A4-0193/97).

Can the Council say what stage has been reached in the plan for joint diplomatic representation of the Member States of the Union and what chance there is of ensuring that bilateral agreements between one Member State and a third country are applicable to another Member State which does not have the same arrangements?

Since the Member States of the European Union must guarantee the rights of more than 250 000 Sinhalese living in the Community (more than 30 000 in Italy alone), Sri Lanka must accept the elementary rules governing the coexistence of its citizens with those of Europe and ensure respect for justice in the countries where they live and work.

Can the Council say what pressure it intends to exert to ensure that serious offences such as this murder are dealt with by the justice system?

Reply

(19 October 1998)

Questions concerning bilateral extradition between a Member State and a third country are not within the Council's remit.

Extradition agreements can apply only between the States party to such agreements. It is for the Italian authorities, even in the absence of a bilateral agreement, to examine the various legal instruments which might enable an extradition request to be successful.

(1999/C 96/187) **WRITTEN QUESTION E-2661/98**

by Cristiana Muscardini (NI) to the Commission

(1 September 1998)

Subject: Deadline for the completion of the 'Ecovia' project

With reference to point 3 of Written Question E-1670/98 ([1]), can the Commission say what new deadline has been set for the beneficiary to complete the 'Ecovia' project, for which the original deadline was 30 April 1998?

([1]) OJ C 50, 22.2.1999.

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 September 1998)

The deadline for completion of the Ecovia project is now 30 September 1998.

(1999/C 96/188) **WRITTEN QUESTION P-2663/98**

by Francis Decourrière (PPE) to the Commission

(31 July 1998)

Subject: Med-Media Programme

Since the Commission's decision to block funds earmarked for Med-Media projects, many project promoters and a number of film co-producers have met with serious difficulties. The Commission has in fact been informed of the harm which the non-allocation of funds is causing to these economic operators (film producers).

The Commission has stated that many companies had decided at their own risk to implement film production projects in the full knowledge of the legal context in which the Commission is obliged to operate. However, making a film requires much advance planning. In view of this fact, would it not be possible to arrange for a derogation or come up with compromise solutions to guard against certain companies going bankrupt?

Answer given by Mr Marín on behalf of the Commission

(28 September 1998)

On 22 April the Commission decided to relaunch decentralised cooperation programmes in the Mediterranean region under the conditions that emerged from in-depth discussions with Parliament.

Parliament's resolution of July last year called for the Med-Media programme to be confined to training schemes.

As it has already made clear in this context, the Commission is not indifferent to the difficulties facing some production companies. It must, however, point out that the projects in question were selected on a cofinancing basis. The Commission was unable to provide its share of the funding in the absence of contracts with the projects' coordinators.

It does, however, hope that the recently launched Euro-Mediterranean audiovisual programme will go some way towards satisfying the expectations of those working in the sector.

(1999/C 96/189) **WRITTEN QUESTION E-2670/98**

by Gerhard Hager (NI) to the Council

(1 September 1998)

Subject: EU aid programme for officials

At present there are 11 different programmes for promoting various activities involving officials (training, exchange of officials, exchange of information, improved cooperation). This proliferation of cooperation programmes is not in conformity with the repeated demand for transparency, effectiveness and proximity to the general public. This fragmentation has also been criticized accordingly in many quarters.

1. What aims do the individual programmes pursue and what purpose do they fulfill? How exactly do they differ from one another?

2. Is a review of these programmes planned during the presidency?

3. If so, what form is it due to take?

4. If not, what are the reasons for not carrying out such a review?

5. Since these programmes have in part already been opened to the applicant countries as well, I have the following further question: Could the Council give a detailed breakdown showing in which of these programmes participants from the CEECs are already involved?

Reply

(22 October 1998)

The Council would point out that the various Community programmes of actions for officials are administered by the Commission in cooperation with the Member States or the non-Member States concerned. Consequently, it is for the Commission to appreciate whether the aims pursued duly reflect needs in this area. To date, it has not submitted any proposal to review those programmes of actions for officials.

(1999/C 96/190) **WRITTEN QUESTION E-2676/98**

by Gerhard Hager (NI) to the Commission

(1 September 1998)

Subject: Transparency and openness in the sphere of justice and home affairs

When they met within the Council in March 1998, the Ministers responsible for justice and home affairs issued a statement on openness and transparency. The object was to make details of measures more readily and rapidly accessible, provide regular exhaustive information to the Press, and organise open Council debates. In addition, the national parliaments were to be briefed at an earlier stage.

1. To what extent and in what way is the Commission involved in implementing the above statement? How far has the work progressed?

2. How will information (for the public and Press) be made more easily accessible?

3. What will be done to involve the national parliaments earlier in the day?

4. According to reports, the British Presidency, in collaboration with the Commission, drew up an exact list of legislation constituting the third pillar acquis, which is now to be used as a basis for the accession negotiations. Would it not be conducive to transparency to publish the list? If so, when can the list be supplied?

Answer given by Mrs Gradin on behalf of the Commission

(12 October 1998)

The statement to which the Honourable Member refers binds only the Council. However the Commission is also naturally committed to the principles of openness and transparency.

1. As early as 1994, the Commission adopted Decision 94/90/ECSC,EC,Euratom of 8 February 1994 on public access to Commission documents ([1]) to grant wide access to internal Commission documents. This act applies to all areas of Commission action, including justice and home affairs (JHA). The press and individual citizens make regular use of this provision to obtain documents on JHA matters. There is a period of one month within which the Commission must process any such requests and there are very limited reasons for which access cannot be granted, such as the protection of public interest, or individual privacy.

2. The Commission is currently preparing a website to further enhance access by the public to work in this field and allow for regular updates on new initiatives. The website will be accessible through the Europa-server.

3. The Commission is committed to close co-operation with the Parliament on the basis of Article K.6 of the Treaty on European Union which is also considered the appropriate way of ensuring transparency toward national parliaments. Any action proposals established by the Commission in the JHA field are routinely addressed to the Parliament, and as a matter of routine the Commission suggests to each Presidency that the Parliament be informed of any further legislative development.

4. The Honourable Member is reminded that the report containing the third pillar acquis is a Council document and a request to allow for its publication would have to be addressed to that institution.

([1]) OJ L 46, 18.2.1994.

(1999/C 96/191)

WRITTEN QUESTION E-2677/98

by Gerhard Hager (NI) to the Council

(1 September 1998)

Subject: Environmental crime

The Presidency-in-Office has declared that the fight against organised crime will be a key area of its programme. It maintains that the threat posed needs to be tackled through individual and joint action.

The conclusions of the Cardiff Summit noted that environmental crime was a serious, disturbing matter whose effects often extended beyond national borders. The Council was consequently duty-bound to take steps.

What practical steps will the Council take to discharge that duty?

What particular forms will those measures take?

How will the measures affect criminal prosecution in the Member States?

Reply

(22 October 1998)

The Meeting of the Justice and Home Affairs Council of the European Union held on 28th and 29th May 1998 highlighted, at the initiative of the Danish Minister of Justice, the problems associated with environmental crime. Further, the discussion at the Cardiff Summit in June 1998 concluded that serious environmental crime was a grave problem, often with cross border effects.

Within the Council, the Multi Disciplinary Group on organised crime is in the course of implementing a multi faceted Action plan which aims effectively to prevent and repress those forms of criminal activity which threaten the organisation and structure of civilised society. In recent months the Multi Disciplinary Group has considered a paper submitted by the Danish delegation relating specifically to the problem of serious environmental crime, and consideration is now being given to the best way of pursuing the particular issues raised in this document.

The Austrian Presidency lists the fight against international crime as one of the main objectives of its Presidency, and action in this area will take place, in whatever form that criminality presents itself.

It should be noted additionally that within the Council of Europe work is continuing on a draft Convention on Environmental Crime. The Member States of the European Union have actively participated in this work. It is expected that this instrument will shortly be opened for signature.

(1999/C 96/192)

WRITTEN QUESTION E-2679/98

by Gerhard Hager (NI) to the Council

(1 September 1998)

Subject: Judicial cooperation

Organised crime is a priority issue for the Austrian Presidency. Inadequacies in the judicial cooperation system foster every form of cross-border crime. To speed up and enhance the effectiveness of legal relations, the Council has adopted a joint action to facilitate direct contacts among authorities. Another measure intended to serve the same purpose is a proposal currently under discussion to improve judicial assistance procedures, which, however, fails to address key questions. Further steps are absolutely essential in order to tighten up judicial assistance and extradition procedures.

1. Will the current Presidency make any moves to speed up and enhance the effectiveness of judicial cooperation?

2. If so, what will be the substance of its proposals, and what form will they take?

3. If not, why is the Presidency neglecting to explore the avenues open to it?

Reply

(9 November 1998)

The Austrian Presidency is fully committed to the strengthening of arrangements in the field of judicial cooperation in criminal matters between the Member States of the European Union. This is a topic which was identified as a priority in the Action Plan to Combat Organized Crime ([1]) approved by the Amsterdam European Council and the Presidency recognizes that, while a significant amount has been achieved in that area in recent years, there is a need to ensure that further progress is made as quickly as possible.

Under the Austrian Presidency the main focus of attention in the field of judicial cooperation will be the completion of the draft Convention on Mutual Assistance in Criminal Matters which will enhance and update, as between EU Member States, the provisions of a number of very important international instruments. Work on the draft Convention is at an advanced stage and the Presidency is making every effort to enable it to be brought to a successful conclusion with the minimum of delay.

While the draft mutual assistance Convention is concerned with a wide range of matters, it is undoubtedly the case that there are other judicial cooperation issues which could usefully be addressed at EU level. Rather than hold up the adoption of the Convention, it has been agreed that the relevant additional issues should be considered separately. This is a project which is currently being taken forward by the Austrian Presidency.

Another major priority for the Austrian Presidency has been to secure the effective establishment and functioning of the EU judicial network which was established by way of a Joint Action adopted on 29 June 1998 ([2]). The primary purpose of the new network, is to promote contacts and communication between practitioners with a view to reducing difficulties and delays that could otherwise arise in relation to requests for judicial cooperation.

It should also be noted that, under the Joint Action adopted on 5 December 1997 ([3]) for evaluating the application and implementation at national level of international undertakings in the fight against organized crime, an evaluation process is under way in respect of judicial cooperation arrangements in operation in Member States.

As a further contribution to the improvement of judicial cooperation, the Austrian Presidency has organized a conference on the future of judicial cooperation in criminal matters in Europe which took place in Innsbruck from 28 to 30 September 1998. The conference examined and discussed current judicial cooperation problems.

(1) OJ C 251, 15.8.1997, p. 1.
(2) OJ L 191, 7.7.1998, p. 4.
(3) OJ L 344, 15.12.1997, p. 7.

(1999/C 96/193)

WRITTEN QUESTION E-2683/98

by Gerhard Hager (NI) to the Council

(1 September 1998)

Subject: Entry into force of the Europol Convention

The Presidency-in-Office is looking to Europol, once it has commenced its operations, to give a substantial fillip to the suppression of organised crime in particular. Europol is to play a central role in fighting cross-border crime. However, numerous questions have still to be answered before the Convention enters into force.

When is the Convention expected to enter into force?

When will the Europol organs finally be set up and able to start work?

What steps have been taken to date to meet the obligations to adopt the implementing measures referred to in Article 45(4) of the Europol Convention, and within what time-frame will further action be undertaken?

Reply

(22 October 1998)

The Convention on the establishment of a European Police Office (Europol Convention) has entered into force on 1 October 1998. The constituent meeting of the Europol Management Board was also held on that date. The other necessary appointments to its bodies (director, deputy director, financial controller, members of the budget committee) need to be made as rapidly as possible by the Management Board or by the Member States. The inaugural session of the Joint Supervisory Body is also planned for October.

To take decisions as fast as possible on the nine measures referred to in Article 45(4) of the Europol Convention and thus to ensure the earliest possible launch of Europol's activities is one of the Austrian Presidency's central priorities.

Regarding these nine measures, most of which have already been agreed provisionnally by the Council and then 'frozen', the following may be stated:

— the procedures for taking decisions on the draft texts of the statute governing the rights and duties of liaison officers in relation to Europol, of the implementing provisions for analysis files, of the Europol Staff Regulations, of the security classification rules, of the financial regulation and of the headquarters agreement were initiated at the constituent meeting of the Management Board on 1 October 1998;

— the national ratification process for the Protocol on Privileges and Immunities of Europol, the members of its organs, the deputy directors and employees of Europol, as well as the procedure for concluding the agreements between the Kingdom of the Netherlands and the other Member States on the Privileges and Immunities of the liaison officers and their family members, are under way;

— the rules of procedure of the Europol Joint Supervisory Body is to be decided upon unanimously by the Joint Supervisory Body and subsequently approved by the Council.

(1999/C 96/194) **WRITTEN QUESTION E-2686/98**

by Gerhard Hager (NI) to the Commission

(1 September 1998)

Subject: Drugs strategy

The Cardiff Summit adopted a report on operations to combat drug abuse, including a drugs strategy for 1999 and subsequent years, and the Council and Commission were called upon to devise a blueprint for further action.

1. How will the current Presidency answer the above call?

2. What specific proposals does it intend to submit, and what progress has it already made in drawing them up?

3. An international conference on drugs will take place in Vienna on 5 and 6 November 1998. Who will represent the Union at the conference?

4. What attitude will the representatives take?

5. How will policy be worked out, and what role will Parliament play in that procedure?

Answer given by Mrs Gradin on behalf of the Commission

(14 October 1998)

The Commission is in the process of preparing a communication to the Council and the Parliament on a Union action plan to combat drugs for the years 2000-2004, as a follow-up to the Cardiff European Council conclusion. Preparatory work is building on the key elements for a post 1999 drugs strategy which were endorsed at Cardiff.

The conference on 'drug prevention and drug policy' which will be organised on 5-6 November 1998 in Vienna will be the flagship event of the European drug prevention week (16-22 November 1998). Organised by the city of Vienna in co-operation with the Commission and the United nations international drug control programme, the conference will mainly focus on the future challenge of an integrated and interdisciplinary drug prevention policy. The conference will be able to count on a very broad range of expertise. The Commission and the Parliament will in particular be represented. The Parliament is invited to chair one of the sessions.

As far as the participants from the Commission are concerned, they will mainly present current activities, in particular the Community action programme on the prevention of drug dependence, 1996-2000 (decision 102/97/EC of the Parliament and the Council) ([1]) which identifies the European drug prevention week as one of its 16 priorities.

([1]) OJ L 19, 22.1.1997.

(1999/C 96/195) **WRITTEN QUESTION E-2693/98**

by Iñigo Méndez de Vigo (PPE) to the Commission

(1 September 1998)

Subject: Papua New Guinea, hit by an earthquake measuring 7 on the Richter scale

The tidal wave which struck the northwest coast of Papua New Guinea killed thousands of people, many of them children. The waves, some of them 10 metres high, flattened completely a 30 kilometre stretch of coastline, wiping out several villages.

Is the Commission aware of the gravity of the situation? Has it undertaken an emergency humanitarian relief operation of any kind? If not, has it formulated a strategy to provide relief to the areas hit by the tidal wave?

Answer given by Mrs Bonino on behalf of the Commission

(17 September 1998)

Immediately after the tidal wave struck Papua New Guinea on 17 July 1998, the Commission forwarded to the affected area emergency relief items that were on their way to the island of Bougainville under another relief operation. This first aid included medicine and reconstruction packs, clothes and other articles of primary necessity.

In addition, the Commission made available humanitarian aid worth ECU 500 000 for the victims of the disaster. The aid was to enable European non governmental organisations (NGOs) to provide further emergency relief items such as medicines, food and clean water.

There was, however, a quick and overwhelming international response to this natural disaster from governments (in particular Australia, New Zealand, France and Japan), non-governmental organisations and private individuals. In a report published at the end of July, the United Nations Office for the co-ordination of humanitarian affairs and their team that was sent to Papua New Guinea declared that all immediate relief needs had already been met. This information was confirmed by many other sources.

In view of the changing circumstances as a result of the extraordinarily generous international response, and after consultation with the NGOs that were to implement the Community financed assistance, with the relevant United Nations bodies and with its delegation in Papua New Guinea, the Commission decided to reallocate the funds that had been made available to other, more urgent crises elsewhere in the world.

Regarding the rehabilitation and reconstruction work to be carried out in the area hit by the tidal wave, the Commission will give due consideration to any concrete request that may be made by the government of Papua New Guinea.

(1999/C 96/196) **WRITTEN QUESTION E-2701/98**

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(1 September 1998)

Subject: Registration fees

Can the Commission provide a breakdown of the registration fees payable in the fifteen Member States of the European Union on the purchase of real estate?

Answer given by Mr Monti on behalf of the Commission

(21 September 1998)

Registration taxes on immovable property are a matter for the Member States, and there is no plan to harmonise them at Community level.

The Commission does not, therefore, possess the detailed information sought by the Honourable Member.

(1999/C 96/197) **WRITTEN QUESTION P-2704/98**

by Graham Watson (ELDR) to the Commission

(1 September 1998)

Subject: Maldives

On 18 June 1998 and the days following, the Maldivian authorities began to arrest and interrogate Christian believers living on the island. Reliable sources estimate that as many as 50 Maldivians suspected of being Christian believers have been arrested since that time.

Two of the Maldivians arrested on 18 June have been identified as Aneesa Hussain, aged 32, and Aminath Moonisa, aged 17, both of Pareeru-ge, Malé, Republic of Maldives. These two women have openly acknowledged that they are Christians, which is a crime under Maldivian law. We are particularly concerned about the safety of these women — reliable sources indicate that Aneesa Hussain has been physically assaulted and her life threatened.

Since the Maldives are members of the UN, and therefore bound in principle by Article 18 of the UN Declaration of Human Rights, which stipulates freedom of religion, and since Europe provides an important contribution to the economy of the Maldives, particularly through tourism, will the Commission bring pressure to bear on the Maldivian authorities to release Ms Hussain and Ms Moonisa and other Christians known to be in goal for their religious beliefs?

Answer given by Mr Marín on behalf of the Commission

(22 September 1998)

The Commission is aware of the recent arrest of a number of Christians in the Republic of Maldives. The Commission delegation in Sri Lanka, accredited to the Maldives, is following the matter closely and has taken up directly with the Maldives high commissioner in Colombo, the case of the two Maldivian women to whom the Honourable Member refers.

The high commissioner has informed the Commission delegation that the two named women are under arrest while their case is investigated. The women are held in an open prison island about 5 kilometres from Male. Any suggestions of threats or violence being used against them are claimed to be baseless and the delegation was offered the opportunity to visit the women.

In its relations with third countries, the Commission places the greatest importance on respect for human rights and fundamental liberties. It is concerned that the Republic of Maldives whilst bound by Article 18 of the United nations Declaration of human rights, nevertheless forbids, through its constitution, the practice by its citizens of any religion other than Islam.

The Commission believes that formal responses and actions on matters such as this are most appropriately made by the Community and its Member States.

(1999/C 96/198) **WRITTEN QUESTION E-2707/98**

by Anne McIntosh (PPE) to the Council

(1 September 1998)

Subject: Diabetic drivers

Would the President-in-Office agree that the United Kingdom's ban on newly-registered insulin-dependent diabetic drivers is discriminatory, given that insulin-dependent diabetic drivers from other EU countries can drive as visitors in Britain?

What action does the Council propose to take to eliminate this discrimination?

Reply

(9 November 1998)

On 29 July 1991 the Council adopted Directive 91/439/EEC on driving licences, which entered into force on 1 July 1996 ([1]).

The Directive lays down harmonised conditions for the issue and renewal of licences, including 'Minimum standards of physical and mental fitness for driving a power-driven vehicle' (Annex III). The Council would point out that, for the issue or renewal of driving licences to diabetic drivers in groups 1 and 2, the minimum Community standards applicable are set out in points 10 and 17.2 of Annex III.

Furthermore, point 5 of Annex III stipulates that the standards set by Member States for the issue or any subsequent renewal of driving licences may be stricter than those set out in that Annex.

Under point 10 of Annex III, licences may be issued to, or renewed for, applicants or drivers suffering from group 1 diabetes, subject to authorised medical opinion and regular medical check-ups appropriate to each case.

Under point 10.1 of Annex III, it is for each Member State to decide on the scope of the very exceptional cases, duly justified by authorised medical opinion and subject to regular medical check-ups, in which driving licences may be issued to, or renewed for, drivers in group 2. It is therefore for the relevant medical authority to deliver its opinion case by case on the basis of the provisions laid down by national legislation.

A Member State may thus lay down, following the guidelines set by the Community Directive, stricter provisions for the issue or renewal of driving licences for diabetic drivers than those laid down by another Member State.

The Council would point out that the above Community provisions can be harmonised at a later date only on the basis of a Commission proposal.

(1) OJ L 237, 24.8.1991, p. 1, as last amended by Directive 97/26/EC (OJ L 150, 7.6.1997, p. 41).

(1999/C 96/199)

WRITTEN QUESTION E-2717/98

by Leonie van Bladel (UPE) to the Council

(1 September 1998)

Subject: Impasse in the negotiations with Egypt on a Euro-Mediterranean agreement

1. Is the President of the Council aware that, in the negotiations it is conducting with Egypt on a Euro-Mediterranean agreement, the Commission has reached the limits of its mandate?

2. Does the Council share the view that the conclusion of the agreement with Egypt, the first country to conclude a peace agreement with Israel, is highly significant for the furthering of the Middle East peace process?

3. Does the Council realise that, now that serious preparations are being made for the negotiations with the countries of Central and Eastern Europe, the negotiations with the countries in the Mediterranean region must keep pace with them, with a view to the achievement of a balanced foreign policy?

4. Is the Council prepared to extend the Commission's mandate so that the negotiations with Egypt may be concluded this year and the European Parliament give its assent to the relevant agreement before the current parliamentary term comes to an end in May 1999?

Reply

(9 November 1998)

1. At the Corfu European Council in June 1994 the European Union reiterated its desire to tighten even further the close links with its Mediterranean partners and expressed its wish to develop existing cooperation relations with the Mashreq countries, taking into account the specific situation of each country. In this connection the Council is ever mindful of the role played by Egypt in the Middle East Peace Process.

2. On 19 December 1994 the Council issued the Commission a mandate to negotiate a Euro-Mediterranean agreement with Egypt. Since then, several negotiating sessions have taken place. The Council regularly follows developments in these negotiations. It has noted that a number of difficulties still have to be overcome, principally in the agricultural area, but also concerning the customary clause on respect for human rights and the clause on the readmission of illegal immigrants. The Council would point out that the successful completion of any negotiations calls for flexibility on both sides, and not only on the part of the Union. The Council is encouraging the Commission to strive towards rapid attainment of the Union's objectives.

In any event, it is for the Commission, as the negotiator for the Euro-Mediterranean agreement with Egypt, to lay proposals before the Council for adjusting its negotiating mandate if it considers that it is unable to conclude the negotiations on the basis of the mandate issued to it. No such proposal is currently before the Council.

3. The Luxembourg European Council on 12 and 13 December 1997 launched the enlargement process encompassing the ten applicant States in Central and Eastern Europe and Cyprus. For the Mediterranean countries whose accession is not contemplated, the conclusions of the Corfu, Essen and Cannes European Councils on strengthening relations with those countries are still valid. The Cardiff European Council on 15 and 16 June 1998 underlined the importance of the Euro-Mediterranean partnership and agreed that the Palermo ministerial meeting had confirmed the vitality of this relationship.

(1999/C 96/200)

WRITTEN QUESTION E-2719/98

by Leonie van Bladel (UPE) to the Council

(1 September 1998)

Subject: Shortfall of beekeepers in Europe because of the effects of old age

1. Is the Council of Ministers aware that a large number of amateur beekeepers in Europe are growing old and that this phenomenon is threatening bee stocks?

2. Is the Council aware that beekeeping is facing serious structural problems, partly because, in recent years, the number of production areas has been dwindling, and that a call has been made for no more than four bee hives to be kept per hectare?

3. Does the Council know that the number of beehives has fallen by one third in the last fifteen years while the demand for honey has been increasing?

4. Does the Council realise that many gardeners prefer to use bees for the pollination of fruit and vegetables?

5. What possibilities does the Council see for countering the increase in the average age of beekeepers?

6. Is the Council prepared to interest young people in beekeeping by means of information programmes in schools?

7. Does the Council see any possibility of financial support being granted to offset the costs of keeping bees?

Reply

(22 October 1998)

The Council is aware of the specific problems referred to by the Honourable Member. However, it has not received proposals from the Commission regarding the precise points raised in her question.

The Council would point out that there is currently no common organisation of the market in the beekeeping sector. Consequently, the measures that could be taken are more limited than those concerning other agricultural sectors which benefit from a system for the common organisation of the market.

In this respect, on 25 June 1997, the Council, after consulting the European Parliament, adopted Regulation (EC) 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey ([1]). The detailed rules for implementing that Regulation were adopted by Commission Regulation (EC) 2300/97 ([2]).

The purpose of the aforementioned Council Regulation is to improve conditions for the production and marketing of honey in the European Union by part-financing measures based on national programmes.

The measures which may be included in these programmes are the following:

(a) technical assistance to members of beekeepers' associations and honey houses with a view to improving the conditions for the production and extraction of honey;

(b) the control of varroasis and related diseases; improvement of the conditions for the treatment of hives;

(c) rationalisation of transhumance;

(d) measures to support laboratories carrying out analyses on the physico-chemical properties of honey;

(e) cooperation with specialised bodies for the implementation of applied research programmes to improve the quality of honey.

To be eligible for part-financing, Member States must carry out a study of the production and marketing structure in the beekeeping sector in their territory. The Community will provide part-financing for the national programmes equivalent to 50 % of the expenditure borne by Member States.

It is stipulated that the Commission will present to the European Parliament and the Council every three years a report on the application of the Regulation.

At this juncture, the Council considers that the aforementioned Regulation constitutes a fair balance between budgetary constraints and the most pressing needs in the beekeeping sector.

(1) OJ L 173, 1.7.1997, p. 1.
(2) OJ L 319, 21.11.1997, p. 4.

(1999/C 96/201)

WRITTEN QUESTION E-2735/98

by Christine Oddy (PSE) to the Commission

(1 September 1998)

Subject: Thalassaemia

Will the Commission draw up proposals for a publicity campaign to increase awareness of the importance of screening for Thalassaemia, an inherited genetic blood disorder which is particularly prevalent amongst people of Asian origin whose ancestors came from the Indian sub-continent? A simple blood test can identify carriers of the disorder, for which there is no effective cure and which can lead to premature death.

Answer given by Mr Flynn on behalf of the Commission

(2 October 1998)

The Commission is aware that the hereditary blood disorder, thalassaemia, affects individuals of southern Asian origin as well as those with Greek, Middle Eastern, and African ancestry. The proposed Community action programme on rare diseases (1), which is currently under legislative consideration, identifies the provision of knowledge about rare diseases and the fostering of patient and family support groups among its possible actions. Once the programme is adopted, the question of public awareness campaigns for thalassaemia screening could be considered in this framework.

(1) COM(98) 232 final.

(1999/C 96/202)

WRITTEN QUESTION E-2740/98

by Ana Palacio Vallelersundi (PPE) to the Commission

(3 September 1998)

Subject: Applications from holders of the Spanish 'Ingeniero Técnico' qualification for open competitions for category A/LA posts in the European civil service

— In his answer of 10 February 1998 to Written Question E-4186/97 (1) by Mrs Bárbara Dührkop, Commissioner Liikanen stated that the Commission admits holders of German diplomas issued after the minimum compulsory period of eight semesters to category A/LA posts in the European civil service;

— In its defence against the action for annulment brought by Mr Vicente Alonso Morales (T-299/97, paragraph 33), the Commission declared that holders of the German 'Fachhochschuldiplom' issued after eight semesters of study are admitted to category A/LA posts;

— The notice of open competition COM/A/1047 published in OJ C 145, 13.5.1997 (page 12) stipulates that periods of training count as professional experience.

Bearing in mind the above-mentioned facts, why does the Commission admit holders of the German 'Fachhochschuldiplom' to category A/LA posts in the European civil service, given that the the said qualification consists of a maximum of six semesters of study, together with a placement with an undertaking for one or two semesters as professional experience?

(1) OJ C 304, 2.10.1998, p. 15.

Answer given by Mr Liikanen on behalf of the Commission

(28 September 1998)

The Commission's position regarding Fachhochschulen is based on the German Hochschulrahmengesetz, a framework law from 1976 governing 'Universitäten, Pädagogische Hoschschulen, Kunsthochschulen, Fachhochschulen'. The law defines a Hochschulabschluß as a 'higher education qualification within the meaning of this law'. Within the German education system, the structure of Fachhochschule studies varies from one establishment to another. Some award diplomas after eight semesters, including two practical semesters as part of the structure of the academic course. These cannot be counted as 'professional experience' because students must complete both periods to qualify for the eight-semester diploma.

For category A candidates, the Commission will accept any German university-level diploma covered by the Hochschulrahmengesetz, provided one of the conditions for obtaining it is a minimum study period (Regelstudienzeit) of eight semesters (four years).

Bearing in mind the relevant Spanish provisions, the Commission does not consider the Spanish Ingeniero Técnico diploma to be a sufficient qualification for admission to a category A/LA competition as it is awarded after only three academic years study.

The Commission is unable to reply to the Honourable Member's comment regarding Case T-299/97, as the case is still sub judice.

The Commission would refer the Honourable Member to replies to the following recent parliamentary questions on this matter: question E-997/98 by Ms Esteban Martin (1), question E-835/98 by Ms Sauquillo Perez del Arco (2), and questions E-640/98 and E-635/98 by Mr Hernandez Mollar (3). In these answers, the Commission has provided ample information on its overall approach regarding qualifications and admission to category A/LA posts in the European civil service, and regarding Spanish technical-engineering qualifications in particular.

(1) OJ C 386, 11.12.1998, p. 69.
(2) OJ C 354, 19.11.1998, p. 29.
(3) OJ C 354, 19.11.1998.

(1999/C 96/203) **WRITTEN QUESTION E-2749/98**

by Hiltrud Breyer (V) to the Commission

(3 September 1998)

Subject: European volunteer year for young people

Does the Commission see the serving of a European volunteer year as a possible alternative to the military and civilian service obligations in the Member States? What steps is the Commission taking in this respect?

Answer given by Mrs Cresson on behalf of the Commission

(16 October 1998)

As the Honourable Member knows, issues concerning national military or alternative service obligations are in the domain of the Member States, and it is for the Member States to decide whether periods of voluntary service have any bearing on the legal obligations they place upon their citizens. As stated in the decision establishing the Community action programme European voluntary service for young people ([1]): 'European voluntary service activities are not a substitute for military service, for the alternative service formulae provided in particular for conscientous objectors or for the compulsory civilian service existing in several member states'.

However, the Commission recognises the relevance of the question, and is aware of the need to clarify the different approaches the Member States have adopted regarding their national services. During the conciliation procedure preceding the adoption of the European voluntary service programme decision the Commission agreed to undertake an in-depth study about the existing arrangements in various Member States. The aim will be to facilitate discussion concerning the relationship between European voluntary service and the different national service options.

([1]) OJ L 214, 31.7.1998.

(1999/C 96/204)

WRITTEN QUESTION E-2750/98

by Hiltrud Breyer (V) to the Council

(8 September 1998)

Subject: Safety of children in aircraft

1. Is the Council aware that the Rhineland Technical Inspection Agency proved as early as August 1992 by the use of tests with dummies that the use of the 'loop belt' poses a potential threat to the lives of children?

2. Is the Council aware that the European Aviation Safety Authority, with its regulation 'JAR-OPS1' of 1 April 1998, actually made the use of the loop belt compulsory for Member State airlines, although it has long since been banned in America?

3. What immediate measures will the Council take to avert the danger to children's lives represented by the use of the loop belt?

4. When will the Council ensure that the use of different age-appropriate restraint systems for children in aeroplanes becomes mandatory?

5. Has the Council made funds available for the development of such restraint systems? If so, how much? If not, why not?

6. Does the Council share the view of the Member that the absence of safety devices, particularly for children under two, calls for urgent and immediate measures at European level, since action by individual Member States would be hard to achieve?

7. Does the Council share the Member's view that failure to act despite the overwhelming evidence would be tantamount to tacitly accepting the endangering of children's lives?

Reply

(9 November 1998)

The Honourable Member is certainly well aware of the great importance the Council attaches to matters regarding aviation safety.

The Joint Aviation Authorities (JAA) are an associated body of the European Civil Aviation Conference (ECAC) and its regulations are not binding in the territory of the Community except for the Joint Aviation Requirements adopted by the JAA (JARs) which are contained in Annex II to the Council Regulation (EEC) 3922/91 of 16 December 1991 ([1]) on the harmonisation of technical requirements and administrative procedures in the field

of civil aviation. Only such JARs are considered to be Community legislation. JAR-OPS1 is neither included in the above mentioned Annex II nor in a proposal submitted by the Commission to the Council in May 1996 to amend Council Regulation No 3922/91.

Regarding the improvement of the safety of children while travelling in aircraft, the Council has not received any proposal from the Commission.

(1) OJ L 373, 31.12.1991, p. 4.

(1999/C 96/205)

WRITTEN QUESTION E-2765/98

by Giacomo Santini (PPE) to the Council

(11 September 1998)

Subject: Application of a surcharge ('sovrapprezzo') to imports of Community sugar

In its judgment of 21 May 1980, in Case 73/79, the Court of Justice of the European Communities ruled that Italy had infringed Article 95 of the EC Treaty by imposing a surcharge on imports of Community sugar, a provision introduced by the Interministerial Prices Committee (CIP No 3661 of 22 June 1968). The surcharge was deemed to discriminate between importers and domestic producers thereby entailing an unacceptable distortion of the principle of free competition. The surcharge was ruled illegal in that it constituted a charge which, 'although levied at the same rate on sugar produced in Italy and sugar from other Member States, does not constitute a uniform imposition on those products'.

Will the Council say:

1. whether it still considers the surcharge levied by the Italian state under provision CIP 3661 of 22 June 1968 to be illegal?

2. whether the surcharge paid by Italian importers should be refunded since it was illegally levied and could not be reclaimed?

3. whether the body concerned (the Sugar Equalisation Fund) can, if necessary, ask importers to pay any difference between the surcharge paid and the amount of aid legally granted by the Italian state?

4. whether the state may determine the amount of direct or indirect aid granted to industry independently and without supervision by any other authorities?

5. whether the Sugar Equalisation Fund can, by means of retrospective application of the law, request a refund of the illegally levied tax if this has already been repaid to the importer?

6. whether importers will be subject to the burden of proof requiring them to show that the surcharge has not been passed on to other operators in order to secure the right to reimbursement as provided for in law 429/90?

7. whether the illegal nature of the surcharge can be deemed to be offset by the fact that it has been transferred to the consumer?

Will the Council call on the Italian Government to annul/repeal Article 29(2) and (7) of law 128/90?

Reply

(3 November 1998)

It is not for the Council to comment on action taken by the Italian State following the Judgment of 21 May 1980 by the Court of Justice in Case 73/79. If the Judgment is not being fully respected, it is for the Commission, in accordance with Article 171 of the Treaty, to take the necessary steps to ensure that it is implemented.

(1999/C 96/206)

WRITTEN QUESTION P-2769/98

by Xaver Mayer (PPE) to the Commission

(7 September 1998)

Subject: Taxation of pensioners resident in an EU country other than their own

An EU citizen, a German national, is married to a Frenchwoman and lives permanently in France. Both receive pensions from their respective countries. The husband is classified by the German tax authorities in Bracket 1 (as a single person) and assessed for income tax, although he has his permanent residence in France, on the grounds that his pension is being paid from public funds (Federal Defence Ministry).

His income from German benefit payments is declared a second time to the French tax authorities and included with his wife's income in the assessment base ('taux effectif'). That results in a tax demand on the couple that is higher than if they were assessed for tax solely in France.

Could the Commission indicate whether it regards the state of affairs described above as being compatible with the principle of non-discrimination and whether it sees a need for action at European level. In its view, is it admissible that the couple has to pay more in tax than would a comparable French couple?

Answer given by Mr Monti on behalf of the Commission

(12 October 1998)

1. The apportionment of the right of taxation in bilateral relations between France and Germany is governed by the 1959 Tax Convention, Article 14 of which states that amounts paid by way of a retirement pension from a statutory social insurance fund are taxable in the country in which the fund is situated, i.e. Germany in the case in hand.

As for this taxable income being included in the basis of assessment of the couple in question, who are resident in France, it should be pointed out that the Tax Convention provides that the relevant income is also taxable in that country. However, in order to avoid double taxation, a tax credit equal to the amount of French tax corresponding to the income is granted (Article 20 of the Convention). This method of avoiding double taxation, which also appears in the OECD model convention, is widely used internationally.

In reply to the question whether these provisions of the Convention are compatible with Community law, the Commission would point out that, as Community law stands, Member States are in principle free to lay down the rules governing income tax in general and the apportionment of the right of taxation in their bilateral relations with other Member States in particular. Community law is applicable solely with regard to the matter of compliance with the principle of non-discrimination in the context of the basic freedoms enshrined in the Treaty. The Commission has not detected any infringement of that principle. Moreover, in its judgment in Case C-336/96 Gilly v Directeur des services fiscaux du Bas-Rhin, the Court of Justice ruled that the above-mentioned tax credit mechanism was not inconsistent with Article 48 of the EC Treaty.

2. The Honourable Member also indicates that the couple in question have to pay more in tax than they would if all their income were taxed solely in France.

The Commission would point out that, generally speaking, income tax is not harmonised at Community level and that, consequently, the basis of assessment and tax rates may vary considerably from one Member State to another. It is therefore possible that, when incomes are apportioned under a tax convention between Member States, the tax burden will be higher than it would be if the combined incomes were taxed in the country of residence.

The Commission takes the view that the situation described above does not infringe existing Community law provided, of course, that the principle of non-discrimination is complied with.

3. Finally, the Commission would point out that no general harmonisation of personal income tax at Community level is planned.

(1999/C 96/207) **WRITTEN QUESTION E-2772/98**

by Johanna Maij-Weggen (PPE) to the Commission

(14 September 1998)

Subject: Mrs Ben Salem, a prisoner of conscience in Tunisia

Amnesty International has drawn attention to the sentence handed down in Tunisia on Mrs Ben Salem, the wife of Mr M. Barek, a refugee granted asylum in the Netherlands.

Last November Mrs Ben Salem was sentenced to two years and three months imprisonment, accused of being a member of an organisation inciting hatred and violence and of illegally attempting to leave Tunisia. On appeal the sentence was extended to two years and nine months.

Amnesty International regards Mrs Ben Salem, who has never used violence or encouraged others to use violence, as a prisoner of conscience.

Is the Commission prepared to seek information about Mrs Ben Salem from the Tunisian authorities and to urge her release so that she can join her husband in the Netherlands?

Answer given by Mr Marín on behalf of the Commission

(15 October 1998)

In its usual diplomatic contacts with the Tunisian authorities the Commission will continue to raise allegations of individual cases of human rights violations, including that brought to its attention by the Honourable Member. Such contacts are held jointly with the Member States, and governed by the Barcelona Declaration and the Association Agreement between the Community and Tunisia.

It should also be pointed out that inter-parliamentary meetings between the Parliament and the Tunisian parliament play a crucial role, in the light of growing contacts between the two on issues relating to democratisation and the promotion of human rights.

(1999/C 96/208) **WRITTEN QUESTION E-2782/98**

by Johanna Maij-Weggen (PPE) to the Commission

(14 September 1998)

Subject: Implementation of the European Parliament's resolution on freedom of religion and human rights in Pakistan

Can the Commission state what action has been taken to implement the resolution on the blasphemy laws in Pakistan (resolution B4-0614/98 of 18 June 1998)?

Answer given by Mr Marín on behalf of the Commission

(20 October 1998)

The Honourable Member will be aware that the Community-Pakistan cooperation agreement mentioned in the Parliament Resolution B4-0614 of 18 June 1998 has not yet been concluded.

Nevertheless, the Commission, with the agreement of the Pakistan government, will send an expert mission to Pakistan in late 1998 to assess elements of the human rights situation in the country with a view to proposing a programme of projects in the areas of democratisation, civil society and the promotion of human rights issues.

(1999/C 96/209) **WRITTEN QUESTION P-2788/98**

by Carmen Díez de Rivera Icaza (PSE) to the Commission

(9 September 1998)

Subject: Misleading tourist advertising

The public is inundated with tourist brochures that claim to promote idyllic resorts or islands in the Mediterranean, using photographs suggesting an unspoiled and virtually undeveloped natural habitat, which can easily mislead. The reality is another matter altogether, with mushrooming apartments and hotels, piles of rubbish, sound pollution, water shortages, deficient infrastructures, etc.

1. What measures does the Commission intend to take to ensure awareness and observation of Directive 84/450/EEC [1]?

2. Has the Commission any plans to make it compulsory for advertising material for tourist accommodation to give an accurate picture of the actually existing environmental condition of the location concerned?

[1] OJ L 250, 19.9.1984, p. 17.

Answer given by Mrs Bonino on behalf of the Commission

(9 October 1998)

All the Member States have transposed into their national legislation Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising.

The Community legislation applies to all areas, including tourism and the environment.

Article 4 of the Directive provides that all the Member States shall ensure that adequate and effective means exist for the control of misleading advertising. The Commission is of the opinion that the means and procedures implemented by the Member States make it possible to take effective action against specific cases of misleading advertising.

(1999/C 96/210) **WRITTEN QUESTION E-2789/98**

by Graham Watson (ELDR) to the Commission

(17 September 1998)

Subject: Light pollution

Light pollution is a growing problem in both urban and rural areas, causing serious physiological and ecological problems. This form of pollution also wastes electricity, which means wasted money and thereby more importantly waste of the earth's finite energy resources.

Has the Commission carried out any studies into this form of pollution, and if so are there any appropriate Community initiatives?

Answer given by Mr Flynn on behalf of the Commission

(28 October 1998)

The Commission would refer the Honourable Member to its answer to Written Questions E-1166/95 [1] and E-2014/95 by Mr Whitehead [2].

[1] OJ C 196, 31.7.1995.
[2] OJ C 277, 23.10.1995.

(1999/C 96/211)

WRITTEN QUESTION E-2803/98

by Nikitas Kaklamanis (UPE) to the Commission

(17 September 1998)

Subject: Local staff of the Commission's Office in Athens

For years the Commission's representation in Athens has employed local staff to cover its needs in running its office in Greece.

Will the Commission say:

1. who determines the level of monthly remuneration for the local staff of the Athens Office,
2. on what criteria this remuneration is based,
3. what the pay scales are, and
4. what the exact terms of insurance are for those staff?

Answer given by Mr Liikanen on behalf of the Commission

(27 October 1998)

1. and 2. The working conditions of local staff in the Athens Representation are laid down by rules adopted by the Commission on 14 March 1997 with a view to expanding the content of Article 79 et seq. of the Conditions of Employment of Other Servants. These rules are reviewed periodically in order to adjust the remuneration of local staff serving in Athens in accordance with the parameters contained in the said rules. At the outset, remuneration was fixed by reference to the local labour market and is kept in line with salaries paid in the public and private sectors and the consumer price index.

3. The number of steps in the career of a member of the local staff is 21 at present.

4. Under Article 80 of the Conditions of Employment of Other Servants, local staff are covered by the national insurance scheme and the Commission pays the employer's contributions. The local rules provide for additional insurance covering the risk of sickness, invalidity and accidents at work.

(1999/C 96/212)

WRITTEN QUESTION E-2806/98

by Joan Vallvé (ELDR) to the Commission

(17 September 1998)

Subject: The Misteri d'Elx

The city of Elx (Elche) is seeking to have Unesco include one of its secular traditions, the staging of the Misteri o Festa d'Elx (Mystery Play or Feast of Elche), on its World Heritage List. The origins of the Festa date back to the late 14th century, since when it has been staged on 14 and 15 August each year to commemorate the Feast of the Assumption. The writer Joan Fuster spoke of the Festa as a vibrant popular feast drawn entirely from scholarly tradition which, together with the joyful piety of the local inhabitants, one of the most telling signs of a resilient culture, and the remnants of ancient liturgies blended into everyday working life, is enveloped in the security, both ambiguous and eloquent, provided by the great episodes in community life.

Does the Commission intend to support this initiative to gain recognition for a valuable part of European culture dating back centuries, in accordance with the provisions of Article 128 of the Treaty on European Union?

Answer given by Mr Oreja on behalf of the Commission

(20 October 1998)

The Commission would refer the Honourable Member to the reply it gave to his oral question H-865/98 during question time at Parliament's October 1998 part-session ([1]).

([1]) Debates of the Parliament (October 1998).

(1999/C 96/213)

WRITTEN QUESTION E-2810/98

by Hiltrud Breyer (V) to the Council

(18 September 1998)

Subject: Salary of the President of the ECB

According to press reports neither the President of the ECB, Mr Duisenberg, nor the other ECB staff know what their salaries will be.

1. Will the Council state the precise salaries of ECB staff?

2. If not, what are the reasons for withholding this information from EU citizens and for breaching the principle of transparency?

Reply

(9 November 1998)

Article 36 of the Statute of the ESCB and the ECB provides that the Governing Council of the ECB shall lay down the conditions of employment of the staff of the ECB.

Article 11.3 of this Statute provides furthermore that the terms of employment of the members of the Executive Board and in particular their salaries, shall be fixed by the Governing Council on a proposal of a Committee comprising three members appointed by the Governing Council and three members appointed by the Council of the European Union.

The Council is therefore not the competent body to answer the question put by the Honourable Member.

(1999/C 96/214)

WRITTEN QUESTION P-2827/98

by Marie-Noëlle Lienemann (PSE) to the Commission

(11 September 1998)

Subject: Reduction of working time for European road haulage drivers

How much longer will it be before the Commission submits an amendment to Directive 93/104/EC [1] (the working time Directive) to improve the organization of working time for road haulage drivers in Europe, given that there is at present no European legislation to harmonise their working time and conditions at a more favourable level?

[1] OJ L 307, 13.12.1993, p. 18.

Answer given by Mr Flynn on behalf of the Commission

(15 October 1998)

The Commission is committed to making proposals on working time in respect of the sectors and activities excluded from Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time. These proposals will consist of horizontal and sectoral measures. Under the horizontal measures, the full provisions of the working time directive will be extended to all non-mobile workers and certain basic provisions in respect of working time will be made applicable to mobile workers. In addition, sector specific measures in respect of working time and rest periods will be introduced or modified.

This approach was clearly identified by the Commission's white paper on the excluded sectors [1] and confirmed in the second consultation document addressed to the social partners on 31 March 1998. In this regard, the Commission has always considered that the social partners should, if possible, jointly find acceptable solutions in matters which directly concern them, especially in respect of sector specific measures. In response to the Commission's initiative, social partners in several of the excluded sectors stepped up their efforts to reach agreement on working time.

While agreements have been signed by the European social partners in the maritime and rail sectors, the social partners in the road transport sector were regrettably unable to reach agreement before the extended deadline of 30 September, set by the Commission for social partners to present their negotiated proposals.

Therefore, in line with its clearly identified strategy, and as part of a package of proposals on working time in the excluded sectors, the Commission will now bring forward its own proposals for a single directive covering the working time of all mobile workers in road transport, that is the hire and reward and the own account sectors as well as independents. Where possible this proposal will draw on the points of convergence identified by the social partners during their negotiations.

(1) COM(97) 234.

(1999/C 96/215)

WRITTEN QUESTION E-2845/98

by Roberta Angelilli (NI) to the Commission

(28 September 1998)

Subject: Risk of asbestos contamination

Around 1500 people work in the buildings that house the Istituto Poligrafico e Zecca dello Stato (state mint and printing institute) located in Via Salaria in Rome (where, among other things, the Official Gazette is printed), which is staffed 24 hours a day. On more than one occasion in recent years the unions have lodged formal complaints about the risk posed by the presence of asbestos used to insulate the buildings' ceilings (work carried out at the end of the 1960s). Following these complaints and action taken by the public prosecutor, the environmental conditions inside the buildings were checked. These checks revealed the presence of 'amosite' asbestos reaching levels of between 10 and 25 fibres per litre, which are well in excess of the legal limits. Despite this, no measures were taken to make alterations to the buildings in question.

In view of the above:

1. Does the Commission not consider it should prevail upon the Italian authorities to ensure that the current situation in the above buildings is checked?

2. Does it not consider that in the case in question there has been a failure to protect workers in the workplace that is a clear violation of Community Directives 83/477/EEC (1) and 91/382/EEC (2)?

3. If so, does it intend to initiate proceedings against the Istituto Poligrafico e Zecca dello Stato?

4. What is its view on this matter?

(1) OJ L 263, 24.5.1983, p. 25.
(2) OJ L 206, 29.7.1991, p. 16.

Answer given by Mr Flynn on behalf of the Commission

(6 November 1998)

The directives on the protection of workers exposed to asbestos referred to by the Honourable Member have been incorporated into Italian law. Questions regarding implementation fall under the competence of the Italian authority responsible for ensuring adequate control and surveillance.

However, the Commission notes that the result of the dust level measurements referred to in the question does not indicate any exceeding of the limit values set out in Article 8 of Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC).

(1999/C 96/216) **WRITTEN QUESTION E-2856/98**

by Niall Andrews (UPE) to the Commission

(28 September 1998)

Subject: European Voluntary Service Programme for young people

Following the agreement between the European Parliament and Council on a budget of ECU 47,5 million for 1998/99 for the EVS programme, what assurances can the Commission provide that Irish applicants will be favourably considered, and will it outline the main areas of support in 1998/99 for EVS programmes?

Answer given by Mrs Cresson on behalf of the Commission

(5 November 1998)

The European voluntary service for young people (EVS) has been preceded by a two-year pilot action in which Irish young people and organisations have actively participated (66 Irish volunteers sent, 85 European volunteers hosted by Irish organisations). Knowledge and information on the content and procedural aspects of EVS have therefore been widely disseminated amongst potential Irish applicants. This should facilitate their smooth participation in the newly established programme.

The EVS programme is a largely decentralised programme. Its implementation in Ireland will be highly dependent on the actions taken by the Irish EVS national structure 'Leargas — the exchange bureau'. This structure has already been successfully involved in the pilot phase of EVS and has also proven to be a very efficient vector for implementation of the youth for Europe programme. The efficiency and competence demonstrated by Leargas should be an asset for the participation of Irish young people and organisations during the coming months. They will, of course, benefit from the same opportunities to participate in EVS as nationals from other Member States.

As far as the main areas of support are concerned, the Commission has established a work plan outlining them for 1998. This has received full support from the programme committee. For 1998 the development of long-term (6-12 months) EVS projects remains the programme's centre of gravity but emphasis has also been put on the following activities: short-term (3 weeks — 3 months) EVS projects; preparation and training activities for young volunteers, project leaders and support staff, initiative and creativity projects of young people following their European voluntary service. Support to special projects (related to important events taking place in certain Member States), projects with non-member countries and experimental short-term projects is also envisaged.

(1999/C 96/217) **WRITTEN QUESTION E-2875/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(28 September 1998)

Subject: Measures to reduce tobacco consumption

Commissioner Flynn stated in his reply to my Written Question E-3455/97 ([1]) that the Commission would bring forward proposals for actions and measures to reduce smoking in the light of Parliament's opinion on the reduction of tobacco consumption.

What measures has the Commission taken in this matter?

([1]) OJ C 134, 30.4.1998, p. 167.

Answer given by Mr Flynn on behalf of the Commission

(5 November 1998)

The Commission has issued several requests for information to Member States on their rules and practice concerning various aspects of smoking prevention and tobacco control. The replies will form part of its evaluation of the need for specific measures and actions at the Community level.

The Commission will shortly also make a report to the Council and the Parliament on the follow-up to its 1996 communication on combating tobacco consumption [1].

[1] COM(96) 609 final.

(1999/C 96/218)

WRITTEN QUESTION P-2897/98

by Johanna Maij-Weggen (PPE) to the Commission

(15 September 1998)

Subject: Refugees from Kosovo

How much money has the Commission made available for refugees in and from Kosovo? What organisations are responsible for the care and relief of these refugees?

In the light of a remark by the Dutch Minister of Development Cooperation to the effect that the European Union and the Netherlands have set aside enough money for these refugees but that other Member States have failed to do so, can the Commission also state how much money has been provided by each of the Member States for the relief of these refugees?

Answer given by Mr Liikanen on behalf of the Commission

(12 October 1998)

Commission contributions for the crisis in Kosovo in 1998 are as follows:

— Commission Decision of 25 March 1998: ECU 2 million out of a total of ECU 81 million specifically for Kosovo. The following projects were financed: Médecins sans frontières (MSF) — Belgium (medicines), ECU 300 000; PSF-France (medicines), ECU 850 000; GVC-Italy (centre for women and children), ECU 150 000; Children's direct aid, United Kingdom (food parcels for displaced persons), ECU 400 000. The balance of ECU 300 000 will be allocated in the next few days;

— Commission Decision of 17 August 1998: ECU 5 million for displaced persons and refugees from Kosovo, Montenegro and Albania broken down as follows: United Nations High Commissioner for Refugees (UNHCR) (basic necessities for Montenegro, Kosovo and Albania), ECU 2 million; International Committee of the Red Cross (ICRC) (the same for Kosovo), ECU 1 million; Memisa/Caritas — the Netherlands (the same for Montenegro), ECU 450 000; OXFAM — United Kingdom (the same for Kosovo), ECU 530 000; MSF — Belgium (medical aid for Kosovo), ECU 820 000. The balance of ECU 200 000 will be allocated in the next few days;

— Commission Decision of 17 June 1998: ECU 1,5 million for refugees in Albania broken down as follows: FICR (basic necessities), ECU 500 000; OXFAM — United Kingdom (sanitation-water supplies), ECU 230 000; THW — Germany (provision and fitting out of reception centres), ECU 770 000;

— in addition to these specific measures financed by the Commission, Kosovo also receives aid under the general assistance projects in the Federal Republic of Yugoslavia financed by the Commission from funds totalling ECU 81 million made available by the Decision of 25 March 1998. These included funding for the UNHCR (ECU 2,5 million in 1998), the World Food Programme (WFP) (ECU 2 million in 1998) and the IFRC (ECU 2,5 million in 1998). The Commission also agreed to send part of the food stocks in Croatia and Bosnia-Herzegovina to Montenegro and Albania in order to meet the needs of people from Kosovo.

Contributions from the Member States in 1998 of which the Commission is aware are as follows:

— specifically for the crisis in Kosovo: Austria: ECU 1,08 million; Denmark: ECU 1,47 million; Germany: ECU 1,93 million; Italy: ECU 1,28 million; the Netherlands: ECU 394 000; Spain: ECU 185 000; Sweden: ECU 3,07 million;

— contributions also made to Kosovo (percentage unknown): Finland: ECU 500 000; Germany: ECU 2,04 million; the Netherlands: ECU 3,9 million.

(1999/C 96/219)

WRITTEN QUESTION E-2907/98

by Florus Wijsenbeek (ELDR) to the Commission

(2 October 1998)

Subject: Competition as regards authorities issuing driving licences

Can the Commission give an overview of the extent to which, in the various Member States, the organisation of driving tests is entrusted to bodies other than government authorities?

Can it also indicate, if bodies other than government authorities are involved, the extent to which open calls for tender are issued in advance?

Will it also investigate how, in the various Member States, appeals are dealt with against decisions taken by the authorities responsible for issuing driving licences and if the procedure also applies to independent bodies?

Finally, can the Commission indicate whether, in addition to the possibility of acquiring a driving licence from an appointed body, it is also possible to acquire a driving licence from another body appointed by the authorities?

Answer given by Mr Kinnock on behalf of the Commission

(23 October 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/220)

WRITTEN QUESTION E-2938/98

by Graham Watson (ELDR) to the Commission

(8 October 1998)

Subject: Water safety standards at hotel and resort complexes

At the moment there is no Community legislation requiring hotels and resort complexes to employ lifeguards at their swimming pools or any compulsion to provide multilingual information about their swimming facilities or to provide lifesaving equipment. Does the Commission recognise this as an area which requires EU legislation?

Answer given by Mrs Bonino on behalf of the Commission

(21 October 1998)

The Commission is aware of the potential dangers of swimming pools. Within the last two years, it has co-financed four projects relating to safety in public swimming pools, prevention of drowning among children, accident prevention in swimming pools and safety and quality standards in water parks.

There are many aspects which determine the level of safety in swimming pools. To those mentioned by the Honourable Member may be added, for example, those linked to the actual construction of pools, their maintenance, water quality, hygiene standards of ancillary services and staff training.

Some of these aspects are taken into account in Community Directives; for example, Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products [1] raises the intrinsic safety level of works, Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment [2] covers, for example, lifejackets, Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits [3] covers, among other things, the safety of electrical pumps, and Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work [4] and its individual Directives cover the health and safety of workers carrying out their duties in swimming pools.

Other aspects have been taken into account in the context of European standards. For example, a number of voluntary standards specific to swimming pools are being drawn up by the European Committee for Standardisation (CEN). These relate, for example, to safety signs, floating boundary markers or ladders and steps.

Certain other aspects, particularly those concerning the operation of swimming pools, such as the supervision and information of bathers and the availability of rescue equipment, are the responsibility of the Member States, and the Commission has at present no plans to regulate them by means of Community legislation.

A Directive on the responsibility of service providers might have contributed to improving protection in this area, but in 1994 the Commission decided to withdraw a proposal along these lines ([5]) after taking into account the opinions of Parliament (in particular the Committee on Legal Affairs and Citizens' Rights) and the Economic and Social Committee, and in the light of the considerations relating to subsidiarity (Article 3b) expressed by the Edinburgh European Council.

([1]) OJ L 40, 11.2.1989.
([2]) OJ L 339, 30.12.1989.
([3]) OJ L 77, 26.3.1973.
([4]) OJ L 183, 29.6.1989.
([5]) OJ C 12, 18.1.1991.

(1999/C 96/221)

WRITTEN QUESTION E-2949/98

by Ludivina García Arias (PSE) to the Commission

(8 October 1998)

Subject: Delays in the recognition of higher-education diplomas

Does the Commission not think that, if the Member States are unaccountably delaying the recognition of higher-education diplomas for periods of over a year, they are in effect restricting the professional recognition of qualifications as regulated by Directive 89/48/EEC ([1]) and therefore limiting people's freedom of establishment within the European Union? If this is the case, does the Commission not believe that the recognition or validation of qualifications gained at higher-education establishments in the EU should also be covered by Community law?

([1]) OJ L 19, 24.1.1989, p. 16.

Answer given by Mr Monti on behalf of the Commission

(6 November 1998)

The Commission would refer the Honourable Member to its answer to her Written Question E-529/98 ([1]).

([1]) OJ C 402, 22.12.1998, p. 14.

(1999/C 96/222)

WRITTEN QUESTION E-2958/98

by Nikitas Kaklamanis (UPE) to the Commission

(8 October 1998)

Subject: Nuclear reactor at Akkuyu, Turkey

Despite growing international concern, Turkey is pressing ahead with plans to build a nuclear plant on the Aegean coast, even though it is absolutely clear that the region is prone to earthquake. Recently, a letter by the Canadian seismologist Buckthought was published in the Ottawa Citizen, rebutting all the Turkish claims that the region is not an earthquake zone. Among other things, the Canadian professor claims that since 1973 a number of seismic tremors have been recorded in Turkey, the epicentres of which have been between 4 and 60 kilometres from Akkuyu, the planned site of the reactor. In particular, he urges all those who have been involved in this extremely risky programme to adopt a responsible position since a Chernobyl type accident will have fatal consequences for millions of inhabitants of Turkey and the neighbouring countries of Cyprus, Greece and Israel.

Moreover, Turkey's insistence on buying the Canadian CANDU type of reactor, which uses totally different technology from normal high-pressure reactors, raises numerous questions. CANDUs can, in fact, be used to produce nuclear weapons, which is an obvious threat to peace in the wider region. Following India's admission that it succeeded in making its own nuclear bomb with the aid of a CANDU reactor, it cannot be ruled out that Turkey might also repeat the process.

In the light of these revelations, what action will the Commission take to persuade Turkey (an EU associate country) to cancel this nuclear programme which poses such a tremendous threat to the safety of the EU's population?

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

(28 October 1998)

The Commission would refer the Honorable Member to its answer to his Written Questions P-662/98 ([1]), E-1876/98 ([2]) and E-2190/98 ([3]) and to Written Question E-2107/98 by Mr Alavanos ([4]).

([1]) OJ C 304, 2.10.1998, p. 143.
([2]) See page 12.
([3]) See page 54.
([4]) See page 37.

(1999/C 96/223) **WRITTEN QUESTION E-2987/98**

by John Iversen (PSE) to the Commission

(8 October 1998)

Subject: Call for national registers of veterinary drug use

The European consumer's growing desire for wholesome and unadulterated food means there is a need to step up checks on the use of drugs in farming. Antibiotic growth promoters and the excessive use of drugs are creating resistant bacteria and, in the longer term, people could die from illnesses such as influenza and pneumonia because they can no longer be treated using antibiotics.

If national registers were set up to record the use of drugs in farming, it would be possible to compare levels of use in different Member States and thus to file complaints if use was found to be excessive in certain Member States. This would also provide a tool for conducting research into the links between resistant bacteria and drug use. A pattern is already emerging which indicates that the number of resistant bacteria is much lower in the Scandinavian countries, where veterinary drug use is low compared with countries such as the UK, the Netherlands and Belgium.

Does the Commission not think it would be a good idea to submit a proposal requiring Member States to establish national registers of drug use in farming? At the same time, it could submit a proposal requiring antibiotics to be made available only on prescription in the Member States, which would prevent farmers from using drugs as growth promoters.

Answer given by Mr Bangemann on behalf of the Commission

(11 November 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.

(1999/C 96/224) **WRITTEN QUESTION E-2995/98**

by Roberto Mezzaroma (PPE) to the Commission

(8 October 1998)

Subject: Reform of the law on representation in the armed forces in Italy

On 21 July 1998, the defence committee of the Italian Chamber of Deputies approved the text of a law aimed at reforming the system of representation in the armed forces.

The substance of the law reveals the lack of a political will to undertake an innovative reform of the system of representation in the armed forces so as to improve the conditions of military personnel.

The law has been met with complete indifference and has failed to prompt any critical reaction on the part of military personnel, indicating a serious and alarming lack of concern about the law's content.

For many years the fundamental rights of military personnel in the armed forces of European countries have been enjoyed wide-ranging and comprehensive protection under the law. In view of the fact that in 1985 and 1997 the European Parliament adopted a recommendation stating that military personnel should be allowed proper and effective representation, does the Commission not consider it necessary to make a specific recommendation, without encroaching on the autonomy of the Italian Parliament, that the new law, which is set to be approved by the Senate, should incorporate the constitutional right to the protection of the fundamental and inalienable rights of association and be brought into line with similar laws in other European countries as part of a unified defence policy in the WEU?

Answer given by Mr Flynn on behalf of the Commission

(6 November 1998)

The right of association falls outside of the scope of Article 2 of the Agreement on social policy (Article 137 of the new Treaty). The issue of the right of association of the members of the armed forces falls exclusively within the competence of the Member States.

(1999/C 96/225) **WRITTEN QUESTION E-2998/98**

by Renate Heinisch (PPE) to the Commission

(8 October 1998)

Subject: Information on the level of EU aid paid to universities and research institutes in Baden-Württemberg in 1997

For what measures was Community funding paid to universities and research institutes in Baden-Württemberg in 1997, and how high were the grants from

1. the Fourth Framework Programme for activities in the field of research and technological development and demonstration,

2. the Community programmes in the areas of energy and the environment,

3. Community initiatives, particularly the Interreg programme,

4. the Socrates, Leonardo da Vinci and Youth for Europe programmes,

5. other Community programmes?

Answer given by Mr Santer on behalf of the Commission

(23 October 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/226)

WRITTEN QUESTION E-3005/98

by Elmar Brok (PPE) to the Commission

(8 October 1998)

Subject: Dishonest sales practices involving names of German firms in the CITA shopping centre in Playa del Ingles, Grand Canaria (Spain)

1. Is the Commission aware of the fact, reported by German television, that some purveyors of electronic leisure goods in the CITA shopping centre on Grand Canaria are deliberately deceiving their customers by displaying the names of well-known German firms — although the shops in question are not branches/outlets — and that they are also using these names for unauthorised guarantees

2. Is the Commission aware that very large numbers of holiday makers have been taken in by this sales ploy and that the Spanish authorities, despite many complaints, will hardly lift a finger to help?

3. Is there any way in which the Commission can bring pressure to bear on the Spanish authorities to put an end to such illegal practices forthwith?

Answer given by Mrs Bonino on behalf of the Commission

(5 November 1998)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

(1999/C 96/227)

WRITTEN QUESTION E-3023/98

by Sérgio Ribeiro (GUE/NGL) to the Commission

(8 October 1998)

Subject: Harmful environmental effects stemming from Community financial support (Cerâmica do Olival at Olival/Ourém and Preceram at Travasso/Pombal, Portugal)

In two towns within the same region, although not very close to one another (Olival/Ourém and Travasso/Pombal), there used to be, some years ago, two ceramics factories which were regarded by the local people as part of their living and working environment.

Access to Community funds enabled the two factories — Cerâmica do Olival and Preceram — to implement modernisation programmes. However, what could (and, indeed, began to) be regarded as something beneficial (including by the local people) had an extremely harmful effect on the environment, apparently because of a new type of fuel being used. Plant life and agricultural produce were damaged over several successive years and many people felt that their health was suffering.

The response to this state of affairs took many different forms: local people demonstrated and protested to official bodies and even to the author of this question, who was able to experience the situation for himself in the towns concerned.

Those people are now feeling a degree of despair at the futility of their efforts and at the fact that the situation (particularly as regards public health) has not been remedied and is even getting worse. What was once regarded as a benefit (the Community funding provided) is now being blamed for the problems which have arisen.

Is the Commission aware of this issue? Did it express any opinion regarding the projects and has it (or had it) any control over the use of the funds, with particular regard to the environmental implications thereof?

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

(4 November 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/228) **WRITTEN QUESTION E-3026/98**

by Miguel Arias Cañete (PPE) to the Commission

(8 October 1998)

Subject: Admission of holders of German diplomas issued after six semesters of study to A/LA posts

In his answer of 10 February 1998 to Written Question E-4186/97 ([1]) by Mrs Bárbara Dührkop, Commissioner Liikanen stated that the Commission admits holders of German diplomas issued after the minimum compulsory period of eight semesters to category A/LA posts in the European civil service.

In its defence against the action for annulment brought by Mr Vicente Alonso Morales (T-299/97, paragraph 3), the Commission declared that holders of the German 'Fachhochschuldiplom' issued after eight semesters of study are admitted to category A/LA posts.

The notice of open competition COM/A/1047 published in OJ C 145, 13.5.1997 stipulates that periods of training count as professional experience.

Bearing in mind the above-mentioned facts, why does the Commission admit holders of the German 'Fachhochschuldiplom' to category A/LA posts in the European civil service, given that the said qualification consists of a maximum of six semesters of study, together with a placement with an undertaking for one or two semesters as professional experience?

([1]) OJ C 304, 2.10.1998, p. 15.

Answer given by Mr Liikanen on behalf of the Commission

(20 October 1998)

The Commission would refer the Honourable Member to its answer to Written Question E-2740/98 by Mrs Vallelersundi ([1]).

([1]) See page 141.

(1999/C 96/229) **WRITTEN QUESTION E-3030/98**

by Raimo Ilaskivi (PPE) to the Commission

(8 October 1998)

Subject: Finnish teaching in the Åland Islands

According to recent press reports an official of the Åland provincial government refused another official authorisation to learn Finnish, Finland's first official language, during working hours. The official concerned would have been allowed to learn other languages, however. The reason given was that knowledge of Finnish was unnecessary, since the Åland Islands are a monolingual autonomous area, despite the fact that many of the tourists visiting the Islands are Finnish. The decision refusing authorisation to learn Finnish, but not other languages, is discriminatory and demeaning.

Does the Commission take the view that the ban is, for example, consistent with the status granted to the Åland Islands by the EU? If not, what measures does the Commission plan to take in order to enable the official concerned from the Åland provincial government to learn Finnish on the same basis as other languages?

Answer given by Mr Oreja on behalf of the Commission

(24 November 1998)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

(1999/C 96/230)

WRITTEN QUESTION E-3069/98

by David Bowe (PSE) to the Commission

(9 October 1998)

Subject: Primates

What is the Commission's policy and practice regarding EU finances being used to fund primate experiments, and what are the total amounts of EU funding expended on primate experiments for each of the following years: 1996, 1997, 1998 (to date); and how many primates does this represent?

(1999/C 96/231)

WRITTEN QUESTION E-3071/98

by Michael Elliott (PSE) to the Commission

(9 October 1998)

Subject: Primates

What statistics/information does the European Commission keep on the numbers of primates used in EU-funded research projects, the purpose of their use and the amount of EU funding involved; and what are the Commission's detailed plans for monitoring and recording EU-funded research in this sensitive area in the future?

If such statistics and information have been kept:

— what is the amount of EU funding awarded to research into BS/TSE using primates for each of the years, 1996, 1997, 1998 (to date) and how many primates does this represent for each of these years?

— what is the amount of EU funding awarded to research into AIDS using primates for each of the years, 1996, 1997, 1998 (to date) and how many primates does this represent for each of these years?

Joint answer
to Written Questions E-3069/98 and E-3071/98
given by Mrs Cresson on behalf of the Commission

(16 November 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/232)

WRITTEN QUESTION E-3081/98

by Angela Billingham (PSE) to the Commission

(9 October 1998)

Subject: Investigation of the murder of Monsignor Juan Gerardi in Guatemala

What action is the European Commission taking to ensure that the Guatemalan authorities carry out an objective, balanced investigation and trial into the murder of Monsignor Juan Gerardi, Auxiliary Bishop of Guatemala and co-ordinator of the Archbishop's Human Rights Office?

His killing took place two days after he had launched the document, 'Nunca Mas', a report which documents 55 021 cases of human rights abuses carried out during the civil war.

What steps will the European Commission take to urge the Guatemalan authorities to protect the physical integrity of all other Guatemalan citizens, especially those working in the field of human rights?

Answer given by Mr Marín on behalf of the Commission

(29 October 1998)

The Commission would refer the Honourable Member to its answer to Written Question No 2191/98 by Mr Ford ([1]).

([1]) OJ C 13, 18.1.1999, p. 152.

(1999/C 96/233) **WRITTEN QUESTION E-3089/98**

by Nikitas Kaklamanis (UPE) to the Commission

(16 October 1998)

Subject: Turkish military blockade of Orthodox Monastery

The Orthodox Monastery of Mar Gabriel in Turkey is one of the most ancient in the world, being over 1 600 years old. The Orthodox faith and the Aramaic language have been taught there down to the present day and it is the spiritual home of three million Syrian Orthodox Christians. Over the last few months major American newspapers (such as the Los Angeles Times, on 21 August 1998) have reported that the Islamist regional governor of the region, Fikret Güven, has been attempting by various stratagems to put an end to the teaching of the 30 students at this monastery.

Having implemented Turkey's infamous racist law banning non-Turkish citizens from being ordained, the Turkish authorities are now seeking completely to deprive the monastery of teachers of the Christian faith. The Turkish army has recently set up in the village of Haberli next to the monastery a checkpoint (which is guarded by tanks) where the names of all the faithful wishing to visit the monastery are recorded.

Will the Commission give its views on this matter and say how it intends to react, since it is now clear that Turkey is emboldened by the inertia shown by the EU whenever the rights of the non-Muslim minorities remaining on Turkish territory are violated and takes even harsher measures to terrorize and persecute them?

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

(10 November 1998)

The Commission would refer the Honourable Member to its answer to Written Question E-2159/98 by Mrs Daskalaki ([1]).

([1]) OJ C 31, 5.2.1999, p. 128.

(1999/C 96/234) **WRITTEN QUESTION E-3092/98**

by Laura González Álvarez (GUE/NGL) and Pedro Marset Campos (GUE/NGL) to the Commission

(16 October 1998)

Subject: Delay in the payment of funds under the Leader I programme

The rural development centre 'La Montaña' was set up in the municipality of Cocentaina (Alicante, Spain) and has played an active part in the implementation of the Leader I programme.

It has acted as an intermediary in attracting a range of subsidies for projects which have already been concluded in neighbouring rural areas. Nevertheless, despite the time which has elapsed since the granting of subsidies by 'La Montaña' in 1994 and the conclusion of the projects for which grants were awarded, the beneficiaries have still not received the full amount of the subsidies.

According to the explanation given by 'La Montaña' to the beneficiaries, the reason for the delay is that the full amount due to them from the European Union has not yet been transferred.

Moreover, those responsible within the Spanish Ministry of Agriculture (the intermediary between the EU and the 'La Montaña' rural development centre) have indicated to the beneficiaries of grants that payment of part of the funds was being held up pending a resolution of the Spanish Court of Auditors.

In view of the lack of defences available to the bodies responsible for the practical implementation of the Leader programme on the ground:

1. Is the Commission aware of delays in the final payment of funds under the Leader programme?

2. What steps can the Commission take to ensure that, given the time which has elapsed, the full amounts of the subsidies funded under the Leader programme are paid out?

3. Can the Commission provide information on its monitoring of the situation?

Answer given by Mr Fischler on behalf of the Commission

(28 October 1998)

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

(1999/C 96/235) **WRITTEN QUESTION P-3128/98**

by Jaak Vandemeulebroucke (ARE) to the Commission

(9 October 1998)

Subject: Closure of four establishments of Levi Strauss Europe

Levi Strauss Europe has announced the restructuring of its activities in Europe and its intention to close four establishments, with the loss of 1 461 jobs. 100 administrative posts will also be lost. Levi Strauss Europe has announced that it will comply with European Directives (75/129/EEC, 92/56/EEC and 94/45/EEC) and national legislation. The shutdown must be accompanied by a credible retraining plan for the workers.

Paragraphs 8 and 9 of the resolution adopted by the European Parliament on 13 July 1995 on relocations and job losses in the European Union state:

> 8. Calls on the Commission and Member States to urge Community-scale corporations not to take decisions which adversely affect employment and about which employees have not been informed and consulted in advance and which are not accompanied by a credible retraining plan in accordance with Directive 94/45/EEC;
>
> 9. Calls on the Commission to refuse assistance from Community programmes to businesses which fail to comply with the obligations referred to in paragraph 8 or which abuse investment subsidies;

1. In the specific instance of Levi Strauss Europe, can the Commission provide an overview of the European subsidies received by that company over the last ten years?

2. The company in question also has establishments in Poland, Hungary and Turkey. Can the Commission state whether Levi Strauss Europe has received funding under the aid programmes for Central and Eastern Europe? If so, what funding? Can the Commission provide the same information in respect of Turkey?

3. Can the Commission state whether it is prepared to apply paragraph 9 of the abovementioned resolution, should it appear, during the negotiations with the trade unions, that Levi Strauss Europe is unwilling to adopt a large-scale retraining plan for the workers affected?

4. Can the Commission also state how it can justify the aid (if any) to the Eastern European and Turkish establishments of Levi Strauss Europe, should it appear that such aid has dealt the deathblow to establishments situated within Community territory?

Answer given by Mr Flynn on behalf of the Commission

(5 November 1998)

1. The Commission is not aware of any direct public subsidies obtained by Levi Strauss Europe in recent years. However, the group may possibly have benefited from general measures open to all undertakings in Member States or from aid under horizontal or regional schemes approved by the Commission, where Member States are free to grant aid without having to notify the Commission.

2. and 4. No aid has been granted to the Levi Strauss Europe establishments in Poland and Hungary under the aid programmes for Central and Eastern Europe. Aid is never granted directly to companies under these programmes. Neither has Community aid been granted to the Turkish establishment of Levi Strauss Europe.

3. The Commission would like to draw attention to the existence of various Community legislative acts on the information and consultation of workers in the event of the restructuring of undertakings, particularly where collective redundancies are involved (Council Directive 75/129/EEC of 17 February 1975 on the approximation of the laws of the Member States relating to collective redundancies ([1]), and Council Directive 94/45/EC of 22 September 1994 on the establishment of a European works council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees ([2])).

These directives and the provisions transposing them into national law include procedures for the enforcement of the obligations involved. In any event, according to the Commission's information, Levi Strauss has entered into negotiations with workers' representatives at both national and Community levels in an attempt to seek alternative solutions to closures or at least to alleviate their social consequences.

The Commission has recently launched a new initiative to consolidate the arrangements for informing and consulting workers in the Community. It includes aspects designed to ensure 'upstream' consultation within the undertaking and, in the event of workforce cuts, encourage negotiated solutions (training, retraining, redeployment).

The high-level group established at the request of the Luxembourg European Council to produce a report on the economic and social implications of industrial change has stated in its interim report that undertakings which do not make sufficient effort to provide training for their workers should be disqualified from receiving public aid.

([1]) OJ L 48, 22.2.1975.
([2]) OJ L 254, 30.9.1994.

(1999/C 96/236) **WRITTEN QUESTION E-3149/98**

by Rainer Wieland (PPE) to the Commission

(16 October 1998)

Subject: Proposal for a directive concerning the prohibition of the advertising of cars and other products

Is it true, as claimed in several press reports (including one by the Bild am Sonntag on 19 July 1998), that the Commission is considering the possibility of prohibiting or restricting the advertising of motor vehicles?

If so, in what form are these deliberations taking place, and what action is the Commission planning?

Is the Commission also considering the possibility of prohibiting the advertising of any other products or services?

If so, in what form are these deliberations taking place, and what action is the Commission planning?

Answer given by Mr Kinnock on behalf of the Commission

(6 November 1998)

The Commission would refer the Honourable Member to its answer to Written Question P-2587/98 by Mr von Habsburg ([1]).

([1]) See page 118.

(1999/C 96/237) **WRITTEN QUESTION P-3161/98**

by Antonio Tajani (PPE) to the Commission

(12 October 1998)

Subject: Video games and protection of the rights of citizen and political leader Silvio Berlusconi

Is the Commission aware that in many amusement arcades for young people there is an Austrian-made video game (Photo Play 2000 Trivial Pursuit — Fun World — Brunnenweg, A — 4810 Gmunden, Austria) in which players have to answer questions, one of which is: 'Who was the first Italian crook to be arrested in the notorious bribes scandal known as Tangentopoli?', there being a choice of three replies: Silvio Berlusconi, Bettino Craxi, or Mario Chiesa (the correct reply)?

What measures does the Commission intend to take to withdraw from the market a game which suggests to young people that the leader of the opposition in Italy might be a crook arrested for political corruption?

Does the Commission not believe that there has been an infringement of the rights of European citizen and politician, Silvio Berlusconi, whose political strength is represented in the European Parliament by the largest Italian delegation?

Answer given by Mr Santer on behalf of the Commission

(23 October 1998)

The Commission takes the view that it has no jurisdiction in this matter.

(1999/C 96/238) **WRITTEN QUESTION E-3171/98**

by Marlies Mosiek-Urbahn (PPE) to the Commission

(27 October 1998)

Subject: EU aid for Hesse from the Social Fund and Regional Fund

Can the Commission provide information on economic and regional aid from the EU to the Federal German Land of Hesse:

1. What was the level of EU structural aid funding received by this region in 1997, broken down by fund and Community initiatives?

2. How much of this went to the agricultural sector?

3. How many jobs were created in Hesse in 1997 with the aid of economic and regional aid from the EU?

4. What EU structural aid funding was received by comparable regions in other Member States of the Community in 1997?

5. How many jobs were created in comparable regions in other Member States of the Community in 1997 with the aid of economic and regional aid from the EU?

Answer given by Mr Santer on behalf of the Commission

(6 November 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/239) **WRITTEN QUESTION P-3175/98**

by John Iversen (PSE) to the Commission

(12 October 1998)

Subject: Directive on zoonoses

By 1 September 1997 the Member States were supposed to have adopted the necessary laws and administrative provisions to comply with the directive on zoonoses. Which Member States met this requirement or have in the meantime done so?

What action has the Commission taken to discharge its duty to ensure implementation of EU rules in those Member States that have not satisfied this requirement?

By 1 November 1997 the Commission was supposed to have submitted to the Council a report accompanied by appropriate proposals for combating zoonoses. Why has it not complied with this provision?

When does it intend to submit the report and proposals?

By 1 January 1998 the Member States were supposed to have implemented the minimum measures laid down in the directive on zoonoses. Which Member States met this requirement or have in the meantime done so? What action has the Commission taken to discharge its duty to ensure implementation of EU rules in those Member States that have not satisfied this requirement?

By 1 March 1998 the Member States were supposed to have submitted to the Commission a plan setting out the national measures which they have implemented or intend to implement in order to achieve the objectives laid down in the directive on zoonoses. Which Member States met this requirement or have in the meantime done so? What action has the Commission taken to discharge its duty to ensure implementation of EU rules in those Member States that have not satisfied this requirement?

By 31 December 1998 at the latest, the Commission should have taken a decision on third countries' plans indicating the guarantees provided by those countries with regard to monitoring of zoonoses; if no decision is taken concerning a third country, that country is suspended from the Community list of countries allowed to export to the EU. With what third countries has a decision been taken? Does the Commission intend to respect the deadline for all third countries?

Zoonoses are one of the gravest threats to public health in the EU: how many people have fallen ill in the individual Member States from zoonoses and from which ones, and how many people have died from zoonoses and from which ones?

Answer given by Mr Fischler on behalf of the Commission

(23 October 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/240) **WRITTEN QUESTION P-3177/98**

by Paul Rübig (PPE) to the Commission

(12 October 1998)

Subject: Apprentice bakers and night work

Bread production is a very dynamic sector. Customer demand means that bread and pastries must be available as early as 6 a.m. However, Directive 94/33 on the protection of young people at work prohibits young people from working nights between the hours of midnight and 4 a.m. This rule deprives apprentice bakers of an essential part of their training, i.e. the opportunity to learn how to make dough. This situation could be remedied simply by cutting down the night-working ban by one hour. This would put small bakeries, which have traditionally provided most training, in a stronger position to train new apprentices in the future.

The level of employment in Europe must be improved, and youth employment in particular. With this consideration in mind, can the Commission envisage reducing the ban on night work by one hour, at least for those sectors which are particularly affected?

Answer given by Mr Flynn on behalf of the Commission

(5 November 1998)

Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work [1] requires Member States to ensure that employers guarantee young people working conditions which suit their age.

As regards night work, Article 9 of the Directive contains a general ban on night work by children and adolescents. However, to take account of the specific nature of certain areas of activity, the Directive allows Member States to authorise, under certain conditions, night-time work by adolescents, although work between midnight and 4.00 is still prohibited in such cases.

The Commission feels that this provision allows Member States to find a balance between the vocational training requirements of adolescents in the bakery industry and the need to protect young people against work liable to be detrimental to their safety, health or physical development.

The legislation in force in the Member States would seem to confirm the soundness of this approach.

[1] OJ L 216, 22.6.1994.

(1999/C 96/241) **WRITTEN QUESTION E-3178/98**

by Christian Rovsing (PPE) to the Commission

(27 October 1998)

Subject: Medicine residues in horse meat

In view of the public concern over medicine residues in foodstuffs and the fact that animals, including racehorses, need to be treated for diseases:

1. What will the Commission do to ensure that MRL (Maximum Residue Limits) are laid down for all essential medicines and that the latter can be afforded by all horse owners?

2. Since professional racehorses receive considerable amounts of medicine during their career, how will the Commission ensure that they do not end up as food?

Answer given by Mr Bangemann on behalf of the Commission

(11 November 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.

(1999/C 96/242) **WRITTEN QUESTION E-3203/98**

by Honório Novo (GUE/NGL) to the Commission

(27 October 1998)

Subject: Situation at Autoeuropa

Autoeuropa is a joint Ford/Volkswagen investment in Portugal, which has received considerable cofinancing from the Structural Funds. This investment appears to have been based on the assumption that the factory will remain in operation up to 2001 and on a commitment that every effort will be made to continue production over the period 2001-2014.

The programme for the production chain agreed in the contract provided for the opening of a third shift, which has not materialised to date.

It is now known, however, that Ford has withdrawn from the project. Following this, the Commission has decided to ask Ford and Volkswagen to state their intentions concerning the future of Autoeuropa.

Given these circumstances, can the Commission answer the following questions:

1. What reasons have been invoked by Autoeuropa for not opening the third shift for the production chain, as initially provided for? Does it intend to do so in the future? If so, when?

2. Does the information supplied by Autoeuropa to the Commission include an undertaking to comply with all the conditions required in return for Community cofinancing, and, in particular, the requirement that no changes should be made as regards production and employment? If so, until when — 2001 or 2014?

3. What concrete political action does the Commission intend to take against Ford and Volkswagen — both in the present case of Autoeuropa and in the case of fresh investment projects on the part of either of those transnational companies — should it become clear that the contractual agreements have not been complied with?

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

(4 November 1998)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 96/243) **WRITTEN QUESTION P-3208/98**

by Arlindo Cunha (PPE) to the Commission

(16 October 1998)

Subject: BSE in Portugal

At its meeting of 7 October 1998 the Commission announced that a special plan to combat BSE in Portugal will be introduced shortly. The feeling in Portugal is that the Commission's reaction is out of proportion, considering that Spain, which has imposed an embargo on Portuguese beef exports, appears to have refused to allow any mission of Community specialists on its territory.

Can the Commission answer the following:

1. Is the state of affairs now identified in Portugal by the most recent mission of specialists more serious or less serious than that identified by the mission sent in May?

2. In view of the geographical position of Spain and the nature of some of its production systems for milk and meat, how many missions has the Commission sent to Spain recently, and what were their conclusions?

Answer given by Mrs Bonino on behalf of the Commission

(5 November 1998)

Since the mission in May 1998, the bovine spongiform encephalopathy (BSE) situation in Portugal has deteriorated. In 1997, 30 confirmed cases of BSE were notified to the Commission. In 1998, 17 confirmed BSE cases were notified in the months January to April, and a further 49 confirmed BSE cases were notified until 16 October 1998. On 2 October 1998, the last day of the follow-up mission to Portugal, 28 brains were awaiting laboratory examination. For 10 of these brains the examination was finalised, hence, at least 18 brains are still awaiting laboratory examination.

Three BSE related missions to Spain have been carried out so far. One was at the end of 1996, concerning general protective measures for BSE, one in autumn 1997 as a follow up of the previous mission, in particular concerning BSE surveillance and the implementation of Commission Decision 96/449/EC of 18 July 1996 on the approval of alternative heat treatment systems for processing animal waste with a view to the inactivation of spongiform encephalopathy agents ([1]) and finally, one mission in September 1998, covering Commission Decisions 96/449/EC, 97/735/EC of 21 October 1997 concerning certain protection measures with regard to trade in certain types of mammalian animal waste ([2]) and the BSE surveillance results. A new mission is planned in the first part of 1999 on the implementation of Commission Decision 98/272/EC of 23 April 1998 on epidemio-surveillance for transmissible spongiform encephalopathies and amending Decision 94/474/EC ([3]) concerning epidemio-surveillance of transmissible spongiform encaphalopathies (TSEs).

Following the first two missions, in general it was concluded that some of the decisions have been implemented with some delay. The report of the last mission in September 1998 is being drafted and once finalised it will be sent to the Parliament and will be published on the Commission web-site (http://europa.eu.int/comm/dg24/).

([1]) OJ L 184, 24.7.1996.
([2]) OJ L 294, 28.10.1997.
([3]) OJ L 122, 24.4.1998.

(1999/C 96/244) **WRITTEN QUESTION E-3259/98**

by Francisco Sanz Fernández (PSE) to the Commission

(28 October 1998)

Subject: Culture and external cooperation

Can the Commission supply details of the number, type and value of the aid operations it conducted in the cultural, educational and training fields under the cooperation agreements with the countries of the Mediterranean area and the countries of Latin America during the period 1994-1998?

Answer given by Mr Marín on behalf of the Commission

(24 November 1998)

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