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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(1999/C 207/001) **WRITTEN QUESTION P-1762/98**

by Werner Langen (PPE) to the Commission

(29 May 1998)

Subject: Price agreement between the French cigarette industry and the French Government

In November 1997 an additional 2,5 % duty on tobacco was supposed to be introduced in France on financial and health policy grounds. However, the government agreed with the French cigarette manufacturers on a minimum consumption duty to be levied per unit of 1 000 cigarettes, thus removing the price advantage of multipacks. This agreement was reached without consulting, for example, the Hamburg firm of Reemtsma, which, like some of its competitors, sells various products on the French market.

The price declaration submitted by Reemtsma in relation to imports of two of its products (West and West Light, in packs of 25) was rejected by the French Ministry for Economic Affairs and Finance by reference to the agreement reached with the domestic industry. Approval would be granted only if the price was substantially raised.The two products were not included in the 'arreté d'homologation' (official approval) issued at the end of 1997. There was no response to a further price declaration submitted on 28 January 1998. In a conversation early in March, Reemtsma was quoted a price which would secure approval, but the company rejected that option on market strategy grounds. Further conversations did not produce any progress.

Article 85 of the EC Treaty prohibits 'agreements between undertakings (...) which have as their object or effect the prevention, restriction or distortion of competition within the common market, and in particular those which: (a) directly or indirectly fix purchase or selling prices (...)'

In view of the foregoing:

1. Does the Commission regard this direct fixing of a minimum price by the French cigarette industry, by agreement with the French Ministry for Economic Affairs and Finance, as an infringement of the competition laws deriving from Article 3(g) of the EC Treaty in conjunction with Article 85? If so, what steps will it take to remedy the situation?

2. Does the Commission know the grounds on which the French Government permits and justifies this form of horizontal cartel, by means of which the price or minimum price is directly fixed?

Supplementary answer
given by Mr Monti on behalf of the Commission

(11 February 1999)

1. At the end of 1997, the Commission received a complaint regarding the 1998 Loi des finances which the French government was about to adopt. On 1 January 1998, French legislation brought into force a cigarette tax whose effects included preventing the price per thousand of a particular category of cigarettes sold under a particular make from falling below the price of the best-selling product of the same make (minimum reference

price) and introducing a minimum excise duty for dark-tobacco ('brune') cigarettes 20 % below that for light-tobacco ('blonde') cigarettes (400F per thousand as opposed to 500F per thousand).

The Commission's conclusions included the finding that the new legislation failed to comply with Article 9(1) of Council Directive 95/59/EC of 27 November 1995 on taxes other than turnover taxes which affect the consumption of manufactured tobacco ([1]), which stipulates that the industry should be free to determine the retail selling price for each of its products. The new obligation to set a price per thousand amounts to imposing a minimum reference price. The Commission also considered that in having two minimum rates (500F per thousand for all cigarette categories except dark-tobacco cigarettes, which would be taxed at 400F per thousand), the new French legislation violated Community law (Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes ([2]), plus Directive 95/59/EC), which provided that an identical minimum rate of excise duty should be applied to all makes and varieties of cigarette.

In addition, because most dark-tobacco cigarettes were made in France (the opposite is the case with light-tobacco cigarettes), the new legislation failed to comply with the ban on tax discrimination and protection contained in Article 95 of the EC Treaty.

The Commission consequently initiated infringement proceedings against France under Article 169 of the EC Treaty. In that connection, it decided in December 1998 to forward a reasoned opinion.

2. The Article 169 infringement proceedings for failure to comply with Community law allow for an exchange of views between the Commission and the Member State involved. In this case, France did not react to the notice which the Commission had sent.

([1]) OJ L 291, 6.12.1995.
([2]) OJ L 316, 31.10.1992.

(1999/C 207/002)

WRITTEN QUESTION E-1995/98

by Anita Pollack (PSE) to the Commission

(30 June 1998)

Subject: The Terminator Gene

What is the Commission's estimate of the impact of Monsanto's Terminator Gene over the next few years on the livelihoods of farmers in developing countries?

(1999/C 207/003)

WRITTEN QUESTION E-2418/98

by Anita Pollack (PSE) to the Commission

(27 July 1998)

Subject: Monsanto and the terminator gene

What legal avenues are open to the EU to persuade or force Monsanto not to use its terminator gene?

Supplementary joint answer to Written Questions E-1995/98 and E-2418/98 given by Fischler on behalf of the Commission

(13 January 1999)

The Commission is aware of the concerns about the development of plant varieties containing gene constructs that prevent the formation of viable seeds (seeds deliberately disabled from germinating when sown, due to the failure of the embryo to develop). This development is known as 'terminator seed'. The Commission is aware that the system has been demonstrated in tobacco as a model species while work on cotton is preliminary, but the same technology could be developed for other crops.

It has attracted global interest. The fourth conference of the parties to the Convention on biological diversity requested its subsidiary body on scientific, technical and technological advice 'to consider and assess ..., whether there are any consequences for the conservation and sustainable use of biological diversity from the development and use of new technology for the control of gene expression, such as that described in US Patent 5723765 and to elaborate scientifically based advice to the conference of the parties. Moreover, it urges parties, governments as well as the civil society and public and private institutions to consider the precautionary approach in its application.'

Such a development may raise at least two concerns. Pollen from modified plants pollinating a neighbouring crop that was not genetically modified would also result in the formation of non-viable seeds. Farmers would no longer be able to save their own seed and would therefore be forced to buy new seed each year.

As 'terminator seed' may only be obtained by genetic modification, its placing on the market has to comply both with the requirements of the directives on seed marketing (e.g. in the case of cereal seed Council Directives 66/402/EEC on the marketing of cereal seed ([1]) and 70/457/EEC on the common catalogue of varieties of agricultural plant species ([2])) and with specific provisions relating to risks to human health and the environment which may be associated with the plants grown from seed of such varieties (as laid down in Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms ([3])) as well as, when destined for human consumption, specified in Regulation (EC) 258/97 of the Parliament and of the Council concerning novel foods and novel food ingredients ([4]).

Any application for placing on the market of plant varieties containing 'terminator' genes will be examined by the Commission, including the advice of the relevant scientific committees.

([1]) OJ L 125, 11.7.1966.
([2]) OJ L 225, 12.10.1970.
([3]) OJ L 117, 8.5.1990.
([4]) OJ L 43, 14.2.1997.

(1999/C 207/004) **WRITTEN QUESTION P-2096/98**

by Sebastiano Musumeci (NI) to the Commission

(30 June 1998)

Subject: Measures to prevent the disappearance of the carob tree

For some time land changes and crop conversions in the Mediterranean countries have been seriously endangering the survival of the carob tree.

In some regions, particularly Sicily, the threat of extinction of carob tree plantations is accentuated by violent attacks of cercosporiosis, which causes all the leaves to fall off.

This represents a serious danger from the point of view of both environmental protection and the economy.

Does the Commission not think it necessary to set up a discussion group composed of members from the European countries interested in cultivation of the carob tree (Italy, Spain, Portugal and Greece) to define a uniform framework for action to prevent extinction of one of the most charming and typical Mediterranean plants?

Answer given by Mr Fischler on behalf of the Commission

(3 August 1998)

The Commission is fully aware of the importance of preserving the carob tree. It therefore considers that all possible measures have to be taken to prevent the extinction of this species.

The new common organisation of the market in fruit and vegetables introduced by Regulation (EC) 2200/96 [1] provides for Community financing for producer organisations which implement operational programmes intended to improve the production and marketing of fruit and vegetables as well as respect for the environment. These operational programmes, approved by the national authorities, can comprise specific measures to protect carob trees.

Moreover, Commission Regulation (EEC) 2159/89 of 18 July 1989 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) 1035/72 [2] provides for per-hectare aid of from ECU 200 to 475 a year under plans introduced between 1989 and 1996 for a maximum 10-year duration, aimed at improving the quality and marketing of carobs, almonds, hazelnuts, walnuts and pistachios. The plans approved are managed by recognised producer organisations and include measures intended to improve the production of these products, and in particular plant health measures.

In addition, in the context of the implementation of Regulation (EEC) 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside [3], the Commission approved by its decision of 10 October 1994 the agri-environmental programme for Sicily. The measure in the programme entitled 'maintenance of extensive production' provides for a per-hectare premium of ECU 400 for farmers who commit themselves for five years to maintaining traditional methods of carob-growing.

These measures constitute, in the opinion of the Commission, a framework for action making it possible to avoid the disappearance of the carob tree.

(1) OJ L 297, 21.11.1996.
(2) OJ L 207, 19.7.1989.
(3) OJ L 215, 30.7.1992.

(1999/C 207/005)

WRITTEN QUESTION E-2163/98

by Ian White (PSE) to the Commission

(13 July 1998)

Subject: Compensation for missing luggage

The 1929 Warsaw Convention appears to assist airlines to avoid their responsibilities for compensation to passengers for missing luggage. This seems to have been exacerbated in the United Kingdom by the Carriage by Air Road Act 1979 limiting liability to seventeen Special Drawing Rights per kilo for claims settled after 1 December 1997 so that the pay out on estimated kilo weight covers little more than the cost of a lost suitcase, leaving the airline passenger with totally inadequate redress against the airline in question.

Does the Commission have any plans to address this question?

Answer given by Mr Kinnock on behalf of the Commission

(30 September 1998)

The Commission agrees that the current system of baggage and freight liability is outdated and extremely complex. Several attempts to update the 1929 Warsaw Convention have been frustrated, mainly because the number of signatories necessary to ratify the so-called Montreal protocol No 4 has always been insufficient.

A new draft convention for the unification of certain rules for international carriage by air is currently being prepared within the International Civil Aviation Organisation (ICAO). Luggage and freight are included in this work, and the Commission is of the opinion that the Community should await the results of this work before assessing the need for further Community legislation on this matter.

(1999/C 207/006) **WRITTEN QUESTION E-2317/98**

by Roberta Angelilli (NI) to the Commission

(22 July 1998)

Subject: Conversion of Italgas gasometers in Rome

A few months ago work began on the conversion into car parks of two gasometers in Rome which have been disused since 1986.

In the course of the work a number of environmental safety problems have arisen:

1. Large quantities of toxic waste derived from coal (naphthalene, gasolene, etc.) deposited over a period of 80 years remain at the base of the gasometers and the unpleasant smell of the fumes given off is causing the inhabitants of the Ostiense and Mercati Generali area to feel ill.

2. The iron structures are being sandblasted to remove the rust covering them with the result that sand is being spread through the air over a very large area, to the extent that the cars of Romana Gas employees and of residents are being damaged. Furthermore, complaints have been lodged with the local magistrate by social organizations, including UGL Energia of the Italgas Group, and by residents.

In view of the above, does the Commission not think it would be advisable for it to approach the Italian authorities to request that the Italian laws implementing the Community directives on health and safety in the workplace and on the protection of the environment are complied with on the building sites referred to above.

Answer given by Mrs Bjerregaard on behalf of the Commission

(2 October 1998)

The information given by the Honourable Member would indicate that the works which are causing problems of sand spreading through the air are covered neither by Annex I nor by Annex II of Directive 85/337/EEC ([1]). Consequently, there is no legal obligation to make them subject to an environmental impact assessment (EIA).

As regards the coal derived toxic waste at the basis of the gasometer in the area known as 'Ostiense' and 'Mercati Generali' in Rome, the information given by the Honourable Member does not enable the Commission to make an assessment in the light of Community environmental legislation. Therefore, the Commission is not in a position to identify any Community environmental legislation applicable to the specific case.

The Community directives on health and safety at work lay down minimum requirements for the protection of health and safety of workers at the workplace and make the employer responsible for the occupational health and safety of his workers. Consequently, Community health and safety directives are not applicable to residents of the area concerned, or to any other party outside the employer-worker relationship.

The enforcement of national provisions is a matter for the Italian authorities, who have to decide whether the national laws implementing the Community directives on health and safety at work have been respected in this case.

([1]) OJ L 175, 5.7.1985.

(1999/C 207/007) **WRITTEN QUESTION P-2345/98**

by Carlos Carnero González (GUE/NGL) to the Commission

(13 July 1998)

Subject: Situation of Reocín mine in Cantabria, Spain

The expected short-term closure of Reocín mine (Spain), which belongs to the AZSA company, due to the exhaustion of deposits is understandably causing genuine concern in the region (Cantabria) and district (Torrelavega and Besaya), since among other things the closure will lead to the loss of around 380 jobs in the mine itself and a large number of jobs indirectly linked to the mine, with the corresponding economic and social consequences.

Having visited the mine some days ago and talked at length to workers' representatives and the management of the company, this Member believes that all possible resources should be mobilized to help draw up and implement a package of measures such as those proposed by the representative trade-union groups.

In this context, is the Commission aware of the situation concerning the mine at Reocín and is it aware that a similar situation might arise in other mines with comparable features in Finland, Ireland and Sweden?

Does the Commission have a specific programme on the basis of which it might play a part in such circumstances?

Would the Commission be prepared to look into possible EU participation, through the appropriate channels and together with the local, regional and national authorities, in the district labour viability and economic and environmental recovery programme?

Does the Commission take the view that this would also help balance the treatment given to all branches of mining, including metal extraction?

Answer given by Mr Bangemann on behalf of the Commission

(22 September 1998)

According to information provided by the Asturiana de Zinc S.A. company, the operating life of the Reocín mine is due to come to an end in early 2003. The Reocín deposits have been intensively mined for more than 100 years.

At the time of closure, the work force will have been reduced from 380 to about 170 workers, following a pre-retirement plan for all workers of 60 or over. The company intends to negotiate an agreement with the unions on severance pay for workers below pre-retirement age. However pre-retirement cannot be offered to younger workers, as it is in the coal-mining sector.

In the meantime, the company is carrying out geological research aimed at finding new mineral deposits to allow it to continue its mining activities in the region. Once ore deposits are exhausted and there are no other possibilities for mining in the area, it is common practice in the world mining industry to close down the mine and rehabilitate the site in accordance with national and regional legislation. The Commission has no indications on other zinc mine closures in the Community.

There is no specific Community programme at present which could help tackle these problems. However, several types of national initiative co-financed by the Structural Funds are currently under way in the Cantabria region, where Reocín is located, involving measures to assist training, employment, economic recovery and environmental rehabilitation in the region. If the national, regional or local authorities, as appropriate, decide to apply some of the resources currently available (or those to be allocated in the next planning period of 2000-2006) more specifically to the Reocín district, the Commission is fully prepared to provide support and backing to the initiative.

The only mining sector receiving treatment in the Community is coal mining that is covered by the European Coal and Steel Community Treaty.

(1999/C 207/008) **WRITTEN QUESTION E-2360/98**

by Maartje van Putten (PSE) to the Commission

(27 July 1998)

Subject: Emissions of greenhouse gases from cattle farming

1. Does the Commission have any data on emissions of greenhouse gases and ozone-depleting substances from cattle farms, in particular emissions of laughing gas (N_2O), and can it say to what extent laughing gas produced by cattle farms is contributing to the greenhouse effect and depletion of the ozone layer? If not, does it plan to investigate this matter in the future?

2. Has the Commission already taken action to reduce laughing gas emissions from cattle farms? If so, what action? If not, does it plan to do so in the future?

3. What are the Commission's views on the possibility of making cattle farming more extensive given the positive effect that such a policy might have on greenhouse gas emissions and the Union's plans, as set out in the Fifth action programme on the environment, to take the environment into account in other policy areas?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(17 November 1998)

1. As the Honourable Member may know, greenhouse gases are notably the following: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_20), carbon monoxide (CO), nitrogen oxides (NO_X) and non-methane volatile organic compounds (NMVOCs). Among these, three gases (CO_2, CH_4, N_2O) are relevant for agriculture and are concerned by the Kyoto Protocol (which covers also hydrofluorocarbons, perfluorocarbons and sulphur hexafluoride which are mainly industrial gases).

Emission and removal estimates are regularly calculated on the basis of the national inventories of the 15 Member States and by using the 1995 Intergovernmental panel on climatic change (IPCC) guidelines for national greenhouse gas inventories as far as possible. Apart from national inventory programmes the Corinair inventory programme of the European environment agency and data provided by Eurostat are also used.

Agricultural activities appear to be responsible for 41 % of the anthropogenic emissions of N_2O in Europe. Beef livestock (enteric fermentation and manure management) accounts for only 9 % of agricultural N_2O emissions while the main source is agricultural soils (91 %) ([1]). These cover direct emissions from soil nitrogen (e.g. applied fertilisers, mineralisation of organic soils and crop residues) and indirect emissions from nitrogen lost to the agricultural system. In the context of the Community research programme FAIR (1994-1998), different projects are running which will improve the knowledge on N_2O emissions from the beef sector. Research on this aspect will be reinforced in the 5th framework programme of research and technological development (RTD) (1998-2002). Within the Environment and climate programme, one project dealing with greenhouse gas emissions, including N_2O, from formed organic soils, confirms that agricultural soils are a large source of greenhouse gases.

2. Concerning the actions taken or to be taken for the reduction of N_2O emissions, the Commission refers the Honourable Member to the 'Post-Kyoto' strategy ([2]), which develops priority orientations for the agricultural sector. The different proposals for regulations (rural development, horizontal regulation) of Agenda 2000 provide different instruments which will contribute to a better and less-intensive fertilisation.

3. Ruminants are mainly responsible for methane emissions (and not nitrous oxide) as noted in the Community methane strategy ([3]). The most interesting area to reduce methane emissions, as identified by the strategy, is the improvement of animal manure management. Other possibilities in the livestock sector are obviously to decrease animal numbers or at least to prevent any increase. Relevant elements are provided by the Commission's proposals concerning the reform of the common agricultural policy under Agenda 2000. Furthermore, in the case of the beef and dairy market organisations, proposals are made to further integrate environmental considerations. National envelopes are established for part of the payments, which may be linked to environmental conditions, taking account of the stocking rate and the environmental sensitivity of land used.

([1]) 2nd Community Communication to the United Nations Framework Convention on the Climate Change (1998).
([2]) Communication from the Commission to the Council and the Parliament — 'Climate change — Towards an EU post-Kyoto strategy' COM(98) 353 final.
([3]) Strategy paper for reducing methane emissions (Communication from the Commission to the Council and to the Parliament) COM(96) 557 final.

(1999/C 207/009) **WRITTEN QUESTION E-2444/98**

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

(30 July 1998)

Subject: Information on the Chiquita multinational

It has recently been reported in various sections of the media that sole responsibility for the pressure brought to bear on the US Administration to challenge the EU's COM for bananas before the World Trade Organisation can be attributed to the Chiquita multinational (in opposition to the views of other multinationals: Del Monte and Dole).

According to these reports, a delegation comprising members of the US Congress, representatives of various organisations, etc., recommended after visiting a large number of Caribbean states in Central America that the US should negotiate with those states on the banana regime without the threat of unilateral sanctions and that the US should not compel other parties to comply with the resolution adopted by the WTO panel against the COM for bananas in the European Union.

The delegation also noted that the pressure exerted by the Chiquita multinational was clearly damaging to the island states of the Caribbean which benefited from the convention between ACP countries and the EU and that it would boost the interests of that multinational in Latin American countries, where very poor working conditions were a defining feature.

Is the Commission aware of this information?

Does the Commission believe that the resolution adopted by the WTO panel on the COM for bananas responds more to the interests of the Chiquita multinational than to those of banana-growing countries in America?

Answer given by Mr Fischler on behalf of the Commission

(29 September 1998)

The Commission is aware of media coverage as outlined by the Honourable Member.

The Commission firmly believes that any international trade dispute should be settled according to the appropriate procedures under the terms of internationally agreed multilateral trade agreements and that individual countries should not adopt unilateral actions outwith these procedures.

The Commission is not in a position to comment on the effects of World trade organisation (WTO) rulings on individual companies since WTO procedures concern countries and not individual companies.

(1999/C 207/010) **WRITTEN QUESTION E-2492/98**

by Richard Corbett (PSE) and Bernie Malone (PSE) to the Commission

(30 July 1998)

Subject: M62 Liverpool — Hull corridor

Does the Commission agree that the M62 corridor is a trans-European link of importance not only to Northern England but also to Ireland, with the bulk of Irish trade with continental Europe using this route?

Is the Commission aware of the 7 km gap between the end of the M62 and Liverpool docks which is the only non-motorway section and where lorries must make their way through the urban streets of Liverpool or Sefton in order to access this dock?

Has the Commission been informed of the proposal to convert the disused railway tunnel from Edge Hill to Waterloo Dock into a road tunnel at relatively low cost, which would be a wonderfully simple solution to this problem?

Would such a budget be eligible for assistance from the EU under the TEN's budget or under the ERDF?

Answer given by Mr Kinnock on behalf of the Commission

(2 October 1998)

The Community has recognised the importance of the M62 corridor as a trans-European link, by including it in the guidelines for the development of the transport Trans-European Networks (Decision No 1692/96/EC). Any projects to develop the corridor as a TENs route would in principle be eligible for support from the Community under the TENs framework. Under the terms of the EC Treaty bids for TENs funds have to be submitted by, or with the support of, the government of the Member State concerned. No such bid has been made in relation to the M62 extension.

The development of motorway infrastructure is not defined as eligible activity under the objective 1 single planning document for Merseyside 1994-1999. Extension of the M62 into the Liverpool area is not therefore currently eligible for European regional development fund support. The Commission has been made aware informally of a proposal to convert a disused railway tunnel to road use for traffic between Liverpool docks and the M62 motorway, but has not seen any detailed plans for such a project.

(1999/C 207/011) **WRITTEN QUESTION E-2494/98**

by Graham Mather (PPE) to the Commission

(30 July 1998)

Subject: Transport of horses for slaughter from Eastern Europe

According to the Commission's figures, over 120 000 horses were transported for slaughter into the EU from Eastern Europe in 1994.

1. Does the Commission have figures for more recent years?

2. Is the Commission satisfied that EU animal welfare provisions are respected in these cases, in particular the rules on the transport of live animals?

3. What mechanisms exist to monitor and ensure the application of these rules, and does the Commission consider these mechanisms to be adequate?

Answer given by Mrs Bonino on behalf of the Commission

(19 October 1998)

1. The Commission is sending a table direct to the Honourable Member and to the Parliament's Secretariat.

2. The Commission is aware that animal welfare conditions under which slaughter horses and other farm animals are transported from Eastern European third countries towards certain Member States are not always satisfactory.

3. As far as the mechanisms to monitor and ensure the application of Community rules on animal welfare during transport are concerned, the Commission would like to inform the Honourable Member that it is up to the Member States to ensure that the requirements of Council Directive 91/628/EEC on the protection of animals during transport ([1]) are met. In the opinion of the Commission, the checks carried out so far by the Member States, have not always had the desired effects, in particular not in Member States where Council Directive 95/29/EC ([2]) (by which Directive 91/628/EEC was modified considerably) has not yet or not yet completely been transposed into national legislation.

The Commission itself, on the basis of Article 10 of Directive 91/628/EEC, has made use of its prerogative to carry out checks and has organised missions to all Member States. Shortcomings found have been communicated to the Member States concerned, asking them to take the necessary measures to ensure compliance with Community animal welfare rules. The Commission intends to intensify these checks, after completion of the training of the additional workforce of veterinary experts who are being recruited. Among other things, the Commission is planning to reinforce its checks at the veterinary border inspection posts of

the Eastern borders of the Community and to deepen its collaboration with Eastern European countries, which will help to enforce Community animal welfare rules and to assure a better protection of horses and other farm animals.

(1) OJ L 340, 11.12.1991.
(2) OJ L 148, 30.6.1995.

(1999/C 207/012)

WRITTEN QUESTION E-2563/98

by Christoph Konrad (PPE) to the Commission

(1 September 1998)

Subject: Financial scandal in Oberhausen, North-Rhine Westphalia, Germany, involving economic aid funds for the HDO Media Centre

1. Is the Commission aware that EU funds, amongst others, were used for the construction of the HDO Media Centre in Oberhausen?

2. Was the Media Centre, deemed to be a prestige project for the economic restructuring of the Ruhr area, subsidized from the EU Structural Funds?

If so, under which Objective and for what amount?

3. Is the Commission aware that the German Public Prosecutor's Office is carrying out an investigation in this connection on the grounds that funds allocated to subsidize the project may have been embezzled?

4. What conclusions does the Commission draw from all this?

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

(17 November 1998)

The HDO media centre in Oberhausen has indeed been subsidised with funds from the European Regional Development Fund.

The subsidy was granted under Objective 2 and paid in two stages. The assistance from the ERDF in the first phase (1989-91) came to DM 1 932 444 and the assistance in the second phase (1992-93) came to DM 415 346. This assistance was confined to covering the costs incurred during the start-up phase of the project. Subsequent investment costs, i.e. nearly DM 100 million, were not part-financed by the ERDF.

The Commission has been informed about the legal proceedings started against two managers of the company responsible for operating the technology centre, but these seem — as far as is know at present — to be linked to other financial operations. The legal action appears to concern only the investment costs of the project, all of which were financed from national funds.

The ERDF assistance towards part-financing these projects was paid to the company owning the capital (Besitzgesellschaft) and not the operating company (Betriebsgesellschaft). When the Bezirksregierung in Düsseldorf (the county authorities and highest local administration) came to check the certificates attesting the final use of these funds, it found no irregularity or serious anomaly when clearing the accounts. The doubts expressed in May 1993 by the Landesrechnungshof (Court of Auditors of the Land) when making its auditing checks on the first stage were entirely cleared up. The Landesrechnungshof declared the auditing process closed on 15 September 1995. However, the Commission will be closely following further developments in the media centre affair.

If the German authorities find during their inquiries that the irregularities detected also involve the Community assistance, they will be required to notify the Commission of the details under Commission Regulation (EC) 1681/94 of 11 July 1994 (1). If they were to do so, the Commission would then take the necessary measures.

(1) OJ L 178, 12.7.1994.

(1999/C 207/013) **WRITTEN QUESTION P-2584/98**

by Karin Riis-Jørgensen (ELDR) to the Commission

(29 July 1998)

Subject: EU banana arrangements

Has the USA indicated whether in its view the measures adopted by the Agriculture Ministers to counter the WTO decision meet the requirements of the WTO decision?

How can the EU banana arrangements be reconciled with the Commission's desire for free and liberal world trade without trade restrictions, and is there not a danger that third countries can use the EU banana arrangements as an object lesson/excuse for maintaining protectionist measures on their domestic markets?

Answer given by Mr Fischler on behalf of the Commission

(16 September 1998)

The United States have given some indication that it has some doubts about whether the revision of the common organisation of the market in bananas will necessarily meet World trade organisation (WTO) requirements.

The Commission believes that the revised banana regime is fully compatible with the legal requirements of the WTO and the provisions of the IVth Lomé Convention.

(1999/C 207/014) **WRITTEN QUESTION E-2605/98**

by Glyn Ford (PSE) to the Commission

(1 September 1998)

Subject: Airline timetables and S.A. Benz

Is the Commission aware of the latest piece of imaginative fiction published by the Belgian author S.A. Benz?

This novel, in a highly original style, purports to be an airline timetable. However, it is leading to some confusion as passengers are mistaking it for the real timetable and in consequence arriving hours late at their destinations.

Will the Commission ask the publishers either to cease and desist from distributing this publication or at least to accompany it with the necessary disclaimer.

Answer given by Mr Kinnock on behalf of the Commission

(2 October 1998)

The Commission is not aware of the book to which the Honourable Member refers but is grateful to him for drawing attention to such an original work.

Since the fictional nature of the book is apparent, the Commission does not share the concerns expressed by the Honourable Member, nor is it considering any action.

(1999/C 207/015)

WRITTEN QUESTION P-2761/98

by Xaver Mayer (PPE) to the Commission

(3 September 1998)

Subject: Breeding game on farms

Breeding game has become a major commercial activity in EU agriculture. It often enables land to be used where there is no alternative use for it. Against a background of different production processes in the EU and the Community's low level of self-sufficiency, farmers who breed game face serious problems due primarily to cheap imports from non-EU countries and also to the fact that the authorization and veterinary legislation is not harmonized.

The Commission is requested to answer the following questions:

1. Does the Commission believe that adequate account is taken of the protection of animals in the legislation on the breeding of game on farms in Europe? Is it aware of differences among the various Member States that distort competition? Is it necessary, in the Commission's view, to require imports from third countries to satisfy certain production and breeding conditions?

2. Does the Commission believe that the designation 'meat of game bred on farms' should be dependent on the satisfaction of certain breeding and production conditions so that a distinction is made between such products and the meat of agricultural livestock?

3. Does the Commission believe that the use of genetic engineering, artificial insemination, embryo transfer, the keeping of animals in sheds and the amputation of antlers should be prohibited in the breeding of game on farms throughout Europe and in the case of imports from third countries?

4. Does the Commission believe that imported meat of game bred on farms in third countries should be subject to the tariff on the meat of agricultural livestock rather than the tariff on game?

5. Is the Commission aware that John's disease has occurred in stocks of game in New Zealand, Australia and other overseas countries?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(30 October 1998)

1. The Commission is not planning to prepare specific legislation to protect game on farms, since the welfare of farm game is already covered by Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes ([1]).

Under existing World Trade Organisation (WTO) agreements, third countries exporting to the Community cannot be compelled to produce in accordance with Community legislation.

2. A Community 'farm game meat' label does not exist at present. Member States or regional/local authorities may confer recognition by awarding quality labels, subject to compliance with production specifications which include control procedures. Under Directive 98/34/EC of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations ([2]) (the consolidated version of amended Directive 83/189/EEC ([3])), the award criteria must be notified to the Commission. The purpose of this procedure is to assess whether, in the light of Court of Justice case law, the rules notified comply with Article 30 of the EC Treaty. In order to comply, all quality labels must be available to other Member States' products which satisfy the objective requirements laid down in the relevant specifications.

3. The Commission does not intend to ban genetic engineering, artificial insemination, embryo transfer or keeping animals in sheds. Although Directive 98/58/EC provides scope for introducing Community legislation on amputating antlers, there is none at present and Member States currently apply any national legislation on this.

4. The Commission considers that meat from animals which are usually hunted (stag, fallow and roe deer, etc.) is still game meat, even if the particular animals in question were reared in captivity. Fresh, chilled or frozen meat of this kind — other than from rabbits or hares — thus falls under common nomenclature code 0208 90 40 (game meat and edible game offal).

5. Yes.

(1) OJ L 221, 8.8.1998.
(2) OJ L 204, 21.7.1998.
(3) OJ L 109, 26.4.1983.

(1999/C 207/016) **WRITTEN QUESTION P-2826/98**

by Heidi Hautala (V) to the Commission

(11 September 1998)

Subject: Monitoring of agricultural subsidies

According to press reports, the Commission intends to double the level of monitoring of agricultural subsidies in Finland (by monitoring 10 % of farms instead of only 5 % as at present).Clearly the Commission believes that additional monitoring is needed because only a very low level of misuse of aid has been detected in Finland.

Since agricultural subsidies cannot be paid out until the monitoring is complete, farmers are worried that the payment of this year's subsidies will be postponed for several months, just like Siberian miners' pay. The Finnish monitoring authorities (regional offices for their employment and commerce) may not be able to carry out the additional monitoring required with their current level of resources.

On what does the Commission base its view that the exceptionally low level of detected abuses means that additional monitoring is needed? Does the Commission consider it possible that the level of abuses may be low because Finnish farmers are exceptionally honest?

Does the Commission propose to guarantee the farmers that this growing season's subsidies will be paid without undue delays?

Answer given by Mr Fischler on behalf of the Commission

(5 October 1998)

Regulation (EEC) 3508/92 establishing an integrated administration and control system for certain Community aid schemes (1) stipulates that all five elements making up the integrated system have to be operational in the new Member States by January 1998 at the latest. When checks were carried out by the Commission in April 1998, it was found that in Finland problems still remained in particular with the alphanumeric identification of land parcels, which also meant that it was not possible to carry out the prescribed exhaustive cross-checks. It is to make up for these shortcomings that the Commission has asked the Finnish authorities to increase the level of inspections. The same approach has also been followed in the past vis-à-vis other Member States. The Commission remains convinced, moreover, of the need for an effective and uniform control system as an instrument of sound budget management.

The Commission does not expect that the additional controls to be carried out by Finland will give rise to undue delays. In any event, the regulations stipulate that the compensatory aid for the 1998 harvest is to be paid to farmers by 31 December 1998 at the latest.

(1) OJ L 355, 5.12.1992.

(1999/C 207/017) **WRITTEN QUESTION E-2843/98**

by John McCartin (PPE) to the Commission

(28 September 1998)

Subject: Grant aid for the pig meat industry in Northern Ireland

Can the Commission state the amount of grant aid paid for the marketing and processing of pig meat in Northern Ireland over the last 15 years and the breakdown between the EU and UK contributions?

Answer given by Mr Fischler on behalf of the Commission

(22 October 1998)

Investment aid awarded to the pigmeat sector in Northern Ireland

(£ sterling)

Year	Community	Member State [1]	Total award
1983	96 108	31 203	127 311
1984	93700	36 640	130 340
1985	800 000	389 949	1 189 949
1986	726 290	996 822	1 753 112
1987	0	0	0
1988	200 750	200 750	401 500
1989	684 219	752 482	1 436 701
1990	1 294 345	2 103 286	3 397 631
1991	1 800 000	1 761 827	3 561 827
1992	0	0	0
1993	2 117 296	356 814	2 474 110
1994	0	0	0
1995	0	0	0
1996	797 556	117 584	915 140
1997	1 056 615	2 180 930	3 237 545
1998	0	0	0
Total	9 696 879	8 928 287	18 625 166

[1] European agricultural guidance and guarantee fund — guidance section.

(1999/C 207/018) **WRITTEN QUESTION E-2844/98**

by Pedro Marset Campos (GUE/NGL) to the Commission

(28 September 1998)

Subject: Alleged scheme to detain and fine Spanish lorries in Poitiers (France)

Employers from the transport sector in the Murcia region of Spain have complained about a scheme linking a brigade of French gendarmes in the Poitiers area of France to a certain workshop at which tachographs are checked with the aim of detaining and imposing fines on their lorries on the pretext that the tachographs have been tampered with, despite the fact that most of them comply with the relevant Spanish legislation.

This unpleasant state of affairs has already held up a dozen lorries from Murcia at weekends, forcing their drivers to pay hefty sums in order to be able to continue their journey with their goods.

A certain number of gendarmes are suspected of taking fees from workshops in return for sending Spanish lorries to them to have the tachographs that have allegedly been tampered with replaced.

Several complaints have already been lodged with the Ministry of Development, the Ministry of Foreign Affairs and the French Embassy in Spain.

Given that the Treaty on European Union confers the task of monitoring such matters on the Commission:

1. Is the Commission aware of this situation?

2. Does it not believe that the rights of citizens as regards the free movement of goods and workers are being jeopardised and that since citizens from EU countries are involved, a thorough investigation into this alleged crime should be called for as a matter of urgency?

3. Does it intend to approach the French and Spanish authorities with a view to garnering information on this apparently illegal scheme and adopt the necessary procedures to ensure that Community legislation is enforced?

4. How does it intend to tackle situations of this kind in order to guarantee the free movement of workers and goods within the European Union?

5. Will it provide information on the action taken in this matter?

Answer given by Mr Monti on behalf of the Commission

(11 December 1998)

The Spanish authorities have raised the issue in general terms with the Commission, seeking factual information on Community legislation, which the Commission provided. If the Honourable Member believes there are criminal activities of this nature being carried out, he should provide the Commission with the necessary details of individual incidents so that an investigation may be launched.

The Commission continues to hold fast to the fundamental principles of the free movement of goods and people within the Community. In this context, the Commission underlines that the Parliament on 5 November 1998 expressed its political engagement to eliminate this type of obstacle to the free movement of goods by giving its consent to a proposal for a Council regulation ([1]) based on Article 235 of the EC Treaty to establish a rapid alert system apt to deal with the menace of severe disruption of trade in goods. This includes an obligation for Member States to act quickly in order to eliminate any obstacle to trade occurring on their territory and to inform the Commission of the action taken, and lays down the possibility for the Commission to intervene by means of an act of notification.

([1]) COM(97) 619 final.

(1999/C 207/019)

WRITTEN QUESTION E-2865/98

by Hiltrud Breyer (V) to the Commission

(28 September 1998)

Subject: Basing limit values on children — Assessment of impact on children — Children's ecological rights

Limit values laid down in the various European Union directives on the environment are based exclusively on the build of an adult. Because of their size and the fact that their bodies are not fully grown, children often react very sensitively to environmental pollution with illnesses such as allergies, bronchitis or psychosomatic illnesses. Up to now the special constitution of children has not been taken into account in calculating limit values.

Does the Commission plan to base the calculation of limit values on children in future? If not, why not? How does the Commission intend to deal with the problem?

Is the state of health of children in the case of high ozone levels being taken into account in the ozone directive currently being drawn up and will the limit value for ozone be lowered?

Does the Commission believe that the environmental impact assessment for major projects should be accompanied as soon as possible by an assessment of their impact on children? If so, how does the Commission envisage achieving this? How should a directive on the assessment of impact on children be transposed?

Might the Commission envisage taking a legislative initiative with regard to limit values and the assessment of impact on children in the case of major projects?

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 November 1998)

While the Honourable Member is right in saying that children are much more sensitive to environmental contamination, it is incorrect to say, that children are not taken into account when setting standards for environmental directives. As an example, the proposed revision of the Drinking water directive ([1]) has as scientific basis the latest guidelines recommended by the World health organisation (WHO). In these guidelines children are not only taken into account wherever there is appropriate scientific information, but also they are used as a reference in many cases on the basis that if a limit value is protective for children it should also be protective for adults.

In deriving new thresholds for ozone, the Commission also draws upon the expertise of the WHO. The latest guidelines have been used as a basis for setting a long-term objective and target value for the protection of human health as part of the proposal for an ozone daughter directive. In its guidelines WHO recognises that children represent a particularly sensitive group of the population.

This view is also clearly reflected in a position paper on ozone produced by a working group of experts from Member States, non governmental organisations (NGOs), the WHO and other relevant institutions to support the Commission in the development process of that legislation. Therefore, the requirement of ensuring health protection of children as a sensitive sector of the population is fully taken into account.

([1]) COM(97) 49 final.

(1999/C 207/020) **WRITTEN QUESTION E-2896/98**

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

(28 September 1998)

Subject: Checks on missing baggage and compensation arrangements

As a result of the present-day density of air traffic and the condition of airport facilities throughout the Community, the problem of lost and missing passenger baggage has worsened substantially in recent months.

This circumstance is compounded by the problems caused not only for regular passenger flights but for the increasing number of travellers who use this means of transport for tourist purposes.

The harm done to the consumer is not offset by compensation at a sufficiently generous level to compensate for the material loss. The compensation offered is often a derisory flat-rate sum falling far short of the value of the objects lost.

What is the Commission's position concerning the compensation arrangements for lost baggage practised by the various airlines in the EU? Does it consider the levels concerned to be sufficient to offset the value of the travellers' lost possessions?

Does the Commission not consider that the existing minimum compensation levels should be reviewed, both for lost baggage and for delays in returning baggage?

Has the Commission considered the possibility of introducing, in the interests of consumer protection, legislation laying down a minimum level of compensation for travellers in case of loss of baggage or delays in returning baggage, set so as to guarantee that the traveller's minimum subsistence expenses would be met?

Answer given by Mr Kinnock on behalf of the Commission

(23 October 1998)

The Commission would refer the Honourable Members to its answer to Written Question E-2163/98 by Mr Ian White [1].

[1] See page 4.

(1999/C 207/021) **WRITTEN QUESTION E-2899/98**

by Irini Lambraki (PSE) to the Commission

(2 October 1998)

Subject: Serious problems faced by citrus fruit producers in Chios

The specific problems faced by the European Union's island regions, particularly the Aegean Islands, are well known and indeed provision is made for specific aid measures under the Treaty of Amsterdam.

Agriculture is hardest hit by these problems, because the small size of farms, together with the high cost of transport, result in the final cost of products being uncompetitive.

The citrus fruit producers agricultural cooperative in Chios is the largest producers' association in the Aegean region. Nevertheless, it is facing serious problems because the COM in citrus fruits applies across the board to all EU regions without taking into account the specific problems of island regions.

This policy will lead to the gradual abandonment of citrus fruit production in Chios, with serious repercussions for the socio-economic life of the island, and will lead to depopulation of the traditional settlement of Kambos, which is a major centre for the production of this crop.

Will the Commission say:

— what possibilities are available under existing legislation to assist these producers?

— what measures it intends to take in the immediate future to tackle this serious problem as part of the new policy to assist island regions?

Answer given by Mr Fischler on behalf of the Commission

(16 November 1998)

Council Regulation (EEC) 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean Islands concerning certain agricultural products [1] provides for specific measures to support local products and derogations from structural measures to take account of the special socio-economic problems affecting the Islands.

Furthermore, the common organisation of the market in fresh fruit and vegetables includes a number of measures which could be applied to citrus fruit production in the Aegean Islands. The most important of these is the creation by producer organisations of operational funds to finance operational programmes. Such funds receive Community financial assistance and may be used to finance measures designed to overcome problems faced by the producer organisations concerned.

[1] OJ L 184, 27.7.1993.

(1999/C 207/022)

WRITTEN QUESTION E-2915/98

by Jean Baggioni (UPE) to the Commission

(2 October 1998)

Subject: Reducing the dependency of islands with regard to energy

In view of the geographical separation caused by the sea and the limited nature of available natural and human resources, can the Commission say whether it has any plans in the short term to reduce rapidly the dependence of islands with regard to energy by developing endogenous, alternative and renewable forms of energy such as solar, wind, geothermal or hydro-electric power?

Answer given by Mr Papoutsis on behalf of the Commission

(19 November 1998)

The promotion of developing renewable forms of energy is one of the priority actions under European energy policy. The Commission recently adopted a White Paper on the subject ([1]).

Island regions are among the main locations for renewable forms of energy within the Community. At the same time traditional forms of energy are more costly there than on the continent and this is why renewable forms of energy will in such regions be competitive sooner than elsewhere. Furthermore, the new process of gradual liberalisation of the internal energy market will encourage autonomous energy production.

In the Commission's opinion it is incumbent upon the authorities and economic agents in island regions to make optimum use of these new opportunities to make the islands more autonomous in terms of energy while at the same time offering opportunities for economic development, job creation and improvement of the environment.

The Commission can support such efforts to promote renewable forms of energy in the framework of structural funds as virtually all islands are covered by objectives 1 or 5b. In this context the Commission intends to improve information for and raise the awareness of the national and regional authorities concerned with regard to the manifold benefits of energy management. Moreover, several programmes for energy efficiency (SAVE), renewable forms of energy (Altener) and innovative powerful technologies (Thermie) are contributing towards achieving these objectives. For instance, under the SAVE programme 15 local and regional agencies for energy management have been set up in island regions. One of the main tasks of these agencies is to promote renewable forms of energy at local level.

([1]) COM(97) 599 final.

(1999/C 207/023)

WRITTEN QUESTION E-2939/98

by Eryl McNally (PSE) to the Commission

(8 October 1998)

Subject: Rabies controls for pet animals

Does the Commission agree that there is a need for an EU-wide framework of rules and standards to prevent the spread of rabies, while permitting domestic pets to be transported, and will it disclose the incidence of rabies in applicant countries?

Answer given by Mr Fischler on behalf of the Commission

(3 November 1998)

The Community has for a number of years recognised the need for rules and standards to control the spread of rabies and a major goal has been to eradicate rabies in the Member States where the disease is still present. Within the framework of Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ([1]) the Community actively supports rabies eradication by large-scale programmes for oral vaccination of sylvatic foxes. These programmes take into account that the vast majority of rabies cases in Europe occur in

foxes. The preparation and implementation of the programmes are co-ordinated by the Commission and financial contributions are not only made to the Member States concerned, but also to continental neighbour countries. The adopted measures should help to protect the territories of Member States where rabies is successfully controlled or eradicated.

In all the efforts made to control and eradicate rabies the Member States and the Commission work in close co-operation with international organisations, such as the World health organisation (WHO) and the Office international des epizooties (OIE). In this framework and due to the excellent relations with our neighbouring countries, including the candidate member countries, information is regularly received about the rabies situation in Europe and other parts of the world. Information on the occurrence of rabies in domestic and wild animals in Europe is published in the 'Rabies Bulletin Europe'. The information is compiled and edited by the WHO Collaborating centre for rabies surveillance and research, Tübingen, Germany.

The conditions for the movement of cats and dogs in intra-Community trade are found in Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC [2]. As regards importation from third countries Member States may not apply conditions less strict than for intra-Community trade. It can be noted that the provisions of Council Directive 90/425/EC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market do not apply to veterinary checks on movement between Member States of pets accompanied by and under the responsibility of a natural person, where such movements are not the subject of a commercial transaction.

The Commission is sending direct to the Honourable Member and to the Secretariat general of Parliament further information on the incidence of rabiesfrom the Rabies Bulletin Europe.

[1] OJ L 224, 18.8.1990.
[2] OJ L 268, 14.9.1992.

(1999/C 207/024)

WRITTEN QUESTION E-2951/98

by John Iversen (PSE) to the Commission

(8 October 1998)

Subject: EU aid for private storage

Pigmeat prices are currently very low since farmers expanded production following a period of high prices. The EU has used the export refund instrument to ward off the crisis. Unfortunately not all products receive export refunds, e.g. some products exported to the Far East.

Will the Commission take steps to ensure that products exported to the Far East that do not receive refunds can receive aid for private storage?

Does the Commission not think it would be reasonable to provide such aid since one of the competitors on the market is the USA, which does not set environmental requirements but does give its producers export aid?

Answer given by Mr Fischler on behalf of the Commission

(6 November 1998)

On 26 September 1998 the Commission introduced an aid scheme for the private storage of pigmeat under Regulation (EC) 2042/98 of 25 September 1998 [1]. Cuts of pigmeat for export to the Far East are among the eligible products, so exports to that region thus qualify under the scheme.

[1] OJ L 263, 26.9.1998.

(1999/C 207/025)

WRITTEN QUESTION E-2989/98

by Bernd Lange (PSE) to the Commission

(8 October 1998)

Subject: Health problems affecting poultrymeat: use of in-house staff for poultrymeat inspections

1. According to Article 8(3) of Directive 71/118/EEC [1] on health problems affecting trade in fresh poultrymeat, as amended by Directive 92/116/EEC [2], the general criteria for the training of staff of undertakings in poultrymeat inspection were to be established before 1 October 1993 pursuant to the procedure laid down in Article 21. When are such criteria likely to be established?

2. Is the Commission aware that in the Netherlands staff of undertakings are used to inspect poultrymeat, even though these criteria have not been established, and how does it regard this unilateral measure in the context of equality of competition?

3. Is the Commission aware of the qualifications of the staff in question, and how does it assess such qualifications in the light of guaranteeing consumer protection?

4. Does the Commission believe it is permissible, in the absence of criteria established at Community level for the training of staff, for other Member States to take the same action as the Netherlands?

[1] OJ L 55, 8.3.1971, p. 23.
[2] OJ L 62, 15.3.1993, p. 1.

Answer given by Mrs Bonino on behalf of the Commission

(26 November 1998)

1. Council Directive 92/116/EEC of 17 December 1992 amending and updating Directive 71/118/EEC on health problems affecting trade in fresh poultry meat [1] (poultry meat Directive) contains the provisions for inspection. It requires slaughterhouses to be under veterinary supervision and the veterinarian to be responsible for meat inspection. However, provision is also made for the official veterinarian to be assisted in many operations by auxiliaries who fulfil the specific conditions for professional qualifications (which cover training and are laid down in Annex III of the Directive) and who are placed under his authority and responsibility.

The Directive also makes it possible for the Member State authority to permit staff of the undertaking, under the direct supervision of the official veterinarian, to carry out certain operations. The general criteria for these operations have not yet been established.

A revision of the meat hygiene rules is currently under consideration to develop an integrated approach in the whole production line starting at farm level. In this context aspects of the inspection of poultry meat and the tasks of inspection personnel will be taken into account. The work will be based on scientific evidence and the advice of the scientific committee will be sought before revisions are proposed.

2. The Commission carried out preliminary visits in all Member States and in particular in the Netherlands in 1994 and 1995 in order to evaluate the application of Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultry meat [2]. During this mission the team was informed that the Member State authority permits the staff of establishments to undertake certain operations and that they have received special training. The application of these legal requirements is checked by the Commission within the limitations imposed by the available staff resources.

3. The Commission was informed during the above mentioned mission by the Netherlands of the general criteria for the qualification of the staff permitted to carry out certain operations. Staff should act under the direct supervision of the official veterinarian who has the final responsibility, and no poultry meat should be health marked if the conditions laid down in the Directive are not fulfilled.

4. The Court of justice has constantly held that, where the Community legislature has not made any provisions and there is, as a result, a gap in the Community rules, there cannot, in principle, be any objections to a Member State retaining or introducing national measures (see, for instance, joined cases 47/83 and 48/83

Pluimveeslachterijen Midden-Nederland and Van Miert [1984] ECR 1721, paragraph 22). It follows that, in a situation characterised by the absence of implementing measures provided in Article 8(3) of Council Directive 71/118/EEC, this provision does not preclude a Member State from adopting national rules or from taking pre-existing national rules into account. Nevertheless, the Court laid down the general rule that, although they are empowered to apply their national law in a case like that, Member States are not exempt from observing the principles and general rules governing the Community action in the sector.

(1) OJ L 62, 15.3.1993.
(2) OJ L 55, 8.3.1971.

(1999/C 207/026) **WRITTEN QUESTION E-2991/98**

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

(8 October 1998)

Subject: Future of the specific supply regime for the Canary Islands

As the Commission will be aware, the existing specific supply regime for the Canary Islands, applying pursuant to Regulation 191/91 (1) and to Poseican (the programme of options specific to the remote and insular nature of the Canary Islands), has undergone a degree of evolution since its introduction, in line with its function of compensating for the higher prices arising from geographical remoteness from the supplier markets.

However, numerous shortcomings have been detected in the administration of this crucial mechanism, which will have to be corrected in the future.

These include:

- unfair competition existing in the case of certain products subsidised for import purposes, as opposed to their local equivalents, which suffer because, despite their higher production costs, they do not receive price compensation, although this would put them on an equal footing with the competing products (this applies to dairy products, livestock products, wine, etc);
- the reduction in aid levels for certain products, resulting in additional costs to the consumer and the processing industry;
- the lack of controls over the compensation mechanism for operators, which has led to numerous cases of fraud.

What initiatives does the Commission intend to take to deal with these problems in the coming years, and to reform the regulatory arrangements?

Does the Commission not agree that it is essential, as a matter of urgency, to reform those aspects of the specific supply regime which penalise local production by obstructing its development?

(1) OJ L 20, 26.1.1991, p. 32.

Answer given by Mr Fischler on behalf of the Commission

(23 November 1998)

The Commission recently commissioned an independent consultant to write an evaluation report on the agricultural component of the Poseican programme. It will be finalised in the next few months. In addition, the Commission, in partnership with the Spanish authorities, is currently drawing up an analysis of the measures carried out under that agricultural component. In the light of its conclusions, the Commission will present to the Council and Parliament a report accompanied, if necessary, by any adjustment measures needed better to achieve the objectives of Poseican. I would draw the Honourable Member¢s attention to the answer given by the Commission to Written Question P-327/98 from Mr Souchet (1).

(1) OJ C 304, 20.10.1998.

(1999/C 207/027) **WRITTEN QUESTION E-3009/98**

by Cristiana Muscardini (NI) to the Commission

(8 October 1998)

Subject: Health and safety inspections at kennels

In view of Italian press reports of the macabre events which took place in a kennels, where 11 of the dogs were found dead and all the others in an advanced state of malnutrition, one is forced to conclude that, if even animals which are lucky enough not to be abandoned but are placed in the 'care' of a kennels die as a result of neglect and ill-treatment, there is clearly a need for urgent action to be taken by a higher body, such as the European Commission.

Would the Commission therefore ensure:

1. that an authority for animals is at last set up under a directive to apply in all Member States;

2. that, again under an EU directive, standards are laid down for kennels, and Member States are obliged to make provision for periodic inspections.

Answer given by Mr Fischler on behalf of the Commission

(16 November 1998)

The Commission deplores all cruelty towards animals. Community legislation has been adopted to protect the welfare of farm and laboratory animals. However, the welfare of domestic pets is still a matter within the competence of the Member States.

The Commission does not have the intention at the present time to propose legislation in the area of housing pet animals.

(1999/C 207/028) **WRITTEN QUESTION P-3013/98**

by Mair Morgan (PSE) to the Commission

(28 September 1998)

Subject: Expenditure on information and communication activities in the UK

Would the Commission provide a detailed breakdown of information and communication activities within the United Kingdom? The breakdown should show the amount spent in each region and the category of the expenditure (e.g. salaries, publications, hospitality, etc.).

Answer given by Mr Oreja on behalf of the Commission

(18 November 1998)

In 1998 the budget allocation for information and communication activities for the United Kingdom as a whole is ECU 3,3 million (1997: ECU 5,9 million). A notional amount of ECU 100 000 for each of Northern Ireland, Scotland and Wales is set aside from this amount for targeted political and information activities. This does not include expenditure on salaries and other operating expenses which are administered centrally from London. Regional offices also have access to shared service contracts for relay activities, as well as funds earmarked for publications and a comprehensive range of representation activities.

Indicative expenditure for information and communication activities has been:

(ECU)

	1997	1998 (at 31.8.1998)
Northern Ireland	132,050	150,500
Scotland	96,800	86,880
Wales	116,500	39,450

In the case of Wales, credits have not been expended up to their full amount this year because of changes in staff. One may asume that the level of activity will increase from now on.

16 officials are deployed in the United Kingdom. Salaries of Commission officials are given in the Official journal ([1]). There are 27 locally employed staff in the United Kingdom (London 17; Ireland 4; Scotland 3; Wales 3) and the expenditure on salaries is ECU 995 000 in 1998 (ECU 938 000 in 1997).

([1]) OJ L 351, 23.12.1997.

(1999/C 207/029)

WRITTEN QUESTION E-3034/98

by Gianni Tamino (V) to the Commission

(8 October 1998)

Subject: Illegal traffic in live lambs intended for butchers in Greece

Following reports by the EFAP (Hellenic Anti-hunting Initiative), I would like to draw the Commission's attention to the problem of the illegal traffic in live lambs intended for butchers in Greece.

We have information showing that around 1 000 lambs enter Greece daily through the ports of Igoumenitsa and Patras. The legal requirement that stops be made at 14-hour intervals during transportation to water and feed the lambs is ignored. The animals travel for 60 or more hours without water, food or rest. 25 % of the animals are already dead when they arrive in Greece (and there are reasons to believe that these animals are also sold for their meat). Some lorries carry more than 200 lambs, and others, with trailers, carry 400 lambs. They all operate a fourth deck, in addition to the standard three decks, installed under the lorry. The lambs crammed in between the wheels often die, and in any case become demented. Half of the lambs observed in the course of the checks carried out by EFAP did not have an eartag, the label attached to the ear that certifies that the animal has been checked by a vet in the country of origin, and were therefore of unknown origin. Some of them were diseased. Furthermore, half of the animals had horns, which the law does not allow because animals with horns injure each other during transportation, and by the end of the journey some had been torn to shreds. According to the observations made by EFAP, the haulage companies transporting the lambs are Dutch (Maes and Van Veen) but many of the lorries appear to be Greek and have Greek drivers.

In view of these reports and since the Greek police, which has been told about the situation on many occasions, is turning a blind eye to the problem, will the Commission check whether or not Directive 91/628/EC ([1]), amended by Directive 95/29/EC ([2]), on the protection of animals during transport, is being complied with in Greece, and, if it is shown that the directive is being contravened, would it not consider it appropriate to initiate an infringement procedure against Greece?

([1]) OJ L 340, 11.12.1991, p. 17.
([2]) OJ L 148, 30.6.1995, p. 52.

Answer given by Mr Fischler on behalf of the Commission

(6 November 1998)

The Commission agrees with the Honourable Member that if the information he gives about the transport is correct, it constitutes a breach of Community legislation, including Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC ([1]).

The Commission will contact the Greek authorities about this matter. Furthermore the Commission would be grateful to receive a copy of the reports to which the Honourable Member refers.

([1]) OJ L 340, 11.12.1991.

(1999/C 207/030) **WRITTEN QUESTION E-3043/98**

by José Apolinário (PSE) to the Commission

(8 October 1998)

Subject: Carob growing

Can the Commissioner tell me the current estimates for the area under carobs and the number of trees in Italy, Spain, Portugal and Greece, what the pattern has been in the last ten years and what specific measures have been applied to the cultivation of carobs?

Answer given by Mr Fischler on behalf of the Commission

(4 November 1998)

Around 100 000 hectares of carob trees are cultivated in the Community. However, the Commission does not have more precise details of the current situation and trends relating to areas under carobs. It will collect this information from the Member States and communicate it directly to the Honourable Member.

With respect to specific measures applied in the carob sector, the Honourable Member is asked to refer to the reply given by the Commission to Written Question P-2096/98 by Mr Musumeci ([1]).

([1]) See page 3.

(1999/C 207/031) **WRITTEN QUESTION P-3048/98**

by Mirja Ryynänen (ELDR) to the Commission

(2 October 1998)

Subject: Consequences for Finnish farmers of delays in mapping arable areas

The Finnish agriculture ministry was unable to complete the arable land register required by the EU before monitoring began for this growing season. For this reason the cross-checks on the basis of the land register were not able to start until August. The main reason for this is that the Irish firm selected on the basis of the tendering procedure which the EU requires did not have the field maps needed for the register ready in time. The problems included incorrectly drawn parcels and mis-measured areas: for example clean-felled areas were recorded as fields. There was no time to enter the farmers' corrections to the areas, and it was therefore impossible to use the maps in this spring's monitoring for subsidy purposes.

The Commission has asked Finland to double the number of farms subject to area monitoring, on the grounds that the cross-checks need to be carried out in good time. In the Commission's view, this clearly means that these checks need to be made before the selection of the farms to be monitored on the ground. The Finnish authorities do not consider that the regulations justify this demand.

Strangely enough the Commission called for increased monitoring only in July, which meant that many farms are receiving their EU subsidies much later than usual. This leads to unjustifiable economic and psychological difficulties for Finnish farmers, who have this year already suffered the worst crop failure in decades.

In the light of the above, what does the Commission propose to do to alleviate the situation for farmers in difficulties and resolve the problem for which they can in no way be held responsible?

Answer given by Mr Fischler on behalf of the Commission

(28 October 1998)

The Honourable Member is requested to refer to the Commission's answer to Written Question P-2826/98 by Mrs Heidi Hautala ([1]).

Compensatory payments for arable crops are normally paid between 16 October and 31 December following the harvest. The information available to the Commission suggests that the Finnish authorities will comply with this deadline. Accordingly, the Commission which is anxious to discharge its responsibility for ensuring effective checks while also ensuring that farmers receive payments within the time limits laid down, does not consider that the requested increase in on-the-spot checks will lead to a delay in payments of aid to Finnish farmers.

([1]) See page 13.

(1999/C 207/032)

WRITTEN QUESTION E-3075/98

by Kirsi Piha (PPE) to the Commission

(9 October 1998)

Subject: EU-funded ISPA infrastructure investment in Central and Eastern European countries

The European Union has set up a new Structural Fund instrument, ISPA, to assist Central and Eastern European countries (CEECs) which have applied for membership of the EU; the appropriations allocated to it will start to be distributed to major infrastructure projects in the CEECs in the year 2000. As the EU is currently providing only around FIM 600 million to support infrastructure investment in the applicant countries through Phare LSFI, it seems likely that the new assistance will result in a substantial increase in funding.

How much will be allocated to ISPA per annum for the purpose of funding infrastructure investment? What selection procedure will the Commission use to allocate ISPA funding to the various projects?

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

(11 November 1998)

Agenda 2000 ([1]) proposed structural aid for the applicant countries amounting to some ECU 1 000 million per year for the period 2000-2006. This aid, as indicated in the proposal for a regulation establishing an instrument for structural policies for pre-accession (ISPA) ([2]), would be directed mainly towards aligning the applicant countries on Community infrastructure standards in the transport and environmental spheres.

Project selection and approval would be based on national programmes for transport and environment included within each applicant country's national programme for the adoption of the acquis, which forms a key element of their individual accession partnerships. The proposed ISPA regulation (in particular annexes I and II) also contains a number of criteria to ensure the high quality of projects, including their leverage

potential and degree of readiness as well as, for example, the need for a cost-benefit analysis including the direct and indirect effects of projects on employment.

(1) COM(98) 2000 final.
(2) COM(98) 138 final.

(1999/C 207/033)

WRITTEN QUESTION E-3085/98

by Karin Riis-Jørgensen (ELDR) to the Commission

(16 October 1998)

Subject: Digital input and output sockets on video cameras

A digital video camera purchased, for example, in Singapore, which has the same television system as in Denmark, is equipped with the international standard interphase IEEE1394 which in practice means that it is possible, among other things, to playback the recorded programme digitally onto a hard disk as well as play the signal digitally from the hard disk back to the camera after final editing. Although the cameras are identical to look at, the latter operation is not possible if the camera is purchased in the EU since the cameras are programmed differently.

On what grounds did the Commission decide that digital video cameras sold within the EU should not have the international standard interphase IEEE1394 input socket?

Furthermore, what is the reason for the 14% import duty imposed on digital video cameras with digital recording as against 4,9% duty on cameras without the digital recording option?

In the event of quota arrangements existing for digital video cameras, does it consider this to be reasonable when it is borne in mind that much of the technological development in this area takes place outside the EU?

Answer given by Mr Monti on behalf of the Commission

(14 January 1999)

The Commission has not taken a decision whereby digital electronic consumer equipment such as digital video cameras fitted with the IEEE 1394 interface cannot be imported or marketed in the Community. Nor has it decided to require that such equipment should be fitted with that type interface. Indeed, manufacturers and retailers are free to use whatever digital interface, if any, they consider to be most suitable for the market concerned.

With regard to the tariff treatment of digital video cameras the Commission refers the Honourable Member to its reply to Written Question E-3811/97 by Mrs Hawlicek (1) concerning customs discrimination against camcorders with input sockets. Video cameras with plugs for the recording of television programmes receive the same tariff treatment as video recorders, which means a normal rate of duty of 14% in conformity with the Community's common customs tariff. Video cameras without plugs for the recording of television programmes cannot replace video recorders and such products are subject to a tariff treatment similar to that of other cameras resulting in a normal rate of duty of 4,9%.

The fact that a product is digital and works in conjunction with a computer does not change its tariff treatment. Hence, this reply is also valid for digital video cameras.

Finally the Commission would point out that digital video cameras are not subject to a quota arrangement.

(1) OJ C 187, 16.6.1998.

(1999/C 207/034) **WRITTEN QUESTION E-3090/98**

by Richard Howitt (PSE) to the Commission

(16 October 1998)

Subject: Planned N-Viro Sewage Works — Stambridge

Can the Commission investigate the N-Viro fertiliser process in respect of dangers to public health, and state whether this product has been tested and proved safe for agricultural land use? Anglian Water is proposing to build a new sewage works in my constituency which will use this process, and there are naturally concerns regarding a product about which little is known and which could prove dangerous to public health. Could the Commission also state whether this N-Viro process is used in other countries in Europe?

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 January 1999)

The treatment of urban waste water, imposed under Council Directive 91/271/EEC ([1]) of 21 May 1991, as amended by Commission Directive 98/15/EC ([2]) of 27 February 1998, produces sewage sludge. Article 14 of Directive 91/271/EEC stipulates that such sludge should be re-used whenever appropriate.

In this connection, Article 6 of Council Directive 86/278/CEE ([3]) of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture, stipulates that the sludge must be treated before being used in agriculture. The aim of this treatment is to reduce the fermentable properties of the sludge as well as the risks to human health and the environment. In particular, it consists in eliminating the pathogenic micro-organisms that may be contained in the sewage sludge. It should be noted that, under this same Article 6, the use of untreated sludge may be authorised if the sludge is injected or worked into the soil. To the extent that it guarantees an adequate level of non-toxicity vis-à-vis pathogens and micro-contaminants (notably heavy metals) and given its organic improvement potential and beneficial fertilising properties, sewage sludge may be genuinely advantageous for certain types of agricultural soil.

The N-Viro process referred to by the Honourable Member appears to be a sludge-treatment process. The Commission is currently gathering information on this process, notably with a view to checking whether it is conducive to the attainment of the objectives indicated above.

([1]) OJ L 135, 30.5.1991.
([2]) OJ L 67, 7.3.1998.
([3]) OJ L 181, 4.7.1986.

(1999/C 207/035) **WRITTEN QUESTION E-3091/98**

by Joan Vallvé (ELDR) to the Commission

(16 October 1998)

Subject: Universal Declaration of Linguistic Rights

On 6 June 1996 the Universal Declaration of Linguistic Rights was adopted in Barcelona during the World Conference on Linguistic Rights, on the initiative of International PEN's Translation and Linguistic Rights Committee and Ciemen (Escarré International Centre for the Ethnic Minorities and Nations) and with moral and technical support from Unesco.

The prime objective of that declaration, which was produced thanks to the work of various NGOs and experts on linguistic issues and has received the support of many international figures in a range of fields, is to promote respect for and the full development of all languages and to preserve world linguistic diversity. In this light, will the Commission support the declaration with the aim of guaranteeing the right of each community to conserve and promote its language?

Answer given by Mr Santer on behalf of the Commission

(19 January 1999)

The Commission is taking action to promote and safeguard regional and minority languages and cultures, which is being funded under budget heading B3-1006. The objective of this action is to promote and safeguard linguistic diversity in Europe. Projects relating to languages are therefore eligible for funding under this action, provided they comply with the objectives and criteria set out in the calls for proposals. The Honourable Member is also referred to the Commission's answers to Written Questions E-963/98 from Mr Imaz San Miguel ([1]) and E-2139/98 from Mr Frischenschlager ([2]).

However, it must be emphasised that the recognition of linguistic rights within the Member States is not the responsibility of the Commission.

([1]) OJ C 310, 15.12.1998.
([2]) OJ C 50, 22.2.1999, p. 130.

(1999/C 207/036) **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?

Supplementary answer given by Mr Fischler on behalf of the Commission

(3 December 1998)

The Commission can confirm that it has made the payment concerning the final balance of the Community initiative Leader I Spain.

However, the Spanish authorities have forwarded information to the Commission on the problems which have occurred with the rural development centre 'La Montaña' in Cocentaina (Alicante). It appears that the group mentioned did not submit the final implementation report to the intermediary body as requested. Moreover, the group provided the Spanish authorities with neither the list of the projects paid for nor the verification report. The Spanish authorities have also informed the Commission that the inspection report on the group by the state auditors has still not been completed.

In any event, it is obvious that this group has to fulfil all its obligations in order to comply with the rules agreed with the intermediary body. Nevertheless, according to information received by the Commission, the Spanish authorities are ready to start institutional proceedings so as to be able to pay the balance of Leader I to the 'La Montaña' group.

(1999/C 207/037) **WRITTEN QUESTION E-3094/98**

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

(16 October 1998)

Subject: Sustainable tourism policies in the EU

Initiatives in support of a sustainable model of tourist development are coming into being in many European regions. They include initiatives for sustainable development in islands, local agenda 21 programmes for tourist sites and the sustainable tourism charter adopted at the Lanzarote world conference organised by Unesco in 1995.

It seems necessary for the European Union, which is one of the world's main tourist destinations as well as a major source of tourists, to draw up, through the Commission, strategies to improve tourist areas in the Community, particularly those associated with 'mass tourism'.

Among other things, a policy should be drawn up with the aim of preserving natural resources as much as possible in the face of tourist development, making tourist activities compatible in areas of great natural value and beauty, drawing up guidelines for the 'load capacity' of tourist destinations, etc.

Has the Commission considered the possibility of promoting sustainable tourism policy initiatives in the EU, bearing in mind the importance of this sector of the economy, its implications for regional planning and its growing competitiveness at international level?

Answer given by Mr Papoutsis on behalf of the Commission

(7 December 1998)

In accordance with the obligation to integrate the environment into Community policies, the Commission is analysing the strategy which is needed to implement this requirement in the area of tourism.

The Commission is also awaiting the approval by the Council of a first multiannual programme for European tourism [1] that considers, among other aims, the promotion of sustainable tourism through integrated strategic planning and of the different policies, programmes and initiatives that contribute to their development. Integrated quality management in tourist destinations favours a general approach towards all sectors that affect the development of tourism, including the proper management of natural resources.

The Commission in 1997 launched three studies on the integrated management of quality in coastal, rural and urban tourist destinations. These studies aim to identify and analyse best practice in integrated quality management within the countries of the European economic area and to contribute to the exchange of experiences and the transfer of knowledge within Europe, serving as a guide both for the public sector (in particular local authorities) and for the private sector (in particular tourist companies). The results will be available in the first half of 1999.

The Commission is conscious of the scarce information on the environmental impact of tourism on a Community scale. The Commission is already working, in an initial phase, on the preparation of indicators for the sustainable development of transport and energy and is actively participating in OECD discussions on environmental indicators in agriculture. The Commission is considering the possibility of tackling, in a second phase, the preparation of sustainable development indicators for tourism.

[1] COM(96) 635 final.

(1999/C 207/038)

WRITTEN QUESTION P-3102/98

by Marie-Noëlle Lienemann (PSE) to the Commission

(8 October 1998)

Subject: Directive on insurance

Non-profit-making mutual associations play an essential part in ensuring that all citizens have access to treatment and in developing preventive measures.

They help to achieve solidarity in aid of better welfare cover for European citizens.

Bearing this in mind, does not the Commission believe it advisable to lay down a legislative framework different from that provided for in the directive on insurance?

More generally, how does the Commission intend to take account of the special characteristics of mutual associations and to protect their interests?

Answer given by Mr Monti on behalf of the Commission

(16 November 1998)

The Commission recognises the importance of the role played by mutual associations in the non-profit sector within the Community.

Where the business of insurance is concerned, the relevant Community directives lay down the conditions for carrying on this activity in the single market, in accordance with the principles of freedom of establishment and freedom to provide services enshrined in the EC Treaty. They establish arrangements for the taking-up and pursuit of these activities under which an insurance company, irrespective of its legal form, is required to maintain a financial position that will enable it to honour at all times the commitments deriving from insurance contracts written by it. These arrangements are based on close monitoring of the financial aspects of the insurance company, which is required among other things to have at all times adequate technical provisions that are covered by matching assets and invested according to strict rules, a sufficient solvency margin for its activities that is calculated according to the provisions of the Insurance Directives, sound administrative and accounting procedures, and adequate internal controls.

The Insurance Directives already contain provisions which take into consideration the specific nature of insurance bodies having the form of a mutual association. These provisions relate in particular to the constitution of own funds (solvency margin). They permit non-life mutual associations to call in additional contributions to constitute up to 50 % of their solvency margin. The Directives also authorise Member States to provide for a 25 % reduction in the minimum level of the guarantee fund required by the Directives in the case of mutual associations.

The Directive on the supplementary supervision of insurance undertakings in an insurance group, which was adopted by the Council and Parliament on 27 October 1998 ([1]), takes full account of the concern expressed by mutual associations during the legislative process. It creates the conditions necessary to enable mutual associations, which by definition cannot have cross-holdings, and insurance undertakings in the form of companies to be treated on an equal basis as regards solvency requirements when they belong to an insurance group.

The work under way on the Statute for a European Mutual Society and the Statute for a European Cooperative is also aimed at providing mutual associations in Member States with a tailor-made legal instrument that will enable them to carry on their activities in the internal market.

([1]) OJ L 330, 5.12.1998.

(1999/C 207/039) **WRITTEN QUESTION E-3119/98**

by Raimo Ilaskivi (PPE) to the Commission

(16 October 1998)

Subject: Hemp-growing in Finland

According to some newspaper reports, EU-subsidised hemp-growing trials have been conducted in Finland, with satisfactory results. However, it has now emerged that in certain cases it has not proved possible to market the hemp grown: instead, it has been left piled up at the edge of the fields — yet despite this, EU subsidies have been paid for its cultivation.

Payment of such agricultural subsidies cannot be a rational use of EU funds levied from the taxpayer. The EU ought either to subsidise marketing as well, which would make sense from the point of view of agricultural policy, or to make the payment of subsidies conditional on success in marketing the hemp which is grown.

How will the Commission solve this problem?

Answer given by Mr Fischler on behalf of the Commission

(19 November 1998)

Council Regulation (EEC) 1308/70 of 29 June 1970 on the common organisation of the market in flax and hemp [1] introduced aid per hectare for hemp grown in the Community. This aid is granted only if the hemp is produced using seed of varieties whose content in intoxicating substances (tetrahydrocannabinol) does not exceed 0,3 %. This limit will be reduced to 0,2 % from the 2001/02 marketing year.

Moreover, the aid can be paid only for those areas which have been fully sown and harvested and on which normal cultivation work has been carried out.

With particular regard to Finland, the area under hemp, which was 2 hectares in 1996 and 53 hectares in 1997, reached a considerable 1 286 hectares (provisional figure) in 1998.

There are no rules on the conditions under which the harvested hemp is to be stored. On the other hand, in accordance with the commitment given by the Commission as part of the 1997/98 prices package to put forward appropriate measures in the hemp sector, the Council has introduced, for application from the 1999/2000 marketing year, a system of obligatory contracts between growers and primary processors, a processing commitment and a system to approve the primary processors. The detailed rules of application are currently being prepared and should eliminate the cultivation of hemp for which there is no product market. These provisions will prevent the situations referred to by the Honourable Member and should ensure that greater efforts are made to optimise the product¢s commercial worth.

[1] OJ L 146, 4.7.1970.

(1999/C 207/040) **WRITTEN QUESTION E-3135/98**

by Cristiana Muscardini (NI) to the Commission

(16 October 1998)

Subject: Improper tender for the organisation of water services in Ivrea

On 1 June 1998 Ivrea (Turin) town council discussed setting up a joint company to manage all the public services of water abstraction, conduction and distribution for domestic purposes, sewage and waste water treatment. To set up this mainly public company, firms were invited in accordance with private negotiation procedures. These however are public works and initial estimates are 20 billion lire.

1. Is the Commission aware of this?

2. Since this is a mainly public privatisation and given the tasks of setting up the company, do the rules used for setting up the company comply with Community directives on public contracts?

3. If not, what are the procedures for restoring legal sovereignty?

Answer by Mr Monti on behalf of the Commission

(11 December 1998)

The Commission will contact the Italian authorities to check compliance with Community legislation on public contracts in the case of the procedure referred to by the Honourable Member.

(1999/C 207/041) **WRITTEN QUESTION P-3146/98**

by Umberto Bossi (NI) to the Commission

(8 October 1998)

Subject: Milk production

Article 3(4) of Regulation (EEC) 536/93 [1] has been disregarded by the Italian authorities since 1995. The 1998 deadline has also been blatantly ignored. A sum of LIT 4 000 million is owed to Italian milk producers and blocked with the purchasers. The Italian Government has forwarded to DG VI (Protocol NC/2976) the questionnaire required by Article 8 of Regulation (EEC) 536/93, which records a level of national milk production amounting to deliveries of 9 325 938 tonnes for the year 1997/98, well below Italy's total reference quantity. The questionnaire contains 'provisional data to be verified and supplemented'. The milk purchasers are responsible for applying Regulation 3950/92 [2] and must forward the information by 15 May each year.

Will the Commission therefore answer the following questions:

1. Does the statement quoted also appear in the questionnaire received?

2. Can the data forwarded be supplemented later?

3. Will purchasers who are late forwarding this data have their recognition withdrawn, in addition to paying penalties?

4. What compensation is to be granted to producers who have been deprived since 1995 of their right to compensation and therefore of their right to produce?

5. What inspection and protection measures does the Commission envisage applying in order to guarantee Community milk producers their right to work? How does it intend to intervene?

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[1] OJ L 57, 10.3.1993, p. 12.
[2] OJ L 405, 31.12.1992, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(5 November 1998)

It should first of all be noted that the Commission sent Italy a reasoned opinion addressing in particular the fact that the time limits for paying the levy due for the 1995-96 and 1996-97 milk years had not been complied with. Furthermore, the Commission reduced the advances on agricultural expenditure as calculated by an amount corresponding to the levies owing in the two periods in question. In the case of the 1997-98 period, the data sent under Article 8 of Commission Regulation (EEC) 536/93 of 9 March 1993 laying down detailed rules on the application of the additional levy on milk and milk products [1] will be checked and verified during the clearance of accounts.

1. A reference to 'provisional data undergoing verification and consolidation' is included in the questionnaire that the Italian authorities sent to the Commission.

2. Where the data is amended as a result of the checks, the Member States must, in accordance with Article 8 of Regulation (EEC) 536/93, send the Commission updated data before 1 December, 1 March and 1 July each year.

3. The purchaser is penalised if the time limit for sending the detailed accounts established for each producer is not observed. On the other hand, approval may be withdrawn if the purchaser does not send all the data referred to above.

4. It must be emphasised that the producer has the right to produce a quantity of milk up to the limit of his individual reference quantity. The maximum amount of the levy that he must pay is calculated on the basis of the total size of his overrun. The Member State can reduce this amount by applying national provisions enacted under Article 2(1) of Commission Regulation (EEC) 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ([2]). As a result, the Member State alone has the option of applying the equalisation mechanism.

5. The Commission will take steps, should they prove necessary, to ensure that the Community provisions are complied with.

([1]) OJ L 57, 10.3.1993.
([2]) OJ L 405, 31.12.1992.

(1999/C 207/042) **WRITTEN QUESTION E-3158/98**

by Concepció Ferrer (PPE) to the Commission

(19 October 1998)

Subject: Trade in jewellery within the Community

The Spanish Association of Jewellers submitted a complaint to the Commission denouncing the obstacles facing Spanish exporters of jewels attempting to market their products within the Community.

What steps does the Commission intend to take to eliminate these obstacles?

Answer given by Mr Monti on behalf of the Commission

(14 December 1998)

In the first instance, it should be noted that there is a proposal for a European Parliament and Council Directive which aims to harmonise national legislation on articles of precious metal in order to ensure their free movement ([1]). The proposal aims to harmonise standards of fineness, fineness marks and sponsor's marks, as well as the certification systems (three alternative systems have been put forward: quality assurance, the EC declaration of conformity and third-party verification). It has not yet been possible to adopt the proposal due to differences between the Member States with regard to certification procedures. The version currently being discussed by the Council provides for a compromise solution. This proposes that only two of the three certification systems be made equivalent, these being third-party verification and quality assurance, with the EC declaration of conformity system being retained as an option.

Pending harmonisation at Community level, the Commission has, following an examination of legislation throughout the Member States in 1992, initiated infringement procedures against most of the Member States, primarily with the aim of requesting: the recognition of standards of fineness affixed in other Member States, or at least of the range of standards contained in the draft Directive (in its current version, i.e. the version proposed by the Italian Presidency in April 1996, as this range corresponds to the range laid down in the International Organisation for Standardisation (ISO) standard, plus code 999); the insertion of a clause covering the recognition of fineness marks legally affixed in other Member States, when the information contained is equivalent to that laid down by national regulations; the insertion of a clause covering the recognition of sponsor's marks registered in another Member State; and the abolition of any differences in marking between national and imported products, in cases where the latter are submitted for marking in the importing country. The infringement proceedings have given rise to amendments to the legislation concerned in most of the Member States. In some Member States, the procedure is under way or reaching a conclusion. One could then conclude that, following the action taken by the Commission, the national authorities now accept the principle of mutual recognition in the field of trade in articles of precious metal.

Nevertheless, some specific problems do still remain, as demonstrated in particular by the complaints from Spanish operators. Under Spanish legislation, the guarantee mark can be affixed either by an official body or by an authorised body. In the case of the latter, this body is one proposed by the manufacturer and expressly authorised to do so by the national authorities, which carefully monitor the marking operations. This system is therefore closely related to the quality assurance system. When it comes to effective recognition, the problems arise, in practice, from the fact that those Member States which operate a third-party verification system refuse to recognise that marks affixed under the responsibility of the manufacturer as part of a quality assurance system are equivalent. It is under these conditions that the Commission has recorded a new series of complaints and officially-identified cases and has re-established contact with all the Member States concerned in order to find a solution to this problem. The authorities in the Member States have, in effect, been asked if they are prepared to give equivalent recognition to marks affixed by a third party and those affixed under a quality assurance system which offers suitable and sufficient guarantees of professionalism and independence.

(1) OJ C 209, 29.7.1994.

(1999/C 207/043) **WRITTEN QUESTION E-3160/98**

by Sören Wibe (PSE) to the Commission

(19 October 1998)

Subject: Right to ban imports of meat produced with regular use of antibiotics

Sweden has so far been allowed to retain its exemption banning the use of growth-promoting antibiotics in fodder.

Does Sweden have the right, however, to ban imports of meat produced with regular use of antibiotics?

Answer given by Mr Fischler on behalf of the Commission

(9 December 1998)

It is true that under Annex XV to the Act of Accession Sweden is authorised continue to apply its legislation in force before accession until 31 December 1998 in the case of the ban on the use of a number of additives, including antibiotics, in animal feed. Nevertheless, in view of similar reports from scientists and from international and national organisations on the development of resistance to antimicrobial agents, the Commission has asked the Scientific Steering Committee to look into this question using a multidisciplinary approach. The Commission will propose any measures it considers necessary in the light of the Committee's scientific advice.

The Act of Accession specifies that 'these derogations may not have any effect on the free movement of animal products of the Community'. Sweden may not therefore prohibit imports of meat produced from animals whose feed contained antibiotics authorised by Council Directive 70/524/CEE of 23 November 1970 concerning additives in feedingstuffs (1).

(1) OJ L 270, 14.12.1970.

(1999/C 207/044) **WRITTEN QUESTION E-3165/98**

by Mathieu Grosch (PPE) to the Commission

(19 October 1998)

Subject: Benefits for frontier workers interrupting their careers

A female frontier worker employed in Germany can apply for a childcare allowance and childcare leave in Germany even if she lives in Belgium. However, there is a problem for frontier workers from Germany who are employed in Belgium and who apply for a career break to look after their children. If the person in question

lived in Belgium she would receive a direct payment from the employment office in Belgium for this career interruption. Since the person in question lives in Germany, however, she does not receive this benefit.

Is this not a violation of the freedom of movement of workers within the Community or of the application of social security schemes to workers moving within the Community?

Answer given by Mr Flynn on behalf of the Commission

(15 December 1998)

The Commission is aware of the problem of frontier working in Belgium but resident in another Member State and of their entitlement to Belgian family benefits in the event of a career break.

The Commission has contacted the Belgian Government in order to find out the reason why the Belgian authorities refuse to pay such benefits.

Once it receive the Belgian Government's reply, the Commission will decide what further action to take.

(1999/C 207/045) **WRITTEN QUESTION E-3185/98**

by Hadar Cars (ELDR), Karl Olsson (ELDR) and Astrid Thors (ELDR) to the Commission

(27 October 1998)

Subject: Spraying of fruit and vegetables with antibiotics

Attention has recently focused in Sweden on the fact that antibiotics are used as pesticides in fruit and vegetable growing in some Member States (Belgium, the Netherlands and Spain). It has been established that excessive use of antibiotics can produce resistant bacteria in both humans and animals. The use of antibiotics as pesticides is, therefore, a health hazard.

What measures does the Commission intend to take to put an end to the use of antibiotics as pesticides?

(1999/C 207/046) **WRITTEN QUESTION P-3356/98**

by Anneli Hulthén (PSE) to the Commission

(30 October 1998)

Subject: Spraying of fruit with antibiotics

The Swedish media, among other sources, reports that fruit farms are being sprayed with antibiotics to combat pests and crop disease. At the same time, it is known that excessive use of antibiotics can have very dangerous effects, such as producing resistant bacteria.

Does the Commission consider that spraying with antibiotics is to be recommended and how is public health safeguarded with this type of spraying?

Joint answer to Written Questions E-3185/98 and P-3356/98 given by Mr Fischler on behalf of the Commission

(9 December 1998)

Antibiotics registered for uses in plant protection in certain Member States include kasugamycin (registered in Greece, Spain and Netherlands), streptomycin (Belgium, Greece, Netherlands, Austria), validamycin (Netherlands) and oxytetracyclin (Greece). These substances will be evaluated at Community level under Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [1] in the framework of the review programme for existing active substances.

The problem of the development of anti-microbial resistance in pathogenic micro-organisms is becoming particularly serious. A number of converging reports have been published by the scientific community and by international or national organisations. This is the reason why the Commission has asked the scientific steering committee to examine this question and its relationship with the use of anti-microbials in human and veterinary medicine, animal husbandry and plant protection. If necessary, the Commission will propose measures in the light of this scientific opinion, which should be available around April 1999.

(1) OJ L 230, 19.8.1991.

(1999/C 207/047) **WRITTEN QUESTION E-3194/98**

by Joaquín Sisó Cruellas (PPE) to the Commission

(27 October 1998)

Subject: European Heritage Days

The European Heritage Days were held in 44 countries of Europe on 25 and 26 September 1998. On these days, cathedrals which normally charge for entry offered free admission. The aim of the days is to familiarise people with the monuments which make up their heritage and make them aware of the need to conserve them.

Did the European Union take part in the European Heritage Days?

Answer given by Mr Oreja on behalf of the Commission

(14 December 1998)

The European Heritage Days initiated by the Council of Europe in 1991 familiarise many members of the public with their European cultural heritage, by giving them free access to buildings normally closed to the public.

In the context of its cultural action the Commission endeavours to promote public awareness of and access to the European cultural heritage. The Commission fully appreciates the impact on the public and the European dimension of the European heritage days, with which it has been financially associated for several years.

The Commission made the following contributions:

— 1994: ECU 70 000

— 1995: ECU 70 000

— 1996: ECU 70 000

— 1997: ECU 70 000

— 1998: ECU 80 000 (subject to completion of the budgetary and administrative procedures)

(1999/C 207/048) **WRITTEN QUESTION E-3199/98**

by Honório Novo (GUE/NGL) to the Commission

(27 October 1998)

Subject: Fisheries sector inquiry

It is public knowledge that some months ago, the Commission decided to carry out an inquiry involving various trade union and employers' organisations within the European Union's fisheries sector.

1. What organisations were contacted in each Member State, and how many of them replied?

2. What organisations were contacted in Portugal, and which of them replied?

3. Were there organisations in Portugal which, although not originally contacted in connection with the inquiry, nonetheless sent in opinions, and if so, how many organisations are concerned and what are their names?

Answer given by Mrs Bonino on behalf of the Commission

(13 November 1998)

In March 1998 the Commission sent a total of 347 questionnaires on the 'common fisheries policy after 2002' to fishermen's organisations, fish processors and traders, to those working in aquaculture, to scientific researchers, trade unions, consumers' associations and environmental organisations, the lists of which had been agreed with each Member State. The Commission received 172 replies.

Thirty nine (39) Portuguese organisations were consulted, two of which replied. The Commission also received a contribution from an organisation which had not been consulted directly.

(1999/C 207/049) **WRITTEN QUESTION P-3209/98**

by Robert Sturdy (PPE) to the Commission

(16 October 1998)

Subject: Calf Processing Aid scheme (CPAS)

Is the Commission aware that the UK Government is proposing to end the Calf Processing Aid Scheme on 30 November 1998?

With no export market for male calves from the dairy herd, is the Commission aware of the very severe consequences that the removal of this scheme could have on the UK and EU beef industry in the medium term?

What measures is the Commission taking to ensure the early lifting of the export ban on calves?

What measures will the Commission take to ensure that the Calf Processing Scheme will remain available in the UK?

One of the reasons for ending the CPAS in the UK appears to be the cost of the scheme due to the perceived high level of aid. Will the Commission look at the possibility of allowing the payment of a lower level of aid?

Answer given by Mr Fischler on behalf of the Commission

(5 November 1998)

1. The Commission is aware that the matter is being considered by the British government but, until now, the final decision has not formally been communicated to the Commission.

2. and 4. In fact, as from 1 December 1998, the application of the processing premium becomes optional to Member States. Therefore the decision has to be taken by the national authorities concerned.

3. At present, the export certified herds scheme allows the dispatch from certain establishments in Northern Ireland of deboned beef from cattle coming from herds in the province which are subject to strict conditions in respect of freedom from bovine spongiform encephalopathy (BSE). Furthermore, the Commission has submitted a draft document to the standing veterinary committee to introduce a date-based export scheme which would allow dispatch of deboned beef from cattle born in the United Kingdom after 1 August 1996, again under strict controls to ensure freedom from BSE. There are at present no proposals to relax the embargo in respect of live cattle.

5. According to Regulation (EEC) 805/68 of the Council of 27 June 1968 on the common organisation of the market in beef and veal ([1]), the Commission sets the processing premium at a level or, where appropriate, levels enabling a sufficient number of calves to be withdrawn from production in line with the market requirements. The Commission, as it has already done in the past, will not hesitate to amend the amount of the payment according to the above commitment.

([1]) OJ L 148, 28.6.1968.

(1999/C 207/050) **WRITTEN QUESTION E-3212/98**

by Bernd Lange (PSE) to the Commission

(27 October 1998)

Subject: Time taken to reimburse costs incurred in Socrates projects

According to several reports from sponsors of Socrates projects in Germany, it can take more than a year for costs to be reimbursed. As the money concerned initially has to be found by the project sponsors, this long time lag means a heavy financial burden, which may cause smaller sponsors particular difficulty.

How does the Commission intend to speed up the processing of the settlement procedures for Socrates projects so that smaller project sponsors are not placed at a disadvantage?

Answer given by Mrs Cresson on behalf of the Commission

(8 February 1999)

The rules on implementation of the Socrates programme do not require the coordinator to bear the total cost of a project while awaiting transfer of the Commission's grant.

On the contrary, because the Commission does not wish the cost of Socrates projects to constitute an excessive financial burden on beneficiaries, particularly small organisations, it transfers substantial advance payments (amounting to at least 80 %) once a project is up and running. This means that only the balance of the grant has to be transferred at the end of the project, on presentation of evidence of the expenditure incurred.

Payment of the balance follows an assessment of the final activity reports and accounts relating to the project. The Commission takes care to analyse these documents promptly, once they are submitted by the project coordinator, so that the balance can be paid forthwith. A delay as long as that referred to by the Honourable Member constitutes an exception, which can only be a result of special difficulties peculiar to the projects concerned.

(1999/C 207/051) **WRITTEN QUESTION E-3217/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(26 October 1998)

Subject: Compensation for redundancies at Piraiki-Patraiki Group

The Piraiki-Patraiki cotton industry group has been in special-status receivership under Greek law since 1992. DR 2 500 000 million are to be paid out to the Group's redundant workers in compensation (Ministry of Development Decision 863 of 14 January 1997).

Can the Commission answer the following:

1. Is the EU contributing to the payment of this compensation and from which programme?

2. If so, has the Commission checked whether the criteria for payment of compensation have been applied uniformly to all workers?

Answer given by Mr Flynn on behalf of the Commission

(13 January 1999)

1. The Commission does not contribute to the payment of this compensation.

2. The amount of compensation in the event of redundancies is not specified by Community law. The main purpose of 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]), and codified by Directive 98/59/EC of 20 July 1998 ([2]), is to afford greater protection to workers in the event of collective redundancies by reducing the existing differences between national laws as regards the 'practical arrangements and procedure' and measures designed to alleviate the consequences of redundancy for workers. Hence the amount of compensation to be paid to workers in the event of cancellation of their employment contracts is exclusively a matter for domestic legislation, which determines the precise scale.

([1]) OJ L 245, 26.8.1992.
([2]) OJ L 225, 12.8.1998.

(1999/C 207/052) **WRITTEN QUESTION E-3221/98**

by Pedro Marset Campos (GUE/NGL) to the Commission

(26 October 1998)

Subject: Sewage treatment plant in Cieza (Murcia, Spain)

The surface impoundment sewage treatment plant in Cieza, financed by the Community, has not worked properly for the last four years so that sewage is being pumped directly into the Segura river, which flows through the town of Cieza, emitting unbearable and insalubrious smells to which the citizens of the town are exposed. The citizens concerned have requested urgent measures to eliminate the 'pestilent odours' generated by the sewage treatment plant. They base their complaint on a judgement by the Court in Strasbourg in which the Spanish Government was told to pay compensation to a city in Murcia in connection with a similar problem, referring to Article 8 of the European Convention on Human Rights.

Moreover, it has been noted that the problem of unpleasant smells is encountered wherever there is a sewage treatment plant of this type.

1. Is the Commission aware of this problem?

2. Does the Commission not consider that the competent authorities should carry out an assessment of the real functioning of the sewage treatment plant in that town and draw up a plan for the complete overhaul of the plant in order to eliminate all the shortcomings detected?

3. In what manner can the Commission intercede before the Spanish authorities in order to guarantee compliance with Community legislation on the environment and, in particular, the following directives:

(a) Directive 85/337/EEC ([1]) on the assessment of the effects of certain public and private projects on the environment,

(b) Directive 91/156/EEC ([2]) on waste and

(c) Directive 90/313/EEC ([3]) on the freedom of access to information on the environment?

4. Can the Commission provide all the information which it is able to obtain from the Spanish authorities with regard to this case?

([1]) OJ L 175, 5.7.1985, p. 40.
([2]) OJ L 78, 26.3.1991, p. 32.
([3]) OJ L 158, 23.6.1990, p. 56.

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 January 1999)

1. The Commission was unaware of the situation described by the Honourable Member.

2. Under Council Directive 91/271/EEC ([1]) of 21 May 1991 on the treatment of urban waste waters, and in order to assist in its implementation, the Community has funded the building of water reclamation works in Spain. Nevertheless it is for the Spanish authorities to ensure that the facilities in question are managed and function properly.

3. The Commission does not know whether the water reclamation works in question has been subjected to the environmental impact assessment provided for by Council Directive 85/337/EEC of 27 June 1985 on the assessment of the impact of certain public and private projects on the environment. It should nevertheless be pointed out that Article 2 of that directive provides that projects that are likely to have a significant impact on the environment, more particularly as a result of their nature, extent or location, must be subjected to an assessment of their impact before any authorisation is granted. That requirement applies to the projects listed in Annexes I and II to the directive. Item 11(d) of Annex II mentions WRWs. Under Article 4(2) of the directive projects covered by one of the categories listed in Annex II must be assessed in terms of their impact if the Member State concerned feels that their characteristics so require. Since this is a facility that has already been in operation for four years no ex post facto impact assessment can be required under the directive.

On the basis of the information supplied by the Honourable Member the Commission feels that Council Directive 91/156/EEC of 18 March 1991, amending Directive 75/442/EEC on waste, does not apply in this instance since Article 2 thereof excludes waste water from its scope where this is covered by other legislation. However waste waters are regulated by the Directive 91/271/EEC referred to above.

Article 3 of Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment requires public authorities to make available information relating to the environment to any (natural or legal) person, at his request, and without his having to prove an interest. The Commission is unable, solely on the basis of the facts mentioned by the Honourable Member, to establish whether the Spanish authorities have received a request for access to information to which they responded in an inappropriate manner.

4. The Commission would point out that, contrary to what was stated in the question, the Cieza water reclamation works was not jointly financed via Community funds. Conversely, the project covering the geotechnical examination of the site of the WRW and the analysis of the liquid effluents discharged there with a view to extending said WRW was indeed jointly financed in 1997 under the operational programme for the Murcia region (1994-99).

The Commission will send the Honourable Member and the Secretariat General of Parliament the information on that water reclamation work that it has received form the Spanish authorities.

([1]) OJ L 135, 30.5.1991, p. 40.

(1999/C 207/053) **WRITTEN QUESTION E-3224/98**

by Umberto Bossi (NI) to the Commission

(26 October 1998)

Subject: Milk production

The Italian government has made very heavy penalty payments to the European Union as a result of declaring a higher level of milk production than the special reference quantity. The government has not yet made the compensatory payments due since 1995, which has resulted in a considerable reduction in producers' liquidity (the equivalent of LIT 4 000 billion), as those purchasing the milk deduct the relevant levy pending payment of compensation. For 1997-1998, the quantity of milk marketed declared by purchasers is substantially below the SRQ.

These interconnected facts give the impression that the domestic market is distorted and that the system of competition between countries has been flouted to the detriment of milk producers in the Po Valley.

In view of the foregoing:

1. Does the Commission consider that it has scrupulously implemented all the initiatives designed to ensure the Italian government operates in accordance with the correct procedures?

2. Does the Commission consider that private and/or public national and Community bodies could have exploited the chaotic situation created by the Italian government for their own benefit in defiance of the principle of free competition?

3. Does the Commission agree that it is now essential to place the Italian system of administering and controlling milk production under Community supervision?

4. Does the Commision agree that the huge sums retained for various reasons by the purchasers, which amount to about 50 % of the value of the Italian milk market, give them an unfair advantage in terms of competition?

Answer given by Mr Fischler on behalf of the Commission

(30 November 1998)

1. Yes. Since 1984, the Commission has taken action using all the means available to it. It is sufficient in this regard to point out the infringement procedures brought against Italy in 1985, 1988, 1995 and most recently on 12 January 1998. Furthermore, the Commission reduced its advances on agricultural expenditure each time Italy failed to comply with the time limit for paying the levy due to the Commission.

2. The Commission is not in a position to reply. However, the one certainty where free competition in a market regulated by quotas is concerned is that Community legislation must be complied with where the special reference quantity is exceeded.

3. Member States are responsible for managing and monitoring the milk quota system at national level. The Commission has the powers to check that the system is working, especially during the clearance of accounts exercise and as part of its responsibilities to check that Community law is being correctly applied. The Commission has neither the powers nor the right to take the place of a Member State in managing or monitoring national milk production.

4. The Commission does not agree with the Honourable Member and would suggest that he look at its recent reply to his Written Question P-3146/98 ([1]).

([1]) See page 32.

(1999/C 207/054) **WRITTEN QUESTION P-3226/98**

by Elena Marinucci (PSE) to the Commission

(19 October 1998)

Subject: The URBAN Community Initiative

Can the Commission say:

1. whether it is true that, in response to the Cardiff European Council and in order to assist the peace process in Ireland, it intends to find the necessary funding by taking Community Initiative funding which has not been used and, if so,

2. on what current legislation this decision is based?

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

(19 November 1998)

The Commission has proposed to the Member States that the peace and reconciliation initiative be funded in 1999 by adjusting the indicative financial allocations for those Community initiatives which are performing below expectations. This would respond to the European Council's request at the Cardiff summit in June 1998

that the Commission finds ways of supporting the fresh opportunities which the Northern Ireland peace agreement brings and would answer Parliament's request to consider as a matter of urgency how the peace agreement can be supported in practical terms. It would also comply with the orientations of the 1999 draft budget, that an additional ECU 100 million for the peace initiative should be provided by reprogramming the other Community initiatives and meet Parliament's request to make reallocations within the Community initiatives to ensure their appropriate financial implementation.

The modifications to the indicative allocations will be made by amending the Commission decisions of 13 July 1994 and 8 May 1996 which established, respectively, the original indicative allocation to the Community initiatives and the distribution of the Community initiative financial reserve.

(1999/C 207/055) **WRITTEN QUESTION E-3228/98**

by Karin Riis-Jørgensen (ELDR) to the Commission

(26 October 1998)

Subject: Taxation of pensioners

In which country should tax be paid on pensions? The country which pays the pension, or the country of residence?

Denmark for instance has terminated its double taxation agreement with Portugal, which means that Danish pensioners in Portugal now have to pay tax in Denmark on their Danish pensions, whereas Danish pensioners in Spain still pay tax on their Danish pensions in Spain.

Does the Commission consider it right that a country should treat pensioners who live abroad differently when it comes to paying tax?

Are there guidelines for the taxation of pensioners living abroad? If so, what are they?

Answer given by Mr Monti on behalf of the Commission

(3 February 1999)

There is no Community legislation governing the right to tax pension income. Most bilateral taxation treaties however include such provisions, drafted often on the lines of Article 18 of the Organisation for economic cooperation and development (OECD) model tax convention on income and on capital which attributes the right to tax to the country of residence. If no bilateral treaty is concluded, both countries have, in principle, the right to tax. It is up to their national legislation to ensure that double taxation is avoided.

If a situation of effective double taxation occurred, the compatibility of such double taxation with the basic freedoms guaranteed by the EC Treaty would need to be examined. However, in the absence of harmonising or co-ordinating Community rules, the simple fact that pensioners who have moved abroad to different Member States are subject to a different tax burden does not constitute a violation of the Treaty.

The Commission wishes to draw the Honourable Member's attention to its current work to remove those obstacles to the free movement of workers and also to the free provision of financial services which stem from the complex and varying tax treatment of supplementary pensions and life insurance across the Community and insufficient co-ordination of taxation policies in this area.

(1999/C 207/056) **WRITTEN QUESTION E-3255/98**

by Eryl McNally (PSE) to the Commission

(28 October 1998)

Subject: Transference of state pensions between Member States

Could the Commission tell me what plans are underway in order for people from different Member States to transfer their state pensions to a residence within another Member State?

Answer given by Mr Flynn on behalf of the Commission

(15 December 1998)

Article 10 of Regulation 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community ([1]) provides that invalidity and old age pensions and pensions for accidents at work acquired under the legislation of one or more Member States should not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient resides in the territory of a Member State other than that in which the institution responsible for payment is situated. This regulation is directly applicable in all Member States of the Community and the European economic area (EEA).

([1]) An updated version has been published in OJ L 28, 30.1.1997.

(1999/C 207/057) **WRITTEN QUESTION E-3260/98**

by Yves Verwaerde (PPE) to the Commission

(28 October 1998)

Subject: Compatibility of commissions decumuls (farmland management committees) with Community law

In France, when farmers decide to increase the acreage they farm, and the new acreage, depending on the department, is more than two or three times the statutory minimum, they must first obtain permission from a farmland management committee.

Can the Commission say whether such committees exist in any other Member States, and if so, which ones?

Is the existence of these committees consistent with Community law, and in particular, with the freedom of establishment principle?

Answer given by Mr Fischler on behalf of the Commission

(30 November 1998)

The Commission is not aware of arrangements or procedures in the other Member States comparable to the commissions de cumuls mentioned by the Honourable Member, which are used in France to control increases in the size of agricultural holdings.

The Commission would point out, however, that Community legislation in general and the application of the common agricultural policy in particular do not in any way affect the powers of Member States to adopt arrangements and procedures to monitor developments on agricultural holdings, and their extension in particular, as part of a national land-use planning policy, for instance or, more specifically, as part of measures to encourage the installation of young farmers.

Based on the information available to the Commission, these arrangements and procedures do not run counter to the principle of freedom of establishment.

(1999/C 207/058) **WRITTEN QUESTION E-3267/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(30 October 1998)

Subject: Survey by the European employment observatory

According to a survey carried out by the European employment observatory, unemployment in Greece runs at 13,2 %. This is a different figure from that reached both by the Greek Manpower Employment Organisation (10 %) and by the Greek Statistical Service (10,3 %). Since the relevant Eurostat publications on unemployment failed to give figures for Greece, will the Commission notify us of the conclusions of the above survey, in particular as regards long-term youth unemployment (extent of the problem, likelihood of finding work, etc.). Given that the publication of this survey concerning Greece caused a sensation — since it gives an employment rate some 30 % higher than the other surveys —, will the Commission confirm its reliability? Does it reflect real unemployment trends in Greece?

Answer given by Mr de Silguy on behalf of the Commission

(10 December 1998)

The Honourable Member refers to an article in issue No 30 of Trends, published by the Employment Observatory in summer 1998. The issue examines groups of the population which are not classified as unemployed under current international definitions. These groups include for example people taking part in work programmes, people working less hours than they would wish ('visible underemployment'), people working less than usual for economic reasons and people wishing for a job but not actively seeking work because they believe none is available ('discouraged workers').

The figure of 13,2 % quoted in the question is an 'aggregated unemployment indicator' for Greece, calculated by adding the four groups named above (respectively 0,9 %, 0,8 %, 0,8 % and 0,4 % of the labour force) to the figure of 10,3 % given as the unemployment figure for 1996 by the Greek Statistical Office (which is already higher than the 9,6 % published by the Commission, for definition reasons which are discussed in the article). Conducting the same exercise for other Member States also of course results in total figures higher than the official unemployment rates.

The article highlights a number of important issues related to unemployment, amongst which might be mentioned the problem of entry into the labour market for young people without work experience and the increased difficulty of finding employment for people who have already been without a job for a long period. These correspond in most essentials to the analysis presented in other publications produced on behalf of the Commission, such as the annual Employment in Europe report.

The Commission welcomes all research which, like this article, contributes to a fuller understanding of labour market phenomena. In its own publication of labour market figures, the Commission proposes to continue to follow the definitions published by the International Labour Office, which are recognised by all the Member States.

(1999/C 207/059) **WRITTEN QUESTION E-3269/98**

by Viviane Reding (PPE) to the Commission

(30 October 1998)

Subject: The scandal involving ECHO: are dangerous religious sects being financed with EU funds?

As may be gleaned from press reports (see 'Le Soir', edition of 14 October 1998, p. 11), the fraud scandal involving aid from the Commission's ECHO office is very extensive. It is alleged that the Japanese Sûkyô Mahikari sect, based in Luxembourg (the Château d'Ansembourg accommodates its administrative offices responsible for Europe and Africa) and classified as being very dangerous, has indirectly received vast sums of money from EU funds. It is also alleged that the leader of the sect for Europe and Africa, Count Gaston d'Ansembourg, has benefited from external contracts awarded by the Commission.

It is bad enough for funds allocated to relieve the sufferings of people in need to be embezzled, but the financing — even indirectly — of sects known throughout the world for their fanaticism and contempt for human life constitutes a scandal which would be hard to beat.

The valuable work done by ECHO, on which many people in need throughout the world depend, is brought into disrepute by this fraud, and that is something which damages the entire Community.

How does the Commission intend to prevent such instances of fraud in the future? To what extent will the establishment of an independent anti-fraud organisation prevent, for example, religious sects from being financed directly or indirectly? Is the Commission considering scrutinising the firms involved and their staff before it awards contracts?

Answer given by Mrs Gradin on behalf of the Commission

(7 January 1999)

The Commission is aware of the article published in the newspaper 'Le Soir' on 14 October 1998 as well as the further article published in the newspaper 'La Lanterne' on 22 October 1998.

On the basis of the information currently at the disposal of the Commission, there is no indication that a religious sect has been benefiting from Community funds allocated for humanitarian aid.

Moreover, the Commission confirms that Community funds (ECU 60 000) have been granted to the association Sukyo Mahikari for the restoration of the gardens of the 'château d'Ansembourg' (pilot project 93/L/1 for the conservation of the European architectural heritage). An examination of the conditions of the allocation as well as the execution of the work have led to the conclusion that no irregularities have been committed.

It would be at this stage premature to comment on the other allegations concerning financial aspects contained in these articles. The matter is currently under investigation.

The Commission shares the view that it needs a high level of information when conducting contractual negociations and that it has to apply selective criteria such as the financial capacity of the candidates. The Commission would refer the Honourable Member to its communication of 18 November 1997 on sound financial management and administration ([1]) which indicated that procedures for awarding subsidies and for procurement are currently being reviewed. In addition, an early warning system has been set up to enable the Commission to cross check information prior to awarding contracts. The Commission would also point out that it does not have the powers to scrutinize systematically the staff employed by its contractors and that it is not entitled to adopt a discriminatory attitude based on personal data such as beliefs and convictions. In this context, the possible creation of an independent office to fight against fraud, as announced by President Santer, should not change the current situation.

([1]) Improving Action against Incompetence, Financial Irregularities, Fraud and Corruption; SEC(97) 2198.

(1999/C 207/060) **WRITTEN QUESTION P-3276/98**

by Terence Wynn (PSE) to the Commission

(22 October 1998)

Subject: Charges relating to meat hygiene and inspection

In the United Kingdom, the Meat (Hygiene and Inspection) (Charges) Regulations 1998 implement the provisions relating to charges for meat hygiene inspections under Council Directive 85/73/EEC ([1]) on the financing of veterinary inspections and controls covered by Directives 89/662/EEC ([2]), 90/425/EEC ([3]), 90/675/EEC ([4]) and 91/496/EEC ([5]), of which an amended and consolidated text is annexed to Council Directive 96/43/EC ([6]). Pursuant to Article 1 of Council Directive 85/73/EEC, they also provide for a charge to be levied in relation to hygiene inspection at slaughter of other land mammals and birds for which no standard charge is specified. The charges encompass any monitoring of the welfare of animals slaughtered for human consumption in slaughterhouses carried out under the Welfare of Animals (Slaughter or Killing) Regulations 1995 (S.I 1995/731).

1. Can the Commission supply details of the above charges in all the Member States?

2. Can the Commission confirm that all Member States are implementing the above directives?

3. Can the Commission define the qualifications of a person described as a 'veterinarian' under the Directive?

(1) OJ L 32, 5.2.1985, p. 14.
(2) OJ L 395, 30.12.1989, p. 13.
(3) OJ L 224, 18.8.1990, p. 29.
(4) OJ L 373, 31.12.1990, p. 1.
(5) OJ L 268, 24.9.1991, p. 56.
(6) OJ L 162, 1.7.1996, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(8 December 1998)

1. Council Directive 85/73/EEC of 29 January 1985 on the financing of health inspections and controls of fresh meat and poultrymeat introduced the principle of fees to be paid upon the slaughter of farm animals. Council Decision 88/408/EEC of 15 June 1988 on the levels of the fees to be charged for health inspections and controls of fresh meat pursuant to Directive 85/73/EEC (1) harmonised this area. The Decision sets the fee to be collected by the Member States for health inspections and controls of fresh meat under Directives 64/433/EEC (2), 71/118/EEC (3), 85/358/EEC (4) and 86/469/EEC (5).

2. However, on the basis of information available to it, the Commission noted that the application of this Decision appeared to be causing problems and that it was far from producing the harmonisation required. So, in March 1992 the Commission launched a survey of all the Member States — which involved examining hundreds of documents sent by them — to see if the Decision was being correctly applied. As a result of the survey, infringement proceedings were initiated against the Member States, some of which related to specific infringements and others to issues of principle. In 1993, the Council adopted Directive 93/118/EEC of 22 December 1993 amending Directive 85/73/EEC on the financing of health inspections and controls of fresh meat and poultrymeat (6) and repealing Decision 88/408/EEC. The content of Decision 88/408/EEC was retained in Chapter 1 of the Annex to the new Directive, however, thereby enabling the Commission to continue the infringement proceedings that were under way.

The Commission would like the Honourable Member to note two important aspects in particular. The first relates to the progressive harmonisation of health fees. The fees to be collected for the inspection and control of fresh meat and poultrymeat were fixed by Decision 88/408/EEC and included again in Chapter 1 of the Annex to Directive 93/118/EEC, which also adds in Chapter II a fee upon the importation of such meats.

The Council subsequently adopted Directive 96/43/EC of 26 June 1996, which amends Directive 85/73/EEC once more by adding health fees for the inspection and control of fishery products and live animals to the two matters already covered. The fees referred to by the Honourable Member accordingly originate in those fixed by Decision 88/408/EEC, the subject of the Commission's survey. The second aspect concerns the Member States' application of the health fees at slaughter. Now, following the survey and the infringement proceedings initiated by the Commission in relation to the application of Decision 88/408/EEC, the 12 States in the Community at the time apply the Decision as set out in Chapter I of the Annex to Directive 93/118/EEC, carry out the required inspections and collect either the flat-rate fees fixed by the Directive or alternatively their actual costs, as also authorised by the Directive. There are a few problems with the new Member States which are being resolved.

3. The term 'veterinarian' linked to a qualification appears only once in Directive 85/73/EEC, as amended by Directive 96/43/EEC (in the introductory sentence to point 5 of Chapter I of Annex A). In this case, the term veterinarian is used to make a distinction between the various staff engaged in controls in slaughterhouses and cutting plants.

(1) OJ L 194, 22.7.1988.
(2) OJ L 121, 29.7.1964.
(3) OJ L 55, 8.3.1971.
(4) OJ L 191, 23.7.1985.
(5) OJ L 275, 26.9.1986.
(6) OJ L 340, 31.12.1993.

(1999/C 207/061) **WRITTEN QUESTION E-3280/98**

by Mark Watts (PSE) to the Commission

(30 October 1998)

Subject: Disposal of sewage sludge

Given that EU legislation will shortly prohibit the disposal of sewage sludge at sea, what alternative means of disposal are available?

Answer given by Mrs Bjerregaard on behalf of the Commission

(17 December 1998)

Traditionally, there are four main routes for sludge disposal: re-use in agriculture, incineration, landfilling and dumping at sea. Due to environmental concerns, Community legislation will phase out the disposal of sludge at sea by the end of 1998. Indeed, Article 14 (3) of Directive 91/271/EEC ([1]) concerning urban waste-water treatment states that 'Member States shall ensure that by 31 December 1998 the disposal of sludge to surface waters by dumping from ships, by discharge from pipelines or by other means is phased out'.

Provided that the concentration values for heavy metals in sewage sludge stay within the limits set in Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture ([2]) and that sludge is treated in order to reduce its fermentability, a possible option is to use sewage sludge as fertiliser or soil improver in agricultural soils. Sewage sludge is in fact a mixture of organic matter and nutrients such as nitrogen and potassium. Article 14 (1) of Directive 91/271/EEC states that 'Sludge arising from waste water treatment shall be re-used whenever appropriate. Disposal routes shall minimise the adverse effects on the environment'. Directive 86/278/EEC seeks to encourage the correct use of sewage sludge.

Incineration of sewage sludge, preferably with energy recovery, may be a sound disposal option when the sludge is too contaminated and its use in agriculture is not allowed. Incineration is in general rather expensive and should be used only when the agricultural outlet is not available.

Landfilling, although not prohibited by Community law, is to be considered as the least environmentally sound way of dealing with sewage sludge. Sludge is mainly composed of organic matter that in a landfill would decompose, producing methane which is one of the gases that cause the greenhouse effect.

([1]) OJ L 135, 30.5.1991.
([2]) OJ L 181, 4.7.1986.

(1999/C 207/062) **WRITTEN QUESTION E-3283/98**

by Karin Riis-Jørgensen (ELDR) to the Commission

(9 November 1998)

Subject: Production and marketing of wine in Denmark

I refer to the Commission's answer to Question 82 (H-0909/98) ([1]) during Question Time at the October I 1998 part-session.

— Since Danish wine production does not exceed 25 000 hl a year does this mean that in practice Danish wine producers can in fact use Article 11 and thus sell their wine to the public, or can the wine only be consumed by the producers themselves?

— Is it not only if Denmark wants to become a wine-producing nation (i.e. with more than minimum production) that Council and Commission regulations will have to be amended accordingly?

([1]) Annex to the verbatim report of proceedings of the sitting of 9 October 1998.

Answer given by Mr Fischler on behalf of the Commission

(21 December 1998)

In view of the economic, administrative and legal implications of this affair, the situation must be examined not only in the light of the legislation currently in force but also of the common organisation of the market which will result from the negotiations currently underway in the Council.

The Commission is carrying out a detailed examination of the problem raised by the Honourable Member.

(1999/C 207/063) **WRITTEN QUESTION E-3300/98**

by Graham Watson (ELDR) to the Commission

(10 November 1998)

Subject: Visitor requirements for Slovaks

What view does the Commission take of the UK's introduction this month of visa requirements for visitors from Slovakia? Have any other Member States taken similar action? In view of the recent change of government in Slovakia, is such action not particularly unwelcome?

Reply given by Mr Monti on behalf of the Commission

(28 January 1999)

Council Regulation (EC) 2317/95 of 25 September 1995 ([1]) determining the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States ([2]) has an Annex containing the list of States whose nationals are required by all the Member States to be in possession of visas.

The Regulation leaves it open to Member States to impose a visa requirement on nationals of non-member countries which are not on that list. The United Kingdom has made use of that right, and the Commission does not intend to comment on the steps it has taken, which are the sole responsibility of the United Kingdom.

The Commission understands that Ireland has also decided to introduce a visa requirement for Slovak nationals.

([1]) In a judgment of 10 June 1997 (Case C-392/95), the Court of Justice allowed an action brought by the European Parliament and annulled Regulation (EC) 2317/95. The Court nonetheless declared that the effects of the Regulation should be maintained until the Council adopted new legislation.

([2]) OJ L 234, 3.10.1995.

(1999/C 207/064) **WRITTEN QUESTION E-3310/98**

by Encarnación Redondo Jiménez (PPE) to the Commission

(10 November 1998)

Subject: Agriculture: imports of tiger nuts into the EU from third countries

The tiger nut (Cyperus esculentus L.) is one of the traditional crops grown by farmers in the area known as 'L'horta de Valencia' (Spain). Historical records show that this crop has been cultivated since the sixteenth century, in agricultural and climatic conditions which are unique to this particular Mediterranean area. The plant is used mainly for the preparation of 'horchata', a refreshing drink (resembling a milk-shake) of indisputable nutritional value. The tiger nut is still being cultivated in 'L'horta de Valencia', but in recent years severe difficulties have arisen which are endangering the continued production of this traditional, local Valencian crop. One reason for the fall in production lies in the large-scale imports of the product from African countries.

The Commission is therefore requested to answer the questions that follow:

1. How many tonnes of this plant have entered the EU in the last few years?

2. At which ports or customs posts were these imports registered?

3. Under what customs codes did the plants enter?

4. What import duties are these plants subjected to on entry into the EU?

5. What plant health rules do tiger nuts from third countries have to comply with in order to enter the EU?

Answer given by Mr Monti on behalf of the Commission

(15 January 1999)

1. The tiger nut (Cyperus esculentus L.) is mainly grown in countries with a Mediterranean type of climate. The rhizomes of this plant are roughly the size of an olive and contain approximately 30 % oil, 30 % starch and 20 % sugar and cellulose. Tiger nuts are accordingly classified under Combined Nomenclature subheading 07149090, the residual code for heading 0714, which covers a variety of products. There being no separate code for tiger nuts, the Commission is unable to give exact figures for the volume traded. By way of indication, however, Spain's imports under code 07149090 totalled 1 536 tonnes in 1996 and 1 239 tonnes in 1997.

2. The Commission is unable to specify the ports or customs offices through which tiger nuts have been imported.

3. and 4. The common customs tariff (CCT) duty on tiger nuts is 3 %. Products originating in African, Caribbean and Pacific States(ACP)or the Overseas Departments and Territories qualify for duty-free entry, as do least-developed countries under the Generalised System of Preferences. There is a 30 % reduction (i.e. a preferential tariff of 2,1 %)for products originating in other GSP beneficiary countries with the exception of Chile, Mexico and Thailand, now considered too advanced to claim preferences in this sector.

5. There are no special Community plant health rules for tiger nuts, but the general provisions laid down by 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 apply ([1]). Other applicable legislation includes Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs ([2]), which provides for inspection by approved laboratories. Pesticide levels are checked, inter alia, under Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables ([3]) and its implementing directive.

([1]) OJ L 26, 31.1.1977, as last amended by Directive 98/2/EC (OJ L 15, 21.1.1998).
([2]) OJ L 186, 30.6.1989.
([3]) OJ L 350, 14.12.1990.

(1999/C 207/065) **WRITTEN QUESTION E-3313/98**

by Florus Wijsenbeek (ELDR) to the Commission

(10 November 1998)

Subject: British quarantine

Is the Commission aware that the British government has sought and obtained an opinion from a committee of experts chaired by Professor Ian Kennedy?

Does the Commission share the opinion of that committee that in fact quarantine does not protect public or animal health?

Has the Commission also taken note of the committee's proposal to grant only residents of the United Kingdom unimpeded entry to, and exit from, the country?

Does not the Commission regard this proposal and the quarantine system — which serves no public or animal health purpose — as discriminatory and as distorting the market?

Does the Commission not feel the time has come to advise the United Kingdom to withdraw this measure which has a distorting effect on tourism, hunting and animal breeding in the Union?

If so, how will it do this?

If not, why not?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1999)

The British government has forwarded to the Commission the report of the advisory group on quarantine, chaired by Professor Ian Kennedy, which was published on 23 September 1998.

This report, based on an independent assessment of the risk of introduction of rabies into the United Kingdom, is definitely in favour of a change in the current policy of quarantine. The Commission considers the recommendations to be a major step forward and the British government is sympathetic to a change in the regulations along the lines of the report, even if the result of the consultation of the public and organisations involved must be awaited.

Under the new system proposed by the advisory group, pet owners from the Community would no longer have to submit their animals to quarantine, providing conditions were imposed to ensure protection of health.

Concerning the establishment of the internal market, conditions for the placing on the market (conditions for commercial exchanges) in the United Kingdom and Ireland of dogs and cats originating from other Member States have been laid down in Council Directive 92/65/EEC.

(1999/C 207/066) **WRITTEN QUESTION E-3324/98**

by Kirsi Piha (PPE) to the Commission

(10 November 1998)

Subject: Use of child labour in Europe

According to estimates by the Economic and Social Committee, there are more than 5 million under-aged children working in Europe. Most of these children work in areas such as pornography, the drugs trade and sex tourism.

In the light of the above, what does the Commission propose to do to investigate the real extent of the use of child labour in Europe? How is the Commission seeking by means of Community policies to help in the struggle to eradicate child labour?

Answer given by Mr Flynn on behalf of the Commission

(26 January 1999)

The Commission wholeheartedly condemns all forms of child labour, in particular those mentioned by the Honourable Member.

Council Directive 94/33/CE of 22 June 1994 on the protection of young people at work [1] requires the Member States to take the necessary measures to prohibit work by children. They must ensure that young people are protected against economic exploitation and against any work likely to harm their safety, health or physical, mental, moral or social development or to jeopardise their education. This Community directive was to be incorporated into the legislation of the Member States by 22 June 1996, which means that the Member States are obliged to implement all measures needed to ensure effective application of these provisions.

The joint action of 24 February 1997 ([2]) requires the Member States to criminalise and to punish the sexual exploitation of children, including the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of a child in prostitution or other unlawful sexual activities, including pornographic performances and materials.

Furthermore, Europol within its mandate on trafficking in human beings is also active in the fight against such sexual exploitation in co-operation with law enforcement agencies in the Member States.

The Commission also runs the STOP programme which supports public authorities in the fight against trafficking in children and their sexual exploitation, and the Daphne programme which supports non-governmental organisations (NGOs) in the fight against all forms of violence towards children, including sexual exploitation.

([1]) OJ L 216, 20.8.1994.
([2]) OJ L 63, 4.3.1997.

(1999/C 207/067) **WRITTEN QUESTION E-3326/98**

by Philippe Monfils (ELDR) to the Commission

(10 November 1998)

Subject: Irregularities in the authorisation to build an incinerator at Drogenboos (Belgium)

In March I asked the Commission (Question H-0329/98 ([1])) whether there should not be an enquiry into compliance with European rules by the Flemish Brabant Permanent Committee in its procedure granting an environmental permit for the construction of a waste incinerator at Drogenboos and, if appropriate, to bring infringement proceedings against the Belgian State (Flemish Region) if the authorities refused to comply with European law.

The Commission answered that a complaint on the same subject had been lodged and that, if examination of the case confirmed the existence of a breach of Community environmental law, it would be in a position to decide whether it would be appropriate to initiate the infringement procedure laid down in Article 169 of the EC Treaty.

More than six months have passed. Will the Commission state whether its investigations have confirmed an infringement law and, if so, whether a decision to initiate the infringement procedure has been taken, and the grounds for such decision?

([1]) Report of Proceedings of the European Parliament(March 1998).

Answer given by Mrs Bjerregaard on behalf of the Commission

(6 January 1999)

The Commission is currently in the process of investigating a number of complaints concerning the incinerator referred to by the Honourable Member.

Following a request by the Commission for information, the Belgian authorities have submitted observations which are currently being examined.

Should the response by the Belgian authorities be deemed unsatisfactory, the Commission will not hesitate to pursue the matter under the procedure provided for in Article 169 of the EC Treaty.

(1999/C 207/068) **WRITTEN QUESTION E-3329/98**

by Gerardo Fernández-Albor (PPE) to the Commission

(10 November 1998)

Subject: Community programme to give university teachers practical experience of business

The shortcomings of university graduates during their training period in companies have led large firms in various Community countries to negotiate with the relevant universities in order to try to ensure that students meet the firms' training requirements.

They therefore propose that this process should start with the teachers, by enabling them to acquire practical business experience so that they may be better qualified to tackle their training duties, i.e. that they should practice what they preach.

Does the Commission agree that it ought to promote a programme of exchanges to give university teachers practical experience in firms in the various Member States, in order to enable them to improve the training of students and hence remedy the shortcomings attributed to graduates by firms when they start work there after a period of training?

Answer given by Mrs Cresson on behalf of the Commission

(17 February 1999)

The Leonardo da Vinci programme for the implementation of a European Community vocational training policy (Council Decision 94/819/EC of 6 December 1994 ([1])) offers the possibility of transnational exchange programmes for instructors (measures I.1.2.c and II.1.2.b). To this end, the Commission provides financial support for transnational exchange programmes between undertakings and training bodies or universities with the focus on the preparation of transnational training programmes.

As indicated in its proposal 'Towards a Europe of knowledge' ([2]), which sets out the guidelines for a European educational area with the objective of lifelong learning, the Commission agrees with the Honourable Member on the need to develop these measures. The Commission's proposal for the second phase of the Leonardo da Vinci programme ([3]) does in fact seek to strengthen physical mobility programmes, including transnational exchange programmes between companies and training organisations or universities, in order to bring the world of education and training even closer to the world of work.

Under the current rules of the European Social Fund, various programmes in all Objective 1 Member States and in a number of other regions provide for the upgrading of the output from universities to enable them to reach higher standards. The same provision is made for organisations involved with technical and vocational education throughout the Community, and for teacher training colleges where these are not part of the university system. In all these areas, training periods in enterprises are included if appropriate. Under the reformed Structural Funds, Objective 3 provides for 'supporting the adaptation and modernisation of policies and systems of education, training and employment', which will further support the possibility of training periods in companies for university teachers.

([1]) OJ L 340, 29.12.1994.
([2]) COM(97) 563 final.
([3]) OJ C 309, 9.10.1998.

(1999/C 207/069) **WRITTEN QUESTION E-3330/98**

by Gerardo Fernández-Albor (PPE) to the Commission

(10 November 1998)

Subject: EU assistance for the democratization of Morocco

In response to the expectations aroused by his government, the new Prime Minister of Morocco said that the government's success will benefit not only the country's international partners but also Moroccan and foreign investors, since the objective is to create a new political climate, consolidate the rule of law and promote democracy.

He therefore called on two Community countries, France and Spain, to reduce the pressure of foreign debt threatening all the social and economic projects currently in the pipeline.

In view of the fact that the desire that the Kingdom of Morocco should achieve a well-established level of democratization must not be prejudicial to the two aforementioned Community countries, does the Commission not consider that it should devise a joint formula to ensure that all the countries of the Union help to strengthen Moroccan democracy, without detriment to the two countries which have provided the greatest financial assistance to Morocco, namely France and Spain?

Answer given by Mr Marín on behalf of the Commission

(9 December 1998)

The Commission is taking a close interest in the progress of democracy and the rule of law in Morocco and supports it by all the means at its disposal.

The most obvious instrument available for this purpose is the Meda-Democracy programme, which from 1996 to 1998 funded 15 projects in Morocco worth almost ECU 2 million plus some twenty regional projects involving other countries as well, worth a further ECU 4 million. Over and above this specific form of assistance, however, most of the ECU 580 million worth of projects financed under the Meda indicative programme over the same period make an indirect contribution to the democratisation process by backing economic reform or social provision.

The Honourable Member suggests that Member States should make a common contribution to cooperation with Morocco. This has in fact long been the case, in the form of aid financed out of the Community budget, to which all Member States contribute. The latest OECD statistics (1990-96) show that the Community was Morocco's second largest aid donor, behind France but ahead of Italy, Spain, Japan and Germany, in that order. During that period the Commission administered almost a quarter of the Member States' aid to Morocco and the proportion is set to rise sharply under the Meda programme, which will result in a threefold increase in EC aid to Morocco.

The Honourable Member also alludes to the pressure of foreign debt on the Moroccan economy. The Commission would point out that any reduction of such pressure is a matter for the Member States as bilateral creditors. It does keep track of their initiatives in this sphere, and believes these should form part of a coherent overall approach by the international financial community aimed at speeding up the structural adjustment process in Morocco, which the Community supports by means of its own instruments.

(1999/C 207/070) **WRITTEN QUESTION E-3331/98**

by Graham Mather (PPE) to the Commission

(10 November 1998)

Subject: The Intervention Board Executive Agency (UK) — CAP funds

The Intervention Board Executive Agency accounts to the UK Parliament for the cost of implementing, in the United Kingdom, the market regulations and agricultural support measures of the common agricultural policy, together with associated administration costs.

In 1996-97, the Agency administered around 2,5 million transactions accounting for £4,2 billion in expenditure and £3,2 billion of aid appropriations.

Of the 1996-97 Appropriation Account, the House of Commons Public Accounts Committee (PAC) stated that, 'the Auditor General ... was not able to obtain all the information and explanations that he considered necessary for his audit. The evidence available to him was limited because of the Agency's failure to maintain accurate and fully reconciled books of account ... amounting to some £30 million for which there were no satisfactory explanation'. The PAC concluded that, 'the Board's standard of financial management stands in urgent need of considerable improvement'.

1. Is the Commission satisfied with the administration of CAP funds in the UK?

2. Is the Commission satisfied with the standard at which the Intervention Board conducts the tasks assigned to it?

3. What provisions does the Commission have in place for the monitoring of the administration of CAP funds in the UK?

4. What sanctions does the Commission have at its disposal if the administration of CAP funds in the UK consistently falls below acceptable standards?

Answer given by Mr Fischler on behalf of the Commission

(9 December 1998)

1. and 2. The Commission is not fully satisfied with the administration of the common agricultural policy (CAP) funds in several Member States, including the United Kingdom. Concerning the Intervention board, the comptroller and auditor general has qualified not only the national accounts of the board, but also the annual certificate on the European agriculture guidance and guarantee fund (EAGGF) account, required under Regulation (EC) 729/70 of the Council of 21 April 1970 on the financing of the common agricultural policy ([1]). These qualifications were due to the board's failure to maintain accurate and fully reconciled books of account. Clearly, the Commission is unhappy with this situation, and under the clearance of accounts process has refused to accept expenditure that is not fully supported by the board. It will continue to refuse to finance all expenditure that cannot be fully supported. It has also insisted that the board takes remedial action if it wishes to remain a paying agency accredited to pay out money on behalf of the EAGGF guarantee section. There is evidence that this remedial action is now being taken.

3. The Commission is following closely the situation in the Intervention board, and the steps taken to remedy the shortcomings identified in the accounting and reconciliations procedures. Council Regulation (EEC) 729/70 amended by Council Regulation (EC) 1287/95 of 22 May 1995 ([2]), sets out the legal framework for controlling the administration of CAP funds. The Commission carries out regular controls in various market sectors and paying agencies (including the Intervention board) to monitor the administration of CAP funds.

4. The Commission has, through the clearance of accounts procedure, the right to refuse the reimbursement of all expenditure made by a paying agency which is not in conformity with the Community rules. It will continue to exercise these powers whenever necessary. With regard to the general operations of the Intervention board, if the administration of CAP funds falls consistently below acceptable standards, the British authorities will be asked to apply the provisions of Article 4 (4) of Regulation (EEC) 729/70 and withdraw the accreditation of the paying agency.

([1]) OJ L 94, 28.4.1970.
([2]) OJ L 125, 8.6.1995.

(1999/C 207/071) **WRITTEN QUESTION E-3334/98**

by Roberto Mezzaroma (PPE) to the Commission

(10 November 1998)

Subject: European measures to achieve sustainable development on a global scale

Can the Commission say what measures are being undertaken by the Community to tackle the issue of sustainable development, in particular:

1. what measures are being taken in the short (3 years) and medium to long (3-10 years) term to encourage the generation of electricity by means of high-yield combined generators, using the widespread practice of 'repowering' for steam-driven power stations which are obsolete but technically operational;

2. what measures are being taken to encourage the use, by means of environment-friendly technologies, of primary and secondary sources of technology which are currently neglected or underused, such as European coal, recovered fuels (solid urban waste and derivatives, industrial and hospital waste, biomass, etc.);

3. what measures are being taken to solve the related problem of high fuel consumption in the transport sector, stating, in particular, what progress is being made in the plans to switch goods transport to rail, to reduce and rationalize short-haul air traffic, to rationalize and reschedule urban traffic, develop electric and/or hybrid engines and introduce alternative fuels (methanol and 'synthetic petrols');

4. what measures are being taken to persuade European industries to develop integrated programmes to generate their own energy at local level, and what the development prospects are for the actual liberalization of this form of energy production to ensure that it is freely accessible to all;

5. what measures are being taken for commercial development, by encouraging 'alternative conversion', in particular wind energy on a local scale (rather than large-scale wind farms), domestic solar energy, photovoltaic energy and fuel cells;

6. what resources are being devoted to carrying out analytical studies of the status quo with regard to the 'Europe System' based on energy and/or economic concepts?

Answer given by Mr Papoutsis on behalf of the Commission

(12 January 1999)

1. On 15 October 1997, the Commission adopted the communication 'A Community strategy to promote combined heat and power (CHP) and to dismantle barriers to its development' ([1]) with the aim of achieving an 18 % share of electricity production for CHP by 2010. In addition, several Community programmes, notably JOULE-Thermie, SAVE, Altener, Synergy, FAIR, PHARE and TACIS, support activities to promote CHP in the industrial and tertiary sector and biomass gasification. In the period 1995-1998, total support under JOULE and FAIR amounted to ECU 24 million and total support under Thermie in the period 1994-1998 was ECU 44 million. In the 1998 SAVE exercise, 9 projects concerning CHP were selected for financial support totalling ECU 1,5 million.

2. Research on the mining of European hard coal, aimed particularly at reducing production costs, is supported in the framework of the European Coal and Steel Community (ECSC) coal research programme which also covers research in the field of coal utilisation, with a strong emphasis on clean coal technology for power generation. Research into and demonstration of the clean use of solid fossil fuels (coal, lignite and peat) for electricity generation has been supported by the JOULE-Thermie programme under the fourth framework programme for research and technological development (RTD) and this support will continue in the fifth framework programme. In recent years, a part of the JOULE-Thermie budget has been allocated to research, development and demonstration in the field of co-utilisation of fossil fuels with biomass and waste, and Thermie has recently supported an international study on recovered fuels.

3. The integration of environmental concerns in transport policy is an essential element in the development of the common transport policy. The Commission's communication on transport and CO_2 outlines a number of measures to limit the impact of transport activity on climate change ([2]). Moreover, the Commission has developed a targeted strategy to encourage the motor industry to improve by approximately 30 % the fuel economy of vehicles placed on the European market. In 1999, the Commission will present a comprehensive communication on air transport that will deal with noise and emissions issues at both local and global level. Finally, the fifth framework programme for RTD has a specific key action 'sustainable mobility and intermodality', which includes research on alternatives to the conventional private car in local transport systems and improved management of transport demand. The development of cleaner engines and alternative fuels is a central objective of other key actions.

4. In the directives on the liberalisation of the European electricity (Directive 96/92/EC) ([3]) and gas (Directive 98/30/EC) ([4]) markets, CHP is treated favourably and co-generators may have priority in the dispatching of electricity generating installations and are granted, in principle, access to gas pipeline networks. A new proposal for a Council directive ([5]) amending the Directive on the limitation of emissions of certain pollutants into the air from large combustion plants provides that 'in new plants for which the licence is granted on or after 1 January 2000 the competent authorities shall ensure that there is provision for the

combined generation of heat and electricity where this is technically and economically feasible. To this end, Member States shall ensure that operators examine the possibilities of locating the installations on sites with a heat requirement'.

5. Under the fourth framework programme ([6]), the Commission gave financial support totalling ECU 54 million and ECU 450 million respectively to research, development and demonstration on new (fuel cells) and renewable energy sources, including approximately ECU 70 million for accompanying measures in the form of promotion and dissemination activities and support to small and medium-sized enterprises (SME). The technological fields benefiting from these measures were selected in accordance with the Commission work programme.

6. Within the energy framework programme the Council recently adopted the multi-annual studies, analyses and forecasts programme (1998-2002) ETAP ([7]). The indicative budget for this programme is ECU 5 million. The value-added of this programme consists in the pooling of analyses at European level.

([1]) COM(97) 514 final.
([2]) COM(98) 204 final.
([3]) OJ L 27, 30.1.1997.
([4]) OJ L 204, 21.7.1998.
([5]) OJ C 300, 29.9.1998.
([6]) OJ L 334, 22.12.1994.
([7]) COM(98) 423.

(1999/C 207/072)

WRITTEN QUESTION E-3344/98

by Graham Mather (PPE) to the Commission

(16 November 1998)

Subject: 'Chemicals in the European Environment' — EEA publication

The European Environment Agency recently published its report entitled 'Chemicals in the European Environment: Low doses, high stakes'.

Can the Commission please comment on this report and indicate what action it proposes to take as a result of it?

Answer given by Mrs Bjerregaard on behalf of the Commission

(7 January 1999)

The Commission welcomes the European environment agency's report 'chemicals in the European environment: low doses, high stakes' as a contribution to the debate about chemicals which is an issue of public concern.

In response to this concern the Commission has already commenced a stock-taking of the existing Community legislation on industrial chemicals. In November 1998 the Commission reported on the evaluation of the operation of the four main Community legislative instruments (Council Directive 67/548/EEC on the classification, packaging and labelling of dangerous substances ([1]), Council Directive 88/379/EEC on the classification, packaging and labelling of dangerous preparations ([2]), Council Regulation (EEC) 793/93 on the evaluation and control of the risks of existing substances ([3]) and Council Directive 76/769/EEC on restrictions on the marketing and use of certain dangerous substances and preparations ([4])) governing industrial chemicals, examining the effectiveness and efficiency of the four instruments in terms of their specific objectives, which cover protection of human health and the environment in the context of the internal market, an assessment of the operational weaknesses and recommendations for improvement ([5]).

The Commission intends to proceed with a brainstorming with Member States, industry, consumers, environmental non-governmental organisations (NGOs) and scientists; and with the preparation of a Commission communication, which is on the Commission work programme for 1999. This will set out the strategy for the future, including possible legislative options. It should be noted that the Commission will

also start a SLIM (simplification of the legislation for the internal market) exercise at the beginning of 1999 concerning Directive 67/548/EEC.

Additionally, in October 1998 the International Council of Chemical Associations (ICCA) launched an initiative to fill the data gaps (hazard identification and assessment) on 'existing' chemicals. The European Chemical Industry Council (CEFIC) is committed to the ICCA initiative, which aims to provide initial risk assessments for 1 000 substances by the year 2004. In the Community, CEFIC will be working in close co-operation with the Commission and Member States.

(1) OJ L 196, 16.8.1967.
(2) OJ L 187, 16.7.1988.
(3) OJ L 84, 5.4.1993.
(4) OJ L 262, 27.9.1976.
(5) SEC(98) 1986 final.

(1999/C 207/073)

WRITTEN QUESTION E-3362/98

by Anita Pollack (PSE) to the Commission

(16 November 1998)

Subject: Industrial change

Can the Commission explain exactly what is the 'high-level Committee' on industrial change? How was it constituted, what is its brief, what is its composition, and when does it propose to submit a report?

Answer given by Mr Flynn on behalf of the Commission

(10 February 1999)

The Commission set up the high level expert group on the economic and social implications of industrial change in response to the Luxembourg European Council which took place in November 1997.

The group's mandate was to analyse industrial changes, and to make recommendations for measures or instruments which could be developed, where appropriate, or adapted from successful practices with regard to employment and economic growth. On the basis of analysis concerning the forces driving industrial change, the group was asked to examine how to anticipate change, and how to deal with change, in terms of economic and social policies, as well as to identify the impact of change on different industrial sectors, including those which may merit particular attention. The group was also asked to examine the contribution of the social dialogue and the impact of public policies (such as structural funds and state aids) on successful accommodation of industrial change.

The members of the group were selected by the Commission and included industrialists, trade unionists and former government ministers. The Chairman was Mr Pehr G. Gyllenhammar and the other members were Mr Marcus Beresford, Mr Jacques Chereque, Mr F. Wouter Huibregtsen, Mr Heinz Klinkhammer, Ms Maria João Rodrigues, Mr Bruno Trentin, and the rapporteur Mr Bernard Brunhes.

The group submitted an interim report to the Cardiff European Council in June 1998, and a final report to the Vienna European Council in December 1998.

The main recommendations of the group were that:

— companies should be encouraged to take voluntary action to emulate best practice. Legislation should be used to prevent improper behaviour;

— the social dialogue should be developed to tap its full potential at all levels;

— the Community should create a stimulating business environment by completing the single market, by developing a world class infrastructure for information society without sacrificing up-grades of the physical infrastructures, and by encouraging SMEs, with a particular emphasis on eliminating administrative barriers and facilitating access to risk capital;

— educational systems should prepare people for their integration into the economy and for a continuing process of skill adaptation through lifelong learning. A European 'skills charter' reflecting labour market needs would provide career guidance in this context;

— companies should shoulder the main responsibility for the anticipation of change;

— the Commission should assist this process by creating an observatory on industrial change;

— larger companies be encourage to prepare a 'managing change report';

— the Community should recognise the importance of growth sectors such as personal services and creative art and entertainment, and establish a framework stimulating their development;

— in the event of a crisis the main responsibility for action lies with the company. Government should abstain from interfering with industrial change although local authorities may intervene in a co-ordinating and mediating capacity to support the negotiation of a successful outcome;

— any company proceeding with dismissal without having taken the necessary steps to safeguard the employability to those dismissed should be barred from access to public aids;

— hidden subsidies that distort competition should be ended and other aids made fully transparent to create a level playing field.

The Commission is sending these reports direct to the Honourable Member, and to Parliament's secretariat.

(1999/C 207/074) **WRITTEN QUESTION P-3365/98**

by Paul Lannoye (V) to the Commission

(4 November 1998)

Subject: GMO marketing approval dossier: C/NL/96/10, Directive 90/220/EEC

The Scientific Committee on Plants has delivered a negative opinion on Avebe's application for marketing information for a transgenic potato. It concludes that without an adequate risk assessment of the potential consequences of horizontal gene transfer from the GM plants to humans, animals and the environment ... it is not possible to fully assess the safety of the transgenic potato lines.

1. Is this in fact the same issue on which the UK advisory committee ACRE, reached the conclusion that 'the additional genes did not pose a risk to human health and the environment'?

2. Were the same facts available to both committees and the same risk assessment criteria applied?

3. Which antibiotic-resistant genes are involved? ACRE refers to kanamycin, the SCP refers to amikacin?

4. Given the provisions of Article 19(4) of Directive 90/220 (EEC) [1] which lays down 'that in no case should the description of the GMO or the evaluation of foreseeable effects including pathogenic and/or ecologically disruptive effects be kept confidential' does the Commission now consider it to be in the public interest to publish the marketing application in full and the complete text of the SCP's opinion?

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

Answer given by Mrs Bonino on behalf of the Commission

(11 February 1999)

The opinion issued by the scientific committee on plants on 2 October 1998 on the AVEBE modified high amylopectin potato notification C/NL/96/10 stated that insufficient risk assessment had been carried out by the notifier. It is a requirement of Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms ([1]) that the notifier carries out a risk assessment to establish the safety of the genetically modified organism.

The dossier submitted to the committee was the same as that originally submitted to the Commission by the Netherlands' competent authority in its capacity as rapporteur Member State plus supplementary information requested subsequently by the competent authorities of the other Member States including the United Kingdom. The scientific committee during its evaluation requested certain additional clarifications from the notifier. The United Kingdom did object to the placing on the market of the product within the 60 day period as laid down in Article 13(2) of Directive 90/220/EEC on the basis that 'further information is required to complete the animal feed safety assessment', in particular concerning the amikacin gene. As the Commission is not in possession of the full evaluation report of ACRE, it is not able to comment on the extent of the similarity of the risk assessments applied.

The Commission regrets that at the moment the full opinion is unavailable for reasons of claims of confidentiality by the notifier. In these circumstances, the Commission is examining the legal aspects connected with the publication of the full opinion, in particular in consideration of the provisions for transparency provided by Article 19 of Directive 90/220 and Article 10 of the Decision 97/579/EC setting up the scientific committees in the field of consumer health and food safety ([2]). As soon as the results of this examination are available, a complementary answer will be transmitted to the Honourable Member.

([1]) OJ L 117, 8.5.1990.
([2]) OJ L 237, 28.8.1997.

(1999/C 207/075)

WRITTEN QUESTION E-3368/98

by Richard Howitt (PSE) to the Commission

(16 November 1998)

Subject: Sewage treatment plant: San Juan De Los Terreros (Pulpi)

Following on from my Written Question E-0815/98 ([1]) and the response given by Mrs Bjerregaard on 30 April 1998, it is apparent that the quality of life experienced by my constituent Mr Howard, whilst occupying his Spanish property is far from satisfactory.

Very few people living in Europe would tolerate obnoxious and foul smells permeating their homes at all times, and the peat beds established by the authorities in San Juan de Los Terreros, Pulpi, do little or nothing to alleviate this ongoing problem. My constituent pays taxes to the Spanish authorities, and as such, believes that the Spanish authorities could do more to find a suitable solution to the problem.

Could the Commission bring pressure to bear upon the authorities, to recognise that improvements need to be undertaken as a matter of urgency?

([1]) OJ C 354, 19.11.1998, p. 26.

Answer given by Mrs Bjerregaard on behalf of the Commission

(25 January 1999)

As indicated in the answer to the previous Written Question E-815/98 of the Honourable Member concerning the urban waste-water treatment plant in the urban area of San Juan de los Terreros in Pulpi (Almeria, Spain), it was up to the Member State, in accordance with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment ([1]), to decide whether the environmental impact of the project of this treatment plant would be significant enough to require such an assessment. The Spanish authorities considered an assessment necessary and it was carried out in 1992. In this respect, Community legislation was complied with.

With regard to any improvements to be made to alleviate the discomfort which this plant seems to cause to a constituent of the Honourable Member, these fall within the competence of the regional or local authorities, whether or not the said assessment made provision for any follow-up measures relating to the installation. The Commission has no competence in this matter.

(1) OJ L 175, 5.7.1985.

(1999/C 207/076) **WRITTEN QUESTION E-3373/98**

by Concepció Ferrer (PPE) to the Commission

(17 November 1998)

Subject: Afforestation

The purpose of Regulation 2158/92 (1) and its subsequent extension through Regulation 308/97 (2) is to develop measures to protect the Community's forests against fire, particularly with regard to the rationalisation of forest resources.

Can the Commission say what measures have been adopted under this Regulation?

Can it further specify what amount has been disbursed to date for Spain as a whole, and what amount has been set aside for the protection of forests in Catalonia?

(1) OJ L 217, 31.7.1992, p. 3.
(2) OJ L 51, 21.2.1997, p. 11.

Answer given by Mr Fischler on behalf of the Commission

(3 December 1998)

Between 1992 and 1998, under Council Regulation (EC) 308/97 of 17 February 1997 amending Regulation (EEC) 2158/92 on protection of the Community's forests against fire (1), 700 fire-prevention projects submitted by Member States were approved and received Community support totalling ECU 84 million. The projects cover information campaigns, preventive management (e.g. scrub clearance), protective infrastructure (e.g. forestry roads, firebreaks and water points), and monitoring (e.g. introducing summer patrols and building lookout towers). Support was also granted for training specialised personnel and setting up geographical information systems.

During that period, Spain received ECU 15 million in aid as follows — national government (Directorate-General for nature conservation): ECU 10 million; Basque Country: ECU 3 million; Andalusia: ECU 0,7 million; Asturia: ECU 0,6 million; Navarre: ECU 0,3 million; Balearic Islands: ECU 0,3 million; Murcia: ECU 0,1 million. Since the Commission did not receive an aid application from Catalonia during that period, the region did not enjoy direct support under the Regulation; however, the measures implemented by the national government no doubt benefited the region to some extent.

The Commission would nevertheless point out to the Honourable Member that Spain recently submitted seven aid applications in respect of 1999, for support totalling ECU 3 million. One of those applications (for ECU 30 000) relates to the municipality of Solsona in Catalonia.

(1) OJ L 51, 21.2.1997.

(1999/C 207/077) **WRITTEN QUESTION E-3374/98**

by Ernesto Caccavale (UPE) to the Commission

(17 November 1998)

Subject: The threat to the designated protected origin status of buffalo-milk mozzarella in Italy

On 15 September the Italian Ministry responsible for agricultural policy issued a decree to liberalise the production of buffalo-milk mozzarella throughout the national territory. The decree authorised the extension

of the 'buffalo-milk mozzarella' designation, which previously could only be used for cheese bearing the 'Campania buffalo-milk mozzarella' designated protected origin (DOP) mark, to mozzarella produced in areas of the country outside the DOP mark area, which covers only certain provinces of the Campania region and a number of neighbouring areas. Italy currently has approximately 200 000 head of the Mediterranean breed of buffalo. There is a serious danger that buffaloes will be imported from Eastern European countries, which, although morphologically identical, produce milk in smaller quantities and of a low quality. Community provisions ([1]) place buffaloes in the same category as domestic bovine animals as far as customs controls are concerned, on the grounds that they belong to the same family, and they are assigned the same combined nomenclature code. There is therefore a real risk of bovids classified as black cattle, but which are actually buffaloes with inferior genetic characteristics, being imported through Italy into Europe. This would seriously damage the livelihood of Italian livestock breeders who would be faced with unfair competition and it would also raise fears about the purity and quality of milk and of Italy's national buffalo herd.

In view of the above, can the Commission say:

— what steps it intends to take to introduce a customs number specifically for buffaloes in order to stop them being confused with cattle and to prevent the illegal importation of buffaloes;

— whether it considers it advisable to issue specific provisions in order to protect the Campania buffalo herds, to ensure that buffalo-milk mozzarella remains a genuine product under the designated protected origin scheme, to protect consumers through greater transparency in the information provided about the gastronomic characteristics of mozzarella, and also to safeguard the principle of fair competition in the markets in which Italian livestock breeders and cheese producers operate?

([1]) OJ C 287, 15.9.1998.

Answer given by Mr Fischler on behalf of the Commission

(21 December 1998)

In its answer to Written Question P-1571/97 from Mr Azzolini ([1]) the Commission made it clear that, in accordance with Council Regulation (EEC) 2081/92 of 14 July 1992 on the protection of geographical indications and designation of origin for agricultural products and foodstuffs ([2]), the term 'mozzarella di bufala' could not be reserved for use by holders of the protected designation of origin (PDO) 'Mozzarella di Bufala Campana'. The product specification for the PDO 'Mozzarella di Bufala Campana' lays down a number of conditions to be met by producers of cheese bearing that name, stating in particular that the buffalo farms producing the milk used must be structured in line with local practice using animals of the Mediterranean breed originating in the area.

The attention of the Honourable Member is also drawn to the possibility provided for in Article 9 of Regulation (EEC) 2081/92, whereby 'the Member State concerned may request the amendment of a specification, in particular to take account of developments in scientific and technical knowledge or to redefine the geographical area.' Producers are therefore free to propose that the Member State request an amendment of the specification for 'Mozzarella di Bufala Campana' (PDO) introducing stricter conditions, if considered necessary.

In view of the current process of simplification within the Commission aiming to at the reduction of the number of tariff lines, the Commission does not intend to create a specific subdivision for buffaloes. The introduction of a specific tariff heading for buffaloes in the combined nomenclature would not impact on the free access of animals originating in eastern European countries.

Any quantitative restriction on imports would be an infringement of the rules imposed by the General Agreement on Tariffs and Trade (GATT).

([1]) OJ C 45, 10.2.1998.
([2]) OJ L 208, 24.7.1992.

(1999/C 207/078)

WRITTEN QUESTION P-3381/98

by Maj-Lis Lööw (PSE) to the Commission

(9 November 1998)

Subject: EC-funded road-building in Cameroon rain forest

In 1996, the European Community provided funds for improvements to 52 km of roads in Cameroon, West Africa. This project had previously been rejected by the African Development Bank (ADB) and the World Bank in 1992. The EU, nevertheless, continued to provide funding without carrying out an environmental impact assessment.

The European Community is now planning to provide ECU 55 million in aid for a road-improvement project in Cameroon.

Does the European Community intend to carry out an environmental impact assessment for this project and, if so, will it abide by the findings of the assessment?

Answer given by Mr Pinheiro On behalf of the Commission

(21 December 1998)

The project under consideration, to which the Honourable Member refers, concerns the rehabilitation and maintenance of existing roads. The roads picked out are priority roads, as defined by a World Bank study covering the entire road network in Cameroon. Cameroon's sectoral programme for the transport sector, which is supported by all the donors, is based on the World Bank list of priority roads. The programme is encouraging donors to improve coordination of their activities. Environmental impact studies have been carried out for the rehabilitation and maintenance arm of the transport sector programme. The studies recommended an action plan providing for specific environmental impact assessments to pinpoint particular flanking measures to protect the environment in the most sensitive areas.

To take the example of the road from Mbong Bang to Lomié, the Commission would stress that this road has existed for decades, as have all the other roads in the region, which are long-established routes serving a population of around 200 000, of whom approximately 10 % are from the Baka tribe. The Community project covered only road maintenance, to the tune of ECU 600 000. The road forms part of the priority network identified in the Government of Cameroon's sectoral transport programme, established in December 1993 and approved by the donors concerned, including the World Bank, which has never refused to finance projects relating to this road. What the African Development Bank rejected was the construction of a modern nine-metre wide road, to be asphalted later.

With regard to the environmental impact studies, and environmental protection programmes in general, the Commission supports a number of projects in Cameroon focusing on sustainable forestry and protecting biodiversity. These include the Central African Forest Ecosystems project (ECOFAC), a regional conservation project, and another project set up by the International Union for the Conservation of Nature and Natural Resources (IUCN).

The IUCN and the Dutch development organisation SNV/Organisatie voor Ontwikkelingssamenwerking, both active in the region, consider road maintenance to be beneficial for the conservation programmes in this sector. Well-maintained roads facilitate inspections in the region and may also provide extra income in the form of eco-

tourism. They also believe that the majority of the local population, including the Baka, is in favour of maintaining the existing road infrastructure.

The Commission plans to finance an in-depth study of forestry policy in Cameroon. This study is intended to help the Government of Cameroon to draft and implement a sustainable forestry policy.

(1999/C 207/079) **WRITTEN QUESTION E-3391/98**

by Nikitas Kaklamanis (UPE) to the Commission

(17 November 1998)

Subject: Cedefop

In his answer of 19.10.1998 to my Question E-2549/98 ([1]) Commissioner Liikanen stated that, as far as Cedefop personnel policy was concerned, 'the Commission exercises controls only insofar as it is represented on the governing board of the Centre.' To this he added the interesting rider that 'in the sphere of personnel management, relations between the Commission and (outside) bodies are more informal'. Despite this the Commission promotes funding requests by the decentralised bodies (including Cedefop, of course) before the European Parliament's Committee on Budgets and argues in favour of supporting them. It is therefore curious that the highly sensitive 'function' (as Commissioner Liikanen himself states in his answer) of appointing personnel 'has been delegated to the Director of the Centre for all categories and grades of staff', as the Commissioner adds. The delegation of wholesale responsibility in this area to the Director of the Centre is incompatible with Mr Liikanen's admission that Cedefop has not brought its practices into line with those of the institutions of the Union as regards the implementation of the 'Staff Regulations of officials of the EC and the conditions of employment of other servants': for this reason advice is being given to the above Centre to help it come into line. The whole matter is highly sensitive and has been repeatedly discussed in the Greek press. One thing is certain: the recruitment practices of the Centre show no sign of coming into line with those of the other Community institutions.

Will the Commission say whether it has considered the full ramifications of the problem of Cedefop recruitment, what conclusions it has reached concerning the allegations made by the press about machinations involving recruitment, and how it intends to react to ensure that transparent and unimpeachable staff recruitment procedures are adopted at the Centre, which will serve to protect both the Centre itself and the reputation of Thessaloniki, the host City?

([1]) OJ C 118, 29.4.1999, p. 92.

Answer given by Mr Liikanen on behalf of the Commission

(22 January 1999)

The Commission has nothing to add to its previous answer to Written Question E-2549/98 ([1]) asked by the Honourable Member.

([1]) OJ C 118, 29.4.1999, p. 92.

(1999/C 207/080) **WRITTEN QUESTION P-3401/98**

by Carmen Fraga Estévez (PPE) to the Commission

(9 November 1998)

Subject: Justification for the minimum landing size for swordfish in the Mediterranean

Annex IV of Council Regulation 1626/94 ([1]) sets the minimum landing size for swordfish (Xiphias gladius) in the Mediterranean at 120 cm. This size corresponds with the ICCAT recommendation for the Atlantic. However, the ICCAT has made no recommendations regarding minimum landing sizes for swordfish in the Mediterranean and there is a great body of opinion within scientific circles, which is backed up the experiences of the fisheries sector, that this minimum size is excessive for the Mediterranean. In fact, it is proven that the Mediterranean swordfish stock is completely different to that in the Atlantic. This difference is reflected inter alia in the fact that the Mediterranean swordfish constitutes a stock of smaller fish reaching sexual maturity at a much earlier age.

For this reason and with a view to maintaining the coherence of stock management measures in the Mediterranean on the one hand and not to unnecessarily jeopardise the activities of the fisheries sector on the other hand, can the Commission explain the reasons and the biological data which led to the establishment of a minimum landing size of 120 cm for swordfish in the Mediterranean?

([1]) OJ L 171, 6.7.1994, p. 1.

Answer given by Mrs Bonino on behalf of the Commission

(2 December 1998)

The minimum landing size for swordfish in the Mediterranean, as laid down in Council Regulation (EC) 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean, was implemented in order to stop the decreasing trend in the average sizes of swordfish caught in the Mediterranean. At the time of the adoption of the above regulation, it was already obvious that catches of juvenile swordfish in the Mediterranean were increasing to excessive levels, and that the average size of individuals landed was decreasing dramatically. In these circumstances, although there was no specific recommendation from the International commission for the conservation of tunas (ICCAT) for Mediterranean swordfish, the Commission considered that the establishment of the minimum landing size already applicable to the Atlantic would be an important first step to stop the trend mentioned above.

At the recent ICCAT General fisheries council for the Mediterranean (GFCM) joint scientific meeting on large pelagics in the Mediterranean (Genoa, 7-12 September 1998), the problems associated with the catch of juvenile swordfish in the Mediterranean were discussed. It was generally agreed that catches of juvenile swordfish are excessive and should be reduced. However, it was also felt that the 120 centimetres minimum landing size might not be the most appropriate measure, both in terms of the biological features of the Mediterranean swordfish stock and in terms of the applicability of that measure. For this reason, the joint ICCAT/GFCM working group proposed to study possible alternative measures for the protection of juvenile swordfish in the Mediterranean. In the light of the possible alternative measures to be suggested by the ICCAT and GFCM scientists in future meetings, the Commission will consider possible appropriate initiatives in this regard.

(1999/C 207/081) **WRITTEN QUESTION E-3409/98**

by Roberta Angelilli (NI) to the Commission

(17 November 1998)

Subject: Serious difficulties of the Crisafulli family

The family of Anselmo Crisafulli, a well-known criminal lawyer, were evicted from their home and obliged to move to France, where they used all the family assets to purchase a farm which turned out to be a complete swindle, as a result of which legal proceedings are under way in France.

As a result of this swindle the Crisafulli, by now penniless, were obliged to return to Italy, which they did due to the intervention of the Italian President's office, which met the costs of their return and found them a flat, from which, however, they were subsequently evicted yet again due to the above-mentioned economic circumstances.

This series of disasters has obviously caused various psychological and family problems, partly due to the fact that the two sons in their forties are unemployed.

In view of the foregoing, would the Commission state:

1. Whether there are possibilities at Community level of providing practical assistance to the family of a leading member of the Italian legal profession?

2. Whether are any employment opportunities are open to the Crisafulli brothers in view of the special circumstances in this case?

Answer given by Mr Flynn on behalf of the Commission

(13 January 1999)

In the area of social security the only existing binding Community legislation concerns the equal treatment of men and women ([1]) and the co-ordination of social security schemes for migrant workers and members of their families ([2]). The organisation and functioning of social security schemes and social assistance as well as eligibility for different benefits under those schemes (such as unemployment benefits) are matters for the national authorities, provided that the above mentioned legislation is respected.

The Commission is not in a position to comment on what employment opportunities may be available for individuals.

(1) Article 119 of the EC Treaty, Directive 79/7/EEC (OJ L 6, 10.1.1979) and Directive 86/378/EEC (OJ L 225, 12.8.1986) which was amended by Directive 96/97/EC (OJ L 46, 17.2.1997).
(2) Regulation (EEC) 1408/71, updated by Regulation (EC) 118/97 (OJ L 28, 30.1.1997).

(1999/C 207/082)

WRITTEN QUESTION E-3412/98

by Roberta Angelilli (NI) to the Commission

(17 November 1998)

Subject: Building development in Bufalotta

The municipal council in Rome has approved a large development in the Bufalotta district that involves the construction of buildings and commercial centres (requiring 2 million cubic meters of concrete) in a densely populated are where the ratio of open space to inhabitants is the lowest in the city and living conditions are particularly difficult.

As the construction of a large commercial centre will distort the local economy to the detriment of small and medium-sized businesses, and in view of the presence of various sites of archaeological interest, does the Commission agree that the proposed development infringes:

1. Directive 85/337/EEC (1) on environmental impact assessment and public consultation?
2. the EU's declarations on the protection of archaeological sites, particularly Annex 3 of Directive 97/11/EEC (2)?
3. the requirements for acceptable living conditions in a district which is already densely populated and would be considerably more so?

(1) OJ L 175, 5.7.1985, p. 40.
(2) OJ L 73, 14.3.1997, p. 5.

Answer given by Mrs Bjerregaard on behalf of the Commission

(25 January 1999)

In the opinion of the Commission, based on the information given by the Honourable Member, it is not possible to presume that the works to which she refers can be considered covered by Directive 85/337/EEC.

Annex II letter 10(b) includes urban-development projects. Article 4, paragraph 2, states that classes of projects listed in Annex II should be made subject to an environmental impact assessment (EIA) where Member States consider that their characteristics so require and that, to this end, Member States may establish the criteria or thresholds necessary to determine which of the projects of the classes listed in Annex II are to be subject to an assessment in accordance with Articles 5 to 10 of the directive. Italy approved on 12 April 1996, a decree (D.P.R. Atto di indirizzo e coordinamento concernente disposizioni in materia di valutazione di impatto ambientale) which, in line with Article 4, paragraph 2, established such criteria and thresholds for classes of projects listed in Annex II. Urban development projects are listed at number 7 (b) of Annex B of this decree.

On the basis of the information given by the Honourable Member, it is not possible to verify whether the project mentioned could be considered as covered by Annex II letter 10(b) of the directive as specified by Annex B letter 7(b) of the Italian decree.

1. Therefore, the Commission is not in a position to assess whether the project mentioned could be considered as a possible infringement of Directive 85/337/EEC. Concerning the public consultation, if the project is not covered by the directive, there would not be any possible infringement of the obligation of public consultation. However, the Honourable Member does not mention any lack of consultation of the public. Consequently, in any event, the Commission is not in a position to assess any possible infringement of the rule establishing the obligation of public consultation for projects covered by the directive.

2. Member States have until 14 March 1999 to implement Directive 97/11/EC.

3. The Commission is not in a position to identify which provision of Community law is at stake in the specific case.

(1999/C 207/083) **WRITTEN QUESTION E-3421/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: European textile industry

With reference to the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: Plan of action to increase the competitiveness of the European textile and clothing industry (COM(97) 454 final), would the Commission take steps to facilitate the use of existing Union financial resources (European Structural Funds, Leonardo programme) for actions to improve employees' qualifications and accelerate the introduction of new technologies by SMUs, the craft sector and the subcontracting industry in general?

(1999/C 207/084) **WRITTEN QUESTION E-3447/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: European textile industry

With reference to the Commission Communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions relating to a plan of action to increase the competitiveness of the European textile and clothing industry (COM(97) 454 final), will the Commission channel a substantial part of the future research and development framework programme towards support for innovation, creation and the use of information technologies (CRAFT and Eureka innovation procedures)? The textile and clothing sector should also be eligible for the new 'Growth and Employment' financial engineering measures established at the Luxembourg Summit in order to promote cooperation amongst businesses, the establishment and take-over of businesses and the introduction of new technologies.

(1999/C 207/085) **WRITTEN QUESTION E-3448/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: European textile industry

With reference to the Commission Communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions relating to the plan of action to increase the competitiveness of the European textile and clothing industry (COM(97) 454 final), will the Commission commission a study into the effects which the monetary, structural and stock-exchange disruption in Asia has had on the activities of the sector, which are amongst the worst affected?

(1999/C 207/086) **WRITTEN QUESTION E-3449/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: European textile industry

With reference to the Commission Communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions relating to a plan of action to increase the competitiveness of the European textile and clothing industry (COM(97) 454 final), will the Commission ensure that the action plan is given sufficient substance (in the form of pilot schemes, comparative analyses, etc.) in order to encourage cooperation between companies? This could include joint promotion activities vis-à-vis third countries, the creation, through the exchange of electronic data, of systems which ensure rapid response and involve SMEs, craft industries, secondary suppliers and specialised distribution, a strengthening of the JEV instrument for businesses and the networking of specialised training institutes in association with economic operators.

Joint answer
to Written Questions E-3421/98, E-3447/98, E-3448/98 and E-3449/98
given by Mr Bangemann on behalf of the Commission

(13 January 1999)

The strategy set out in the Commission's communication on the action plan concerning the competitiveness of the textile and clothing industry forms part of the supportivel aspect of industrial policy. Against this backdrop the Commission is currently putting the final touches to a management chart whose main purpose will be to identify specific activities which can support any action by economic operators in the textile and clothing industry that is able to prompt better utilisation of the opportunities offered by the Structural Funds, the research and development (R&D) programmes and the programmes intended for small and medium-sized businesses (SMBs).

In view of the research being carried out, more particularly on new working methods, electronic commerce and the use of multimedia tools (34 % of the funds available) a substantial part of the future framework R&D programme put forward by the Commission is devoted to support for innovation. The part concerning the key 'Innovative industrial products, processes and organisations' project will absorb roughly 4 % of the budget for the framework programme. In addition the Commission has stated that 10 % of the budget for the framework programme would be allocated to SMBs. In cooperation with the major economic operators the Commission has identified a number of projects, under the action plan, which may be funded via the future framework programme.

The Commission is closely monitoring developments in the economic situation in the South-East Asian countries. The industry concerned had considered that area to be a promising market for textile and clothing products. This is illustrated by its growing prominence in the sales abroad of European textile and clothing products. According to the analyses conducted by the Commission the Asian crisis will have an impact on the foreign trade in those products, above all in up-and mid-market products. Since the funds available are limlited the Commission does not intend to carry out a study in this area, but it is keeping a close eye on the developments taking place.

The action plan put forward by the Commission has enabled it to identify a certain number of areas to be given preference. These should inspire action by those involved in this industry, namely companies, trade associations and the trade unions, and also the national public authorities and those of the Community. The dialogue begun with both sides of this industry has enabled the Commission to conclude that the intended action is likely to receive financial support under existing financial programmes and instruments, including the action launched at the Luxembourg European Council in November 1997.

(1999/C 207/087) **WRITTEN QUESTION E-3424/98**

by Karin Riis-Jørgensen (ELDR) to the Commission

(24 November 1998)

Subject: Implementation of the Machinery Directive

The EU Machinery Directive was adopted about nine years ago, but surveys reveal that little more than 200 of the approximately 900 standards for machinery have been adopted. Commission surveys also show that, in general, two thirds of the approximately 2 900 technical standards have not yet been approved and that, on average, it takes six years and three months to draw up a CEN standard.

Will the Commission, in such a vast and important sector of trade in the EU as machinery, be able to make additional efforts, speedily and effectively, given that only about one quarter of the standards for which the Machinery Directive provides have been finalised?

Will it also explain what specific action it intends to take in order to step up the pace of standardisation generally, so as to reduce the average time needed for the adoption of standards?

Has it given any thought to how in future, even when all the standards have been finalised, it will be possible to ensure that the goods concerned may bought and sold without checks being duplicated and in accordance with internal market rules, so that Member States and regions cannot keep invoking special circumstances and thus obtain derogations from the EU rules that have been adopted and are in force?

Answer given by Mr Bangemann on behalf of the Commission

(14 January 1999)

Standardization in the machinery area has begun slowly, and there has been a steady output of standards for only a few years now. This is due mainly to the need to find a consensus amongst all interested parties, and to ensure a high level of safety, even if this implies longer periods for the adoption of standards. The Commission implements the various measures indicated in the report on efficiency and accountability in European standardization under the new approach ([1]), in order to speed up the process. In particular, it has insisted to the European standards bodies to make available a common Web site indicating the state of progress in standardization. Furthermore, the Commission has invited the European committee for standardisation (CEN), the European committee for electrotechnical standardisation (Cenelec) and the European telecommunications standards institute (ETSI), which are primarily responsible for the management of the standardization process, to explain their measures on efficiency to national authorities, grouped in the senior officials groups for standardization.

The Commission is not aware of significant difficulties in relation to the free movement of goods. The essential requirements are drawn up in a very detailed way, and more than 95 % of types of machinery can be put on the market by a manufacturer's declaration, even in the absence of European standards. It would be interesting to have concrete evidence of double controls, to which reference is made. It is precisely the respect of Community legislation that allows the products to circulate freely in the Community without repetition of controls. To this end the CE marking offers a useful indication that these rules have been respected.

([1]) COM(98) 291 final.

(1999/C 207/088) **WRITTEN QUESTION E-3426/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(24 November 1998)

Subject: Ban on use of the Kurdish language by a prisoner in Dutch prisons

Husein Baybasin, a Kurd being held in Dutch prisons, has begun a hunger strike because the Dutch authorities have forbidden him to use the Kurdish language to communicate with his family on the grounds that under the prison regulations the Kurdish language is not one of the 'standard' languages of Europe.

Since this ban prevents him from communicating with his relatives, constitutes a violation of the European Convention on Human Rights and disregards the rules for the protection of 'minority' languages.

Will the Commission say:

1. What action does it intend to take to enable this Kurdish prisoner to communicate with his family in his mother tongue?

2. Are there any other penal establishments in Europe which apply similarly unacceptable rules and, if so, can it name them?

Answer given by Mrs Gradin on behalf of the Commission

(22 January 1999)

The Commission has no competence regarding rules and conditions in prisons under Title VI of the Treaty on European Union. Decisions in this field are within the responsibility of the appropriate authorities of the Member States. In case of any possible violation of the European Convention of human rights, this would be a matter to pursue with the European court of human rights.

(1999/C 207/089) **WRITTEN QUESTION E-3431/98**

by Jaime Valdivielso de Cué (PPE) to the Commission

(24 November 1998)

Subject: Free movement of goods

The jewellery trade is overwhelmingly dominated by family-run SMEs which in principle enjoy support and incentives from the EU. In Spain, some 200 000 people are employed in the jewellery trade. As a result of the variations in legal standards amongst the Member States, intra-Community trade in articles of jewellery such as luxury watches and articles crafted from precious metals proves impossible. The inspections (i.e. hallmarking) conducted in the country of destination causes considerable damage to the articles, thus making their subsequent marketing impossible. What is more, in the case of Spain, inspections will already have been carried out by state bodies in accordance with the corresponding Spanish legislation.

What specific measures is the Commission drawing up to put a stop to this situation, which contravenes one of the European Union's underlying principles?

(1999/C 207/090) **WRITTEN QUESTION E-3432/98**

by Jaime Valdivielso de Cué (PPE) to the Commission

(24 November 1998)

Subject: Free movement of goods

No Community directive exists to harmonise the manufacture and marketing of articles containing precious metals in the jewellery trade. Some Member States are drawing on their domestic regulations to obstruct the marketing of Spanish goods by making them undergo inspection (i.e. hallmarking) on entry into their countries. On the one hand, this practice presents Spanish manufacturers whose goods have already undergone inspection in independent laboratories, as required by Spanish legislation, with additional costs. On the other hand, they find it impossible to export a considerable amount of their products (articles crafted from precious metals, luxury watches and so forth) as a result of the irreparable damage caused when such inspections are carried out on finished products.

What specific measures is the Commission drawing up to harmonise legislation in the Member States and do away with such practices?

(1999/C 207/091) **WRITTEN QUESTION E-3433/98**

by Jaime Valdivielso de Cué (PPE) to the Commission

(24 November 1998)

Subject: Free movement of goods

In the absence of a specific Community directive relating to the jewellery trade in the EU, some countries are taking advantage of the lack of applicable legislation and using their domestic regulations to obstruct the marketing of products amongst EU Member States.

To what extent can the absence of a specific Community directive be used as grounds for flouting the principles of the Treaties establishing the Communities, such as the free movement of goods?

Joint answer
to Written Questions E-3431/98, E-3432/98 and E-3433/98
given by Mr Monti on behalf of the Commission

(29 January 1999)

As the Commission mentioned in its answer to Written Question E-3158/98 by Mrs Ferrer ([1]), several actions have already been launched in order to ensure compliance with the principle of free movement of goods in the jewellery trade.

The Commission has in fact proposed [2] the harmonisation of standards of fineness, fineness marks and sponsor's marks, and of certification systems (quality assurance, the EC declaration of conformity and third-party verification). This proposal is currently before the Council.

Pending harmonisation at Community level, the Commission has initiated infringement proceedings against most of the Member States. In most cases, these proceedings have led to amendments to the legislation concerned.

However, as the Commission emphasised in the answer mentioned above, some specific problems do still remain, as demonstrated in particular by a number of complaints from Spanish operators. The problems with effective mutual recognition in the jewellery trade arise, in practice, from the fact that those Member States which operate a third-party verification system refuse to recognise that marks affixed under the responsibility of the manufacturer or as part of a quality assurance system are equivalent. In the specific case of jewellery manufactured in Spain, the guarantee mark can be affixed either by an official body or by an authorised body. In the case of the latter, this body is one proposed by the manufacturer and expressly authorised to do so by the Spanish authorities. This system is therefore closely related to the quality assurance system.

The Commission has decided to look into the most appropriate solutions to these specific problems along with all the Member States concerned. One such solution may, for example, be to give equivalent recognition to marks affixed by a third party and those affixed under a quality assurance system which offers suitable and sufficient guarantees of professionalism and independence. Infringement proceedings are under way.

[1] See page 33.
[2] OJ C 209, 29.7.1994.

(1999/C 207/092)

WRITTEN QUESTION E-3444/98

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: Emissions of nitrogen oxides from aircraft

With reference to the proposal for a Council directive on the limitation of the emission of oxides of nitrogen from civil subsonic jet aeroplanes (COM(97) 629 final — 97/0349 SYN) [1], the legal basis of which is Article 84, could the Commission include a reference to Article 130s? In addition, a more extensive reference, in the preamble to the directive, to interpretation in conjunction with Directive 92/14/EEC [2] (limitation of aircraft noise emissions) would be useful.

Would the Commission make it clear in the preamble to the directive that the text thereof also applies to the countries of the European Economic Area and to the countries applying for membership of the EU?

[1] OJ L 108, 7.4.1998, p. 14.
[2] OJ L 76, 23.3.1992, p. 21.

Answer given by Mr Kinnock on behalf of the Commission

(14 January 1999)

The Commission believes that Article 84 (2) is the appropriate legal basis for the proposed directive on the limitation of oxides of nitrogen (NO_X) from civil subsonic jet aeroplanes because of the impact on access to the market for air transport services of the measure.

The Commission does not believe that a reference in the preamble to any interrelation between Council Directive 92/14/EEC of 2 March 1992 on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume 1 of Annex 16 to the Convention on International civil Aviation, second edition (1988) [1] and the NO_X proposal for interpretation purposes would be useful.

Once formally adopted this measure will become part of the 'acquis' with the resulting obligations for countries applying for membership of the European Union.

(1) OJ L 76, 23.3.1992.

(1999/C 207/093) **WRITTEN QUESTION E-3450/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: Removal of obstacles to trade

With reference to the proposal for a Council regulation (EC) creating a mechanism whereby the Commission can intervene in order to remove certain obstacles to trade (COM(97) 619 final — 97/0330 CNS) (1), will the Commission say why the proposal should be restricted to the free movement of goods instead of also including the other three freedoms which are features of the internal market, i.e. the free movement of services, capital and persons?

(1) OJ C 10, 15.1.1998, p. 14.

Answer by Mr Monti on behalf of the Commission

(14 January 1999)

The honourable Member is certainly aware that the Community has had to deal with serious disruptions to the free movement of goods. These disruptions have been pointed out by Parliament on numerous occasions — the honourable Member is referred to the Commission's answers to Written Questions E-2254/93 by Mrs Domingo Segarra (1), E-1477/95 by Mr Cabezon Alonso and others (2), E-2023/97 by Mr Gasoliba i Böhm and others (3) and E-3592/97 by Mr Macartney (4) — and were the subject of a Court of Justice ruling on 9 December 1997 in case C-265/95.

Against this background, the Amsterdam European Council of 16 and 17 June 1997 requested the Commission 'to examine ways and means of guaranteeing in an effective manner the free movement of goods, including the possibility of imposing sanctions on Member States' and asked it to submit relevant proposals. The Commission provided a prompt response to this specific request from the European Council with its proposal for a Council Regulation creating a mechanism whereby the Commission can intervene in order to remove certain obstacles to trade (5).

(1) OJ C 300, 27.10.1994.
(2) OJ C 230, 4.9.1995.
(3) OJ C 76, 11.3.1998.
(4) OJ C 187, 16.6.1998.
(5) OJ C 10, 15.1.1998.

(1999/C 207/094) **WRITTEN QUESTION E-3458/98**

by Hiltrud Breyer (V) to the Commission

(24 November 1998)

Subject: Persistent Organic Pollutants (POPs)

1. Does the Commission know to what extent EU citizens and the environment are exposed to POPs?

2. What measures has the Commission taken to ensure that the level of POPs in the environment and to which citizens in the EU are exposed continues to be reduced?

3. Is the Commission aware of any national legislation concerning POPs and of how such legislation is implemented in the 15 Member States?

4. Who will lead the negotiations in the INC and in the Group of Experts, the Council or the Commission?

5. Does the Commission intend to consult the European Parliament, NGOs, industry representatives and environmental organizations to define its approach?

6. In the Commission's opinion, what should the criteria for POPs be? Should the criteria be based on the Sintra Declaration with regard to the OSPAR convention?

7. How does the Commission intend to contribute to the financing of forthcoming INCs and working group meetings? In other words, in what manner does the Commission support the POP process?

8. In what way can the Commission help developing countries to tackle their problems with POPs?

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 January 1999)

1. Neither the production nor the use of persistent organic pollutants (POPs) is widespread throughout the Community. Most of the products falling within this category have not been marketed for years — apart from POPs produced and emitted inadvertently, such as dioxins. Thus, exposure of the population may be considered to be limited. Conversely the situation is not the same outside the Community.

2. The Commission is acting first of all by proposing legal action at Community level and secondly by taking part in negotiating regional or world-wide instruments. The most recent examples to date are the proposal for a Council Directive on waste incineration ([1]) which contains limit values for the emission of dioxins and furans, and also the protocol to the Convention on Long-range Atmospheric Pollution of 1979 concerning persistent organic pollutants signed in Aarhus on 24 June 1998.

3. The Commission receives information on all national legislation as part of the transposition of a Community directive or of the procedure for the provision of information on technical standards and regulations provided for by Council Directive 83/189/EEC of 28 March 1983 ([2]). Member States are not required to provide information on their laws or national measures beyond those obligations.

4. The future global instrument on POPs partly falls within the Community's powers and partly within those of the Member States. The Commission has sent the Council a recommendation concerning a decision authorising the Community to take part in the negotiations conducted under the United Nations' Environment Programme (UNEP) ([3]).

5. As regards the international negotiations Article 228(1) of the EC Treaty only provides for consultation with the special committees designated by the Council.

6. In connection with the criteria for defining POPs, the Commission will base itself as far as it can on the criteria negotiated under the regional POP protocol mentioned above. The strategy of the Oslo-Paris (OSPAR) Committee on Dangerous Substances targets an enormous body of substances of which POPs constitute a subgroup.

7. The Commission has noted the recent suggestion by the UNEP's 'chemical products' director concerning the setting up of a 'POP Club' that is intended jointly to finance the negotiating process. A possible contribution by the Commission is under examination.

8. The initial consultation of the Council has enabled a preference for the use of existing financial instruments to be established. In addition all financial machinery should be strictly in proportion to the obligations imposed on the states in question. The Commission will define a more detailed position during a subsequent stage of the negotiations concerning the global instrument.

([1]) COM(98) 558 final.
([2]) OJ L 109, 26.4.1983.
([3]) SEC(98) 1366 final.

(1999/C 207/095)

WRITTEN QUESTION E-3470/98

by Lis Jensen (I-EDN) to the Commission

(25 November 1998)

Subject: EIB funding for the construction of motorways in the Czech Republic

In the near future, the European Investment Bank (EIB) loan of ECU 230 million should be provided for construction of several sections of motorway in the Czech Republic. The EIB does not take into account the fact that the motorway links to which the funding should be directed form a part of a highly controversial option in the current Strategic Environmental Impact Assessment (SEA) for Transport Network Development Conception till 2010 (TNDC). The SEA is being conducted for three options, of which the one which includes EIB funding is deemed by independent experts to be the most environmentally controversial. The motorway sections which the EIB intends to fund are so controversial that, in a number of cases, their construction would actually be unlawful. This is especially true in the case of the D8 motorway, which is designed to pass through the Ceske Stredohori Protected Landscape Area, one of the key zones of environmental stability at European level. Such a step would violate Czech law on nature protection that literally forbids the construction of motorways in such areas. Other cases of violation include the D11 motorway, which would cut through one of the most valuable nature reserves, and Prague ring road. The latter is also a matter of concern: future impact on the environment, recreation zones and densely-populated areas.

The Bank does not seem to be aware of the other two TNDC options assessed under the SEA, which do not take the above-mentioned motorways into account at all or propose alternative routes.

1. What kind of EU policy or internal policy justifies the EIB announcement that its loan will be provided before the Czech Government takes final decision on the route options for motorways?

2. How does the EIB take into account ongoing or assessment procedures underway in the countries of where it operates, as in the present case in the Czech Republic, which are connected with possible investment opportunities, when it does not monitor the actual situation there?

3. What is the EIB's liability if the project it finances in the Czech Republic weakens EU and national legislation and damages the affected people and the environment?

Answer given by Mr de Silguy on behalf of the Commission

(3 February 1999)

1. The European Investment Bank (EIB) has indeed signed a loan contract of ECU 230 million to finance a number of road sections in the Czech Republic, including stretches of the D8 and D11 motorways. The projects form an integral part of the Czech motorway development plan approved by the Czech government in October 1996. Under the loan contract disbursement is strictly conditional upon confirmation by the Czech authorities that the necessary approvals and permits required by local legislation prior to construction have been issued, including those related to environmental impact assessment (EIA) and management of protected areas.

2. The EIB has procedures for assessment of projects and for monitoring progress of projects. The fact that the EIB has included the above mentioned condition shows that it monitors the current situation of a project.

As stated in point 1, EIB loans are conditional upon strict compliance with national and Community environmental legislation.

(1999/C 207/096) **WRITTEN QUESTION E-3471/98**

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

(25 November 1998)

Subject: Regulating fishing activities in the south-west Atlantic

In its answer of 26 January 1998 to Written Question E-3951/97 ([1]), drafted against the backdrop of the seizure of the Community vessel Arpón and stemming from the need to clarify the Argentinian EEZ, the Commission reported that 'the European Community and Argentina are involved in a joint project to create a multilateral system of cooperation in managing and protecting the resources of the south-west Atlantic. The Commission will raise the problem in this context, at the most appropriate time'.

In view of the fact that no significant headway has been made on this matter since then, that consequently the legal uncertainty in the zone persists, owing to the inadequate demarcation of the Argentinian EEZ, and that setting up a multilateral international organisation (SAFO) in the zone serves as a guarantee for developing Community fishing activities in international waters:

1. Will the Commission provide information on the current state of the negotiations?

2. What reasons lie behind the failure to make significant headway in the said negotiations?

3. When does the Commission expect the negotiating period to end, thus enabling the SAFO to be set up?

([1]) OJ C 310, 9.10.1998, p. 5.

Answer given by Mrs Bonino on behalf of the Commission

(15 January 1999)

On 19 January 1998 the Council adopted a negotiating mandate for establishment of a framework for managing fishery resources in certain south-west Atlantic high-seas waters.

Since then the Commission has been maintaining contact with Argentina for the purpose of defining what framework is in fact best suited to the nature of the region. These talks are progressing normally.

Since the aim is to establish a multilateral framework, a meeting of all interested parties will be called when the time is right for this.

(1999/C 207/097) **WRITTEN QUESTION P-3477/98**

by Ursula Stenzel (PPE) to the Commission

(12 November 1998)

Subject: Human rights

Can the Commission indicate the amount of the appropriation still remaining for this year in the budget for human rights activities (Chapter B7-70)? Can it also give a detailed breakdown of the use to which the appropriations earmarked in the budget for human rights activities have been put? On what grounds can the Commission justify the failure to use all the appropriations? What specific measures has it taken, or is it taking, to ensure that these appropriations are used rapidly and efficiently? Can the Commission give an undertaking that no appropriations entered in this budget chapter will have to be carried over to the next financial year at the end of this financial year?

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

(14 January 1999)

The relevant Member of the Commission addressed the plenary session of Parliament on 17 November 1998 on the use of budget headings in Chapter B7-70 for the promotion and protection of human rights. On that occasion, he reported on the numerous difficulties encountered in the course of the 1998 financial year, particularly the effects of the Court of Justice ruling of 15 May 1998, and the consultation process on draft

regulations providing the legal basis for the human rights budget headings in Chapter B7-70. This had led to all human rights budget headings being frozen until the inter-institutional agreement in late July 1998 authorised their use, exceptionally, until December 1998. The other matter involved was Parliament's concerns and criticism with regard to the technical assistance offices.

Despite these difficulties, the Commission has done and will do everything necessary to ensure that the appropriations available under Chapter B7-70 are fully used, in accordance with the selection criteria, paying attention to priority issues and areas. The proportion of budget headings used under Chapter B7-70 should soon reach 86,9 %, or 98 % including the projects to strengthen civil society in Kosovo and Bosnia. The same procedure has been followed as in previous years, except for the Phare democracy and Tacis democracy headings: for those projects, the management methods have been brought into line with the other human rights headings in that Chapter. Parliament will receive ad hoc reports on the various budget headings, and reports on particular issues.

When the responsible Member of the Commission addressed the plenary session of the Parliament he underlined that the Commission could only support the strengthening of democracy and human rights by mobilising civil society, including non-governmental organisations (NGOs). The Commission was seeking to ensure that such an approach responded to strategic policy concerns while reflecting grass-roots initiatives.

The creation of the budget lines was an initiative by Parliament. After Court ruling C106/96, the Commission cannot implement any budget lines without authority. Therefore Parliament has a crucial contribution to make. First, the Commission looks to the future new legal basis, and hopes that the Parliament will facilitate its rapid adoption. Second, for a successful management of these budget lines it is essential that budgetary remarks be adopted in order to use part of the the operational expenditures (up to a maximum ceiling) for technical and administrative assistance (bureaux d'assistance technique, 'BATs').

(1999/C 207/098) **WRITTEN QUESTION E-3480/98**

by John Iversen (PSE) to the Commission

(25 November 1998)

Subject: Food aid for North Korea

There is now daily media coverage of the food situation which has grown worse in North Korea, from where several cases of cannibalism have been reported.

Further to the question I tabled in September last year, will the Commission now say what the situation is as regards the food aid which the EU has already given, and which it will give, to the people of North Korea.

Answer given by Mr Pinheiro on behalf of the Commission

(22 January 1999)

For the last two years, the Commission has been closely monitoring the food security situation in the Democratic People's Republic of Korea (DPRK). There are undeniably food shortages although the extent cannot be precisely verified, given only partial co-operation from the authorities. As might be expected, there is also evidence of adverse consequences on the health and nutritional status of the population. Nevertheless, sensationalist rumours of cannibalism have not been substantiated by the 100 western expatriates now based in the DPRK assisting in the various aid programmes.

International food aid deliveries over the last two years in total amount to approximately 1,5 million tonnes. The Commission, acting on behalf of the Community, has provided considerable quantities of food aid products targeted at the most vulnerable sections of the population. The total value of this food aid and food security support in 1997-1998 has now reached 100 millions euro. This assistance has been channelled through the World food programme (WFP), European non-governmental organisations (NGOs) with an expatriate presence and bilaterally. The bilateral support in 1998 has been monitored by a Commission financed technical assistance team. In addition to food aid and support for agricultural rehabilitation, the

Commission has also granted in excess of 24 millions euro for public health, sanitation and emergency nutritional support over the same period.

The Commission is presently reflecting on the modalities of a possible food aid and agricultural rehabilitation programme for DPRK in 1999. No final decision has yet been taken. Since the shortages are mainly structural (the by-product of DPRK's agricultural and wider economic policies), the Commission therefore takes the view that in order to be efficient and sustainable its assistance will need to be accompanied by policy adaptations from the DPRK authorities. These should aim to modernise agricultural practices and start to implement more far-reaching market-oriented initiatives.

(1999/C 207/099) **WRITTEN QUESTION E-3485/98**

by Nikitas Kaklamanis (UPE) to the Commission

(25 November 1998)

Subject: Recruitment of staff at the European Central Bank

Will the Commission say how many officials of Greek nationality are employed at the European Central Bank, exactly what posts they occupy and what is the total number of officials employed at this new organisation (broken down by nationality), since it is self-evident that recruitment must be transparent and based on objective criteria and fully respect the principle of the equitable and proportionate representation of all EU Member States?

Answer given by Mr de Silguy on behalf of the Commission

(8 February 1999)

The Commission has no jurisdiction to deal with the Honourable Member's question, which should be addressed to the institution concerned.

(1999/C 207/100) **WRITTEN QUESTION E-3486/98**

by Robin Teverson (ELDR) to the Commission

(25 November 1998)

Subject: Meat production standards

What proposals does the Commission have to ensure that the United Kingdom's standards for meat production are imposed on meat imported from outside the European Union?

Answer given by Mr Fischler on behalf of the Commission

(11 January 1999)

Standards for meat production were harmonised in the Community by Council Directive 91/497/EEC of 29 July 1991 amending and consolidating Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat ([1]).

Community requirements for imports of fresh meat from third countries were laid down in Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ([2]). This Directive requires imports of meat to comply with Community requirements.

([1]) OJ L 268, 24.9.1991.
([2]) OJ L 302, 31.12.1972.

(1999/C 207/101) **WRITTEN QUESTION E-3491/98**

by Luigi Moretti (NI) to the Commission

(25 November 1998)

Subject: Presence of radio and television transmission towers in built-up areas

Radio and television transmission towers are increasingly being erected in the vicinity of built-up areas, and sometimes even in town centres.

In view of the fact that the electromagnetic waves produced by these towers constitute a threat to public health, which is reflected in the growing incidence of health problems such as deafness, sleeping disorders, leukemia, etc:

1. Does the Commission intend to make it clearer that such towers located in built-up areas are potentially dangerous?

2. Does it intend to consider drafting a proposal for a regulation laying down a safe distance for such towers from houses and, in particular, from schools and hospitals?

(1999/C 207/102) **WRITTEN QUESTION P-3724/98**

by David Hallam (PSE) to the Commission

(25 November 1998)

Subject: Radiation from electromagnetic fields and its effect on public health

Is the Commission aware of any research into the effects of electromagnetic fields (created by telecommunication masts and overhead electricity wires) on human health or that of livestock grazing around these fields? If no research has been carried out, would the Commission consider undertaking research into the effects on public health of radiation from electromagnetic fields? If public health is found to be threatened in some way, would the Commission consider introducing legislation to enable local, regional or national authorities to regulate proposals to erect telecommunications masts?

Joint answer
to Written Questions E-3491/98 and P-3724/98
given by Mr Flynn on behalf of the Commission

(11 January 1999)

In June 1998 the Commission presented a proposal for a Council recommendation on the limitation of exposure of the general public to electromagnetic fields ([1]). It takes account of the scientific opinion of the International commission on non-ionising radiation, supported by the Commission's scientific steering committee. This text is currently being discussed by the Council, which has also transmitted the text for opinion to the Parliament.

The results of current and future research in this area will be considered in the context of the reporting procedure provided in this text.

([1]) COM(98) 268 final.

(1999/C 207/103) **WRITTEN QUESTION E-3492/98**

by Luigi Moretti (NI) to the Commission

(25 November 1998)

Subject: Pollution of surface water

The drainage systems in built-up areas are often not designed to convey surface water, or water from recent rainfall, to water treatment plants. As a result, these waters flow into rivers, streams and lakes.

To my knowledge there are currently no laws or provisions requiring these waters to be treated before they enter waterways.

In view of the fact that surface water and water from recent rainfall are more polluted than sewage, since they contain over 2010 exhaust gases and heavy metals, can the Commission say what measures it intends to adopt in this area?

Answer given by Mrs Bjerregaard on behalf of the Commission

(12 January 1999)

Rainwater on impermeable urban surfaces can be collected either separately from the domestic and industrial waste water of the built-up area (this is known as a separate sewer system) or in the same sewer as the waste water (a combined system). Two-thirds of urban areas have combined systems. Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment [1] requires Member States to provide for the collection and treatment of the mixture of waste water and run-off rainwater in a combined sewer system. However, given that it is not possible in practice to construct collecting systems and treatment plants in a way such that all waste water can be treated during situations such as unusually heavy rainfall, the Directive lays down that Member States must decide on measures to limit pollution from storm water overflows. Such measures could be based on dilution rates or capacity in relation to dry weather flow, or could specify a certain acceptable number of overflows per year.

As regards direct discharges of run-off water from separate sewer systems, the proposal for a Directive establishing a framework for Community action in the field of water policy [2], in providing that account should be taken of all major sources of pollution in each catchment area, will make it possible to regulate such discharges.

[1] OJ L 135, 30.5.1991.
[2] OJ C 108, 7.4.1998.

(1999/C 207/104) **WRITTEN QUESTION E-3498/98**

by Bernd Lange (PSE) to the Commission

(25 November 1998)

Subject: German campaign to promote the sale of flowers

In accordance with Regulation No 2275/96 of 22 November 1996 [1] the European Union finances measures in the live plants and floricultural products sector. The funds available are used to finance the German government's campaign 'Flowers — the finest language in the world'.

1. What guarantees are there that the funds are used to increase sales of European flowers, thereby fulfilling an environmental objective in preventing unnecessary transport, and creating jobs regionally, thereby fulfilling a social objective?

2. What criteria are there for what is contained in advertising in this connection? Does the substance of the attached information booklet match these criteria?

[1] OJ L 308, 29.11.1996, p. 7.

Answer given by Mr Fischler on behalf of the Commission

(7 January 1999)

1. The objective of Community promotion of flowers is to increase the consumption of flowers and live plants grown in Europe.

2. Article 6 of Regulation (EC) 803/98 laying down detailed rules for 1998 for the application of Council Regulation (EC) 2275/96 introducing specific measures for live plants and floricultural products [1] stipulates that the list of selected measures is to be drawn up, in particular, on the basis of the coherence of the strategies presented, the merits of the proposed measures, the expected impact of their implementation and the producer groups' capacity to implement the measures and the guarantees presented as to the groups' efficiency and representative nature. The Member States are to give preference to measures to be implemented in the territories of several Member States.

The Commission will reply directly to the Honourable Member regarding the second part of his second question, since it has only just received the brochure in question.

[1] OJ L 115, 17.4.1998.

(1999/C 207/105) **WRITTEN QUESTION E-3499/98**

by Arlene McCarthy (PSE) to the Commission

(25 November 1998)

Subject: The Commission's use of private consultants

As part of the reform of the Structural Funds, the Commission intends to decentralise further the operation of Structural Fund programmes, withdrawing from the day-to-day management of programmes in favour of a stronger Commission 'policing' role. During the 1994-1999 programme, how many consultants has the Commission engaged in the administration of the following programmes?

What has been the total cost, and what percentage of the programmes allocations does it represent:

— across the EU as a whole,

— across each Objective: 1, 2, 3, 4, 5b and 6

— and across each Community Initiative?

Can the Commission publish the details?

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

(26 January 1999)

Technical assistance provided under the Structural Funds is to a large extent included in the operational programmes. A limited proportion of the appropriations may also be allocated directly to the Commission.

In the former case, the technical assistance is administered directly by the authorities responsible for the programmes and not by the Commission.

In the latter case, the assistance is subject to rules and ceilings laid down by the various Regulations governing the Funds. It is broken down by Fund and not by objective, and is mainly used for studies, assessments, information and publicity campaigns and the preparation and monitoring of the operations. It takes various forms, e.g. subsidies, contracts with consultants, specific agreements and framework contracts.

The expenditure incurred is published in the annual reports on the Structural Funds. The data for 1994-97 are thus presented by Fund on pages 48 to 51 of the 9th Annual Report on 1997 [1] (English version). New, comprehensive information on the subject has also just been presented by the Commission to Parliament in connection with the consideration by the latter of the charging of expenditure on technical and administrative assistance against the operating appropriations.

[1] COM(98) 562 final.

(1999/C 207/106) **WRITTEN QUESTION E-3504/98**

by John Iversen (PSE) to the Commission

(25 November 1998)

Subject: Unlawful state aid to pig farmers

Under EU rules on state aid, all aid granted in respect of products is unlawful. The Commission should therefore intervene to stop the financial aid recently given by the French Government to pig farmers in France.

Pig farmers have been given FF 150 million on top of the FF 100 million they were allocated by the French Government in September. They have also been allowed to use credit facilities provided by the Stabiporc fund, which has been allocated FF 420 million. French pig farmers have thus received financial aid totalling FF 670 million.

The Commission should therefore intervene immediately and declare the aid unlawful. To start with, Stabiporc was declared unlawful by the European Court of Justice in the early 1990s. Secondly, the French Government has still not been able to explain how the FF 100 million allocated to pig farmers in September is lawful.

Will the Commission ensure that French pig farmers lose their unlawful competitive advantages?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1999)

The Commission decided on 9 December 1998 to initiate the procedure laid down in Article 93(2) of the EC Treaty in respect of aid which the French authorities are planning to grant to pig producers. The aid scheme has three components.

The French authorities intend to reactivate the Stabiporc system of repayable advances. Provided the advances (loans) are granted at market rates and comply with the Commission's reference rates, the measures do not appear to constitute State aid within the meaning of Article 92(1) of the EC Treaty.

The other two measures involve the deferral of social security contributions and the taking over of recent investors' loans. Since the sector concerned is the subject of trade and strong competition within the Community, these measures may affect trade between Member States and risk distorting competition by favouring French producers. They do not appear, at this stage, to meet the Commission's criteria for qualifying for the exemptions provided for in Article 92(2) and (3) of the EC Treaty. They seem, therefore, at present to be operating aid which is not compatible with the common market.

If the doubts about the aid's compatibility with the common market should turn out to be well founded, the Commission may have to take a final negative decision in order to restore the competitive status quo.

(1999/C 207/107) **WRITTEN QUESTION E-3509/98**

by Amedeo Amadeo (NI) to the Council

(25 November 1998)

Subject: Food, veterinary and plant health control and inspection

With reference to the Communication from the Commission to the European Parliament, the Council and the Economic and Social Committee on food, veterinary and plant health control and inspection (COM(98) 32 final) and to the negotiations within the WTO with a view to maintaining equilibrium in international free trade, taking into account inter alia health and safety aspects, can the Council endeavour as actively as possible to support the European Union's control policy and to gain acceptance of it by the international community so that the problems caused by the liberalisation of trade in the food, veterinary and plant health sector can be dealt with?

Reply

(9 March 1999)

During discussions on Agenda 2000 the Council has defined both the model for European agriculture and the attitude to be taken in future WTO negotiations in order to protect that model.

In particular, the Council has taken the view that in the WTO the European Union should seek to achieve the twofold aim of, firstly, maintaining Europe's ability to develop an agriculture in keeping with its characteristics and with very high quality and safety standards and, secondly, placing agricultural trading and market liberalization in a setting which brings international recognition of the constraints imposed on European farmers and agricultural products.

The food, veterinary and plant-health control and inspection measures referred to by the Honourable Member are covered by this general approach.

The Council will of course base itself on the above guidelines at the appropriate time during the preparation of future WTO negotiations.

(1999/C 207/108) **WRITTEN QUESTION E-3521/98**

by Amedeo Amadeo (NI) to the Commission

(25 November 1998)

Subject: Denied-boarding compensation system

With reference to the proposal for a Council Regulation (EC) 295/91 establishing common rules for a denied-boarding compensation system in scheduled air transport (COM(98) 0041 final — 98/022 SYN) [1], Article 2(a) should be redrafted so as to specify that passengers must present themselves for check-in at least 30 minutes before the departure time or at an earlier time where this has been notified to passengers in advance in writing by the airline or its agent. 'Present themselves for check-in' should be understood as meaning joining the queue for check-in.

Can the Commission put forward proposals for compensation where flights are cancelled for commercial reasons?

[1] OJ C 120, 18.4.1998, p. 18.

Answer given by Mr Kinnock on behalf of the Commission

(3 February 1999)

In its amended proposal for a Council Regulation amending Council Regulation (EEC) 295/91 establishing common rules for a Denied-Boarding Compensation system in air transport [1], the Commission has already suggested amendment of the definition in article 2(a) concerning check-in arrangements.

In the view of the Commission, passengers should present themselves for check-in at the time indicated to them in advance in writing and, if no time is indicated, not later than 30 minutes before the published departure time. This would allow for the flexibility of having both shorter and longer check-in time than the regular 30 minutes. The Commission also proposes that the airline shall be responsible for identifying those passengers still in the queue at the time of closing the check-in for a flight.

In the same amended proposal the Commission has also accepted the proposition made by the Parliament to include 'flights cancelled for commercial reasons' in article 2(d).

[1] OJ C 351, 18.11.1998.

(1999/C 207/109)

WRITTEN QUESTION P-3528/98

by Edith Müller (V) to the Commission

(13 November 1998)

Subject: Application of Directive 85/337/EEC to a part of a Member State (or several Member States), with particular regard to the conversion of former military airfields, taking Weeze/Laarbruch in Germany as an example

A ruling of the European Court of Justice criticised the German legislation on environmental impact assessments and deemed it incompatible with Directive 85/337/EEC [1], on the specific grounds that not all projects covered by the Directive had been subjected to an EIA.

1. Do former military airfields which are to be converted into civil installations belong as a matter of principle to the group of projects criticised by the Court, or does the Commission go along with the view expressed by the Federal German Government that authorisation under Section 6 of the Aviation Act (shortened authorisation procedure without any EIA) is adequate?

2. Does a specific criticism arise from the fact that some of the airfields which might possibly be affected adjoin national borders so that the right to overfly another country — the Netherlands in the case of Weeze/Laarbruch — must be settled?

3. In this particular instance, must account be taken of Netherlands legislation as well?

4. Is the European Commission aware of any comparable cases in other Member States? If so, how were they tackled?

5. Is the European Commission aware of any comparable cases or individual projects within Germany where the EIA procedure was circumvented? If so, how were they tackled?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(21 January 1999)

1. It is assumed that the Honourable Member refers to the judgement of the Court of justice of 22 October 1998 in Case C-301/95 (Commission/Germany) in which the Court ruled that Germany had infringed Directive 85/337/EEC by failing to take the necessary measures to comply with the Directive within the prescribed period, by failing to communicate to the Commission all the measures which it has taken to comply with the Directive, by not requiring an environmental impact assessment for all projects on which such an assessment had to be carried out in compliance with the Directive, where the consent procedure was commenced after 3 July 1988, and by excluding in advance from the environmental impact assessment requirement whole classes of projects listed in Annex II to the Directive.

No specific reference is made by the ruling to military airports transformed into civilian airports. In consequence, it has to be seen on a case-by-case assessment whether in specific cases this ruling might cover them. The Commission is not in a position to comment on the opinion of the German government as regards paragraph 6 of the Luftverkehrsgesetz, given that it has not been informed about such an opinion.

2. and 3. Under Article 7 of Directive 85/337/EEC, where a Member State is aware that a project is likely to have significant effects on the environment in another Member State or where a Member State likely to be significantly affected so requests, the Member State where the project is to be carried out shall forward the information gathered pursuant to Article 5 to the other Member State at the same time as it makes it available to its own nationals. Such information shall serve as a basis for any consultations necessary in the framework of the bilateral relations between two Member States on a reciprocal and equivalent basis. This provision might apply in the specific case mentioned by the Honourable Member.

4. and 5. As regards the application of Directive 85/337/EEC to airports covered by its Annex II in other Member States, the Commission has been informed about a case in the framework of proceedings under Article 177 of the EC Treaty concerning an airport in Bozen, Italy. In this case the Commission takes the view that an impact assessment should have been carried out. As regards such projects in Germany, the Commission has been informed about several complaints concerning cases where impact assessments have

not been carried out, as a consequence of the failure to implement the Directive correctly. In such cases the Commission referred the complainants to the infringement proceedings which have resulted in the ruling of the Court mentioned above (point 1).

(1999/C 207/110) **WRITTEN QUESTION E-3533/98**

by Glenys Kinnock (PSE) to the Commission

(25 November 1998)

Subject: Meat and bone meal

Would the Commission clarify what the position is in relation to the feeding of meat and bone meal to animals, including poultry, in EU countries?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1999)

Commission Decision 94/381/EC of 27 June concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein ([1]), prohibits the feeding of protein derived from mammalian tissues but only to ruminant species. For practical reasons and for the sake of legal consistency, this ban was included in feedingstuffs law by Commission Decision 97/582/EC ([2]) of 28 July 1997 amending Decision 91/516/EEC ([3]) establishing a list of ingredients the use of which is prohibited in compound feedingstuffs.

In order to prevent the users of feedingstuffs containing protein derived from tissues of mammals from feeding them to ruminants through ignorance of current legislation, Commission Directives 97/47/EC ([4]) of 28 July 1997 and 98/67/EC ([5]) of 7 September 1998 lay down appropriate labelling of compound feedingstuffs and feed-materials respectively, calling the attention to this prohibition.

There is currently no restriction based on Community legislation upon the feeding of meat and bone meal to poultry. However, the Commission proposes to extend the prohibition on the feeding of protein derived from mammals to all farmed species in the areas representing the highest transmissible spongiform encephalopathy risk, in its draft regulation laying down rules for the prevention and control of certain transmissible spongiform ecephalopathies ([6]).

([1]) OJ L 172, 7.7.1994,.
([2]) OJ L 237, 28.8.1997.
([3]) OJ L 281, 9.10.1991.
([4]) OJ L 211, 5.8.1997.
([5]) OJ L 261, 24.9.1998.
([6]) COM(98) 623 final.

(1999/C 207/111) **WRITTEN QUESTION E-3534/98**

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

(25 November 1998)

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

In the answer to our Written Question on the radioactive gas emissions from the Acerinox steel factory, located in Cadiz, Spain (14 September 1998, P-2051/98) ([1]), the Commission says that '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', and then that 'the incident has therefore no link with the issue of exemption of clearance levels as defined in the basic safety standards'.

The report written by the Institute CRII-RAD (Commission de recherche et d'information indépendantes sur la radioactivité, Augmentation de la radioactivité de l'air: la piste espagnole confirmée par les analyses de la CRII-RAD, 2 July 1998) on the radioactive pollution contemporaneously detected in the region of Cadiz as well as in some European countries like France, Italy and Germany confirms that the Acerinox factory, its surroundings and the dumping site of Palos de la Frontera, Huelva, has been contaminated by Caesium-137, due to the fact that the radioactivity has not been trapped by the filters of the melting furnaces of the factory. In particular, ashes generated in furnace No 1 during the incident have shown very high contamination levels (650 000 to 9 000 000 Bq/kg), so that according to CRII-RAD those ashes should be considered radioactive waste to be prepackaged and then stocked for several centuries in an appropriately isolated site.

On 30 June 1998, the President of the Spanish Nuclear Security Council (CNS), Mr Juan Manuel Kindelán, reported to the Energy Committee of the Spanish Parliament that the radioactive sources in the iron scrap came from abroad, had a scattered geographical origin, and were recent.

How can the Commission reconcile its statements from answer P-2051/98 quoted above with the clear evident of the presence of radioactive materials in the iron scrap used in the furnace?

Is it not in fact the case that the Basic Safety Standards Directive anticipates and even permits such recycling of radioactive materials, which inevitably leads to a certain level of contamination of facilities and possibly the public, as in this case, not to mention the incorporation of unknown radioisotopes into the end products of the factory, for later public consumption? Would it not be preferable to alter the Directive to exclude these kinds of materials, and instead to introduce a system for segregating very low level radioactive waste as in France?

(1) OJ C 96, 8.4.1999, p. 29.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 January 1999)

The Commission confirms its previous statement contained in the reply it gave to the Honourable Member's Written Question P-2051/98 (1) that the emission of radioactive caesium from the steel factory in Acerinox bears no relation to the processing of contaminated metal scrap from an installation of the nuclear fuel cycle.

The accident arose from the inclusion of an industrial or medical sealed Cs-137 source in a scrap load. The report issued by the Spanish nuclear safety council (20 July 1998) states that the source could be traced back to any one of three consignments of scrap that had arrived by sea originating from the United Kingdom, the United States and Ireland. However, the content of these consignments may have originated at least in part from other countries. While a precise estimate of the activity of the source is not possible, it is certainly orders of magnitude higher than the activity that would arise from contaminated metals from nuclear installations.

The contamination of the industrial waste site in Huelva arose from the disposal of contaminated filter dust, not from the airborne release of the fraction of dust that had not been trapped by the filter.

While the Commission is examining what measures can be taken to avoid future accidents of this type, there is no reason to revise the basic safety standards 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) (2).

The Commission has not yet received draft French legislation for the implementation of the Directive, which is due by May 2000. There may be different national approaches to the management of very low level waste with different merits from a radiation protection point of view, but it is not possible at this stage to judge what is the best option.

(1) OJ C 96, 8.4.1999, p. 29.
(2) OJ L 159, 29.6.1996.

(1999/C 207/112) **WRITTEN QUESTION E-3541/98**

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

(25 November 1998)

Subject: ERDF assistance for the projected forestry biomass incinerator power-station at Salinas de Pisuerga (Palencia, Spain)

In the answer given on 5 October 1998 to Written Question E-2145/98 [1] Mr Papoutsis maintained that the projected forestry biomass incinerator power-station at Salinas de Pisuerga (Spain) was not in receipt of assistance under the ERDF or the Cohesion Fund (point 2 of the answer).

On 13 April 1998, however, when replying to a question from Senator Heliodoro Gallego, the Spanish State Secretary for Relations with the Cortes had said that the above project was being funded by ERDF assistance totalling PTA 279 902 000 and a further subsidy of PTA 119 958 000 from the Spanish State budget.

1. In view of the discrepancy between the two answers, could the Commission supply the information in its possession concerning the ERDF assistance granted for the power-station, as indicated by the State Secretary?

2. Does the Commission not believe that it should clear up the matter as completely as possible, to enable European citizens to enjoy an unimpaired right of access to information?

[1] OJ C 135, 14.5.1999, p. 23.

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

(22 January 1999)

The Honourable Member is reminded that the programming system under the Structural Funds is based on the principle of subsidiarity; the Commission decides on the general scope (Community support frameworks), based on which specific programmes are approved. With the exception of major projects, which are separately identified in programmes, the authorities responsible for implementing them choose the projects to be funded. The Commission gets to know more about the individual projects only when implementation starts, when it receives annual progress reports and attends meetings of the Monitoring Committees.

In the case of the biomass incinerator at Salinas de Pusuerga, the Commission did not have any official information when it received the Honourable Member's Written Question E-2145/98 [1]. It therefore consulted the Spanish authorities, who told it that the European Regional Development Fund (ERDF) had not contributed to this project.

The Commission has since received more detailed information from the authorities in question. The Ministry of Industry has committed itself to granting ESP 400 million (ECU 2,4 million) to the project in question, which would qualify for an ERDF contribution of ESP 280 million (ECU 1,8 million). No payment has as yet been made, however.

[1] OJ C 135, 14.5.1999, p. 23.

(1999/C 207/113) **WRITTEN QUESTION E-3542/98**

by Concepció Ferrer (PPE) to the Commission

(1 December 1998)

Subject: Reafforestation of areas damaged by fire

There were numerous forest fires this summer throughout the Union's Mediterranean region, especially in Catalonia, where over 27 000 hectares were destroyed. The fires pose serious dangers in the form of desertification and alterations to the ecosystem in areas already beset by natural handicaps, where timber production is very often a vital means of subsistence.

Does the Commission not believe, therefore, that it should make specific provision for aid to reafforest fire-damaged areas?

Answer given by Mr Fischler on behalf of the Commission

(8 January 1999)

The Honourable Member's attention is drawn to the Commission's answer to Written Question E-3579/98 by Mrs Sierra Gonzále [1] on measures taken by it in regions affected by forest fires. The Commission takes the view that the instruments referred to in that answer are the appropriate framework for such measures.

[1] See page 90.

(1999/C 207/114) **WRITTEN QUESTION E-3543/98**

by Roberta Angelilli (NI) to the Commission

(1 December 1998)

Subject: Sale of the Maccarese farm

The large Maccarese farm just outside Rome, hitherto owned by a public company, Iritecna, is about to be put up for sale. Offers are being considered from a number of potential buyers, including the Benetton Group, which, it is thought, may be intending to use the property for public relations purposes or at any rate not for farming. Some local agricultural cooperatives and the farm's present work-force have also expressed an interest in buying the land, and the local authorities have therefore been asked to take steps to enable them, should they so decide, to exercise their right of pre-emption.

In the light of the foregoing:

1. Does the Commission not believe that local agricultural production, already in difficulty, could be severely hit by the change of ownership of the farm?

2. Are there any Directives or acts which allow farm workers to exercise a right of pre-emption in such cases, bearing in mind that they may be in danger of losing their jobs?

3. What is the Commission's general view of the matter?

Answer given by Mr Fischler on behalf of the Commission

(13 January 1999)

Under Article 222, the EC Treaty does not in any way prejudice the rules in Member States governing the system of property ownership. There are no Directives or other acts in Community law containing provisions allowing agricultural cooperatives or workers to exercise a right of pre-emption when the holding on which they work is sold. Any provisions establishing such a right for the above entities, to which the Honourable Member refers, would thus be governed exclusively by national law.

The Commission may not therefore demand the application of a provision establishing a right of pre-emption on the sale of the Maccarese farm.

From a more general point of view, the Commission may not give an opinion on this matter in the absence of specific elements on which it would be called to give an opinion under the terms of the applicable legal provisions.

(1999/C 207/115) **WRITTEN QUESTION P-3545/98**

by Friedrich Wolf (V) to the Commission

(18 November 1998)

Subject: Tax harmonization

What action does the Commission intend to take in the field of tax harmonization and tax coordination as a result of the changes within the Council following the Bundestag elections in Germany? Does the fact that Germany, like other influential Member States, now has Greens and Social Democrats in its government mean that there are renewed prospects of a reduction in competitive tax dumping in Europe?

Answer given by Mr Monti on behalf of the Commission

(14 January 1999)

Measures to combat harmful tax competition received the unanimous support of the Ecofin Council on 1 December 1997. This objective was clearly reaffirmed by the Ecofin Council on 1 December 1998.

With a view to reducing the distortions that still exist within the single market, preventing substantial losses of tax receipts and rearranging tax structures in a manner more conducive to employment, the need for coordinated action at European level led to the adoption of a code of conduct for business taxation designed to curb harmful tax measures.

This political undertaking has been unanimously endorsed. The Honourable Member will agree with the Commission that it represents a positive step that should be pursued and encouraged.

(1999/C 207/116) **WRITTEN QUESTION E-3548/98**

by Ursula Stenzel (PPE) to the Commission

(1 December 1998)

Subject: European Central Bank

According to a recent study by the independent Centre for Economic Policy Research (CEPR), the governors of the Member States' central banks have too much power in the ECB compared with the Executive Board and there is a risk that the governors might let themselves be guided too much by the needs of their own countries. This might arise particularly when decisions have to be taken quickly.

What are the Commission's views on this study, which also criticises the inadequate bank supervision and lack of clear structures for crisis management?

Answer given by Mr de Silguy on behalf of the Commission

(5 February 1999)

The study in question is indeed, like other recent studies on the same subject, a valuable contribution to the public debate about the making of monetary policy in economic and monetary union (EMU). The Commission is of the opinion that the provisions of the Treaty and the European system of central banks (ESCB) statute on the structure, tasks and instruments are adequate for the conduct of an efficient, stability-oriented single monetary policy in the euro area.

(1999/C 207/117) **WRITTEN QUESTION E-3550/98**

by Katerina Daskalaki (UPE) to the Council

(1 December 1998)

Subject: Threatened monuments of Kosovo

An increasing number of reports are appearing in the international press about the risk of a terrible disaster befalling the extremely important monuments of Kosovo: Roman monuments, Christian monasteries with rare manuscripts and icons, Muslim temples of exceptional architectural value etc.

In reply to a question on this subject, the Commission answered that it was not within its terms of reference and referred to the Council.

Will the Council, therefore, say whether it is apprised of the matter and whether it intends to examine the possibility of intervening, e.g. by sending a team of experts to assess the situation or making representations to the relevant authorities in the area?

Reply

(9 March 1999)

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 by the Community, action by which in the cultural sphere is aimed solely at supporting and supplementing action by the Member States, requires 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 historical heritage in Kosovo. The question of the protection of sites 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 historic monuments.

(1999/C 207/118) **WRITTEN QUESTION E-3556/98**

by Amedeo Amadeo (NI) to the Commission

(1 December 1998)

Subject: Promotion of local speciality agricultural products

The opinion of the Economic and Social Committee on the 'Promotion of local speciality agricultural products as a development instrument under the new CAP' points out that original manufacturing methods are used to make premium local products, always from quality raw materials, that the appearance and specific taste of these products make them more appealing than other similar products, and that they are always associated with a particular region.

Premium local products are mainly produced in disadvantaged mountainous areas. The added value generated by these products provides greater stability in the production system and the employment situation, which helps to prevent rural depopulation, preserves the dignity of local populations and makes a valuable contribution to rural development.

Against the background of a new CAP and of Agenda 2000, which promises another period of great change for European farmers, can the Commission put into practice effective measures and methods to promote quality local products, which are an integral part of Europe's historical and cultural heritage? The use of designations of origin for product imitations made outside the official place of origin must not be allowed. No country, region or product, within or even outside the European Union, has the right to usurp something which has been built up by the hard work of the manufacturers of quality local products.

Answer given by Mr Fischler on behalf of the Commission

(22 December 1998)

The Commission entirely shares the Honourable Member's concerns.

When the Council adopted Regulation (EEC) 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs on 14 July 1992 ([1]), it had the aim of promoting and developing typical quality products in the Community in the light of experience already gained in some Member States and given the trend in consumer patterns towards preferring quality linked to the origin of products.

Producer groups can now apply, via their Member State and following a set procedure, to have geographical designations registered either as a protected designation of origin (PDO) or as a protected geographical indication (PGI), both of which afford protection against misappropriation, imitation and any other practice designed to mislead the public about the true origin of products. The Regulation thus also provides rural communities with an important asset for their own development, particularly the less-favoured areas and especially mountain regions, by improving farming incomes and promoting stability of the farming population.

Agenda 2000 ([2]) does not in any way conflict with the reform of the common agricultural policy introduced in 1992, which included Regulation (EEC) 2081/92 as the sole means of developing and promoting typical quality products identified by their geographical origin. Indeed, that Regulation itself is only part of a general Community policy on quality which also involves Council Regulation (EEC) 2082/92 of 14 July 1992 on certificates of specific character for agricultural products and foodstuffs ([3]), and Council Regulation (EEC) 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ([4]).

([1]) OJ L 208, 24.7.1992.
([2]) COM(97) 2000 final.
([3]) OJ L 208, 24.7.1992.
([4]) OJ L 198, 22.7.1991.

(1999/C 207/119) **WRITTEN QUESTION E-3565/98**

by Nikitas Kaklamanis (UPE) to the Commission

(1 December 1998)

Subject: Biased Euronews programme

Euronews is a television network run with European citizens' money. Despite that, it frequently presents views which upset the national and religious sensibilities of those citizens by distorting the views of their political or religious leaders.

A recent case in point was a programme on Islam broadcast at 8 p.m. on Sunday, 8 November 1998. This programme presented the Head of the Greek Orthodox Church, the Archbishop of Athens and All Greece, Christodoulos, as an inveterate 'nationalist' who inflames the passions of his fellow countrymen.

Given that the Commission oversees Euronews operations, what action will it take to protect the reputation of the Head of the Greek Orthodox Church, which represents millions of Orthodox citizens in Greece (a Member State of the EU), who contribute to the running of Euronews and whose religious leader is pilloried in this manner?

Answer given by Mr Oreja on behalf of the Commission

(5 February 1999)

As this concerns the nature of relations between the Community and the Euronews television channel, the Commission refers to its answer to Written Question E-1985/98 asked by the Honourable Member ([1]).

This channel is independent. It belongs to a consortium of more than 18 public television networks from Europe and the Mediterranean basin associated with the audiovisual news company ITN. The European Union has no capital stake in it.

In 1998, in agreement with the budgetary authority, the Commission negotiated a memorandum of understanding with this channel for a period three years. This agreement provides for the co-production and broadcasting of specific information programmes, intended for the general public, on various aspects of European current affairs. An annual agreement draws up the precise list of scheduled actions and their funding conditions. Apart from these co-productions the Commission does not accept any individual responsibility for this channel, regarding either its editorial policy or its management.

The subject raised by the Honourable Member has not been dealt with in co-productions which are covered by the contract with Euronews. Therefore, the Commission, which has no editorial power over an independent television channel, considers that it has no right to intervene with the channel to influence the way it presents information.

(1) OJ C 96, 8.4.1999, p. 22.

(1999/C 207/120) **WRITTEN QUESTION E-3571/98**

by Jan Andersson (PSE) to the Commission

(1 December 1998)

Subject: EU aid for greyhound breeders

A number of newspaper articles have highlighted the awful treatment of greyhounds, and there is information to suggest that dogs no longer regarded as fit for racing are subjected to considerable cruelty. It has come to my notice that greyhound breeders can receive EU aid under agricultural support schemes.

Is the Commission aware of the information which suggests that greyhounds are subjected to cruel treatment and, if so, what steps will it take regarding the possibilities for granting EU aid to greyhound breeders in future?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1999)

The Commission is aware of a number of press articles alleging ill-treatment of racing greyhounds.

No Community support is now available for the greyhound rearing enterprise in the Community.

(1999/C 207/121) **WRITTEN QUESTION E-3579/98**

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

(1 December 1998)

Subject: Resolution on forest fires

The European Parliament recently adopted resolution B4-0815/98 on the forest fires which occurred in the European Union in the summer of 1998, paragraph 2 of which calls on the Commission 'to make available the funds required to alleviate, as far as possible, the economic and environmental damage suffered by the regions affected'.

Has the decision taken by the European Parliament in this respect been implemented?

More precisely, have any funds been released from the budget to alleviate the damage caused by the forest fires in Tenerife (Canary Islands), Catalonia, Galicia and Castilla-León?

What are the usual procedures for granting such aid?

Answer given by Mr Fischler on behalf of the Commission

(11 January 1999)

The Honourable Member is asked to refer to the answer given by the Commission to Written Question E-3373/98 by Mrs Ferrer ([1]) concerning aid granted to Spain and to Catalonia for forest fire prevention.

Apart from the fire prevention measures part-financed under Council Regulation (EEC) 2158/92 of 23 July 1992 on protection of the Community's forests against fire ([2]), and the reafforestation measures and erosion control measures provided for in regional development plans and part-financed by the European Agricultural Guidance and Guarantee Fund (EAGGF) and the Cohesion Fund, the Commission does not have any additional financial resources available to help the disaster regions. However, measures in the Single Programming Document (SPD) may be reprogrammed to allocate appropriations to emergency measures introduced as a result of the recent forest fires. However, the members of the SPD monitoring committee have not yet been approached by the region concerned with such a request. If they do approve an application their decision must be communicated to the Commission so that the reprogramming procedure may be set in motion.

([1]) See page 60.
([2]) OJ L 217, 31.7.1992.

(1999/C 207/122) **WRITTEN QUESTION E-3584/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(3 December 1998)

Subject: Funding of psychosocial support programmes for students with special needs at Greek universities

Students with special needs face particular obstacles in addition to the problems they share with other students of their age-group, because their disability prevents them from taking part in university life, which means that they become increasingly marginalised from society.

Given that the establishment of a counselling centre at Greek universities providing immediate psychosocial support for students, and particularly students with special needs, could help them, will the Commission say whether there is any scope for funding psychosocial support programmes for students, and, if so, under which Community programmes?

Answer given by Mr Flynn on behalf of the Commission

(5 February 1999)

The European social fund (ESF) supports actions which strengthen and improve the education and training systems in objective 1 regions and which promote integration of people excluded from the labour market (Council Regulation (EEC) 2084/93 ([1])).

In the Greek Community support framework (CSF) the above objectives are served by the operational programmes 'Education and initial training' and 'Combating exclusion from the labour market'.

Concerning the mobility of students in the framework of the Socrates/Erasmus programme, expenses for providing psycho-social support to incoming students from other Member States are eligible expenses under the individual contracts between the Commission and the recipient universities.

([1]) OJ L 193, 31.7.1993.

(1999/C 207/123) **WRITTEN QUESTION E-3603/98**

by Luciano Vecchi (PSE) to the Commission

(3 December 1998)

Subject: Co-financing of European NGO projects in South Africa

Following developments in the political situation in the Republic of South Africa, European Union aid for it has for years been granted direct to public authorities, undertakings, popular organisations etc.

Following a period in which European NGOs had no Community support instrument with which to implement projects in South Africa, the Commission announced some time ago that it was willing to again give them the possibility of doing so under budget line B7-6000 (co-financing of NGO projects).

1. Can European NGOs in fact submit South African development projects under budget line B7-6000?

2. Were development projects in fact financed in 1996, 1997 and 1998?

Answer given by Mr Pinheiro on behalf of the Commission

(20 January 1999)

The Commission confirms that European non governmental organizations (NGOs) may present projects to be implemented in South Africa for cofinancing under the NGO cofinancing budget line B7-6000.

No projects were financed under this budget line in 1996.

In 1997 there was a Community contribution of 499 153 euro to a project from an European NGO to support self-help groups in rural areas of Kwazulu Natal Province. In 1998 three projects from European NGOs were supported with a total Community contribution of 861 920 euro in the areas of housing policy and construction, small enterprise development and literacy for the aged.

Eleven projects introduced by 10 European NGOs for a total of 4,5 million euro are under appraisal for decision in 1999 in the areas of youth, peace building, vocational training, gender advocacy, rural self help and support for small businesses.

(1999/C 207/124) **WRITTEN QUESTION E-3606/98**

by Herbert Bösch (PSE) to the Commission

(3 December 1998)

Subject: Further funding of the ECDP (European Cities on Drugs Policy)

The ECDP is an organisation currently consisting of 31 towns and regions which have united on the basis of what is known as the 1990 Frankfurt Resolution with a view to pursuing a pragmatic drugs policy which transcends party political boundaries.

In early July, this organisation was informed that the European Commission will not be supporting its activities again until January 1999 at the very earliest.

1. Will the EU programme be continued after 1999?

2. If so, in what form will it be continued?

3. If not, why not?

Answer given by Mr Flynn on behalf of the Commission

(15 February 1999)

The Community action programme on the prevention of drug dependence (1996-2000) will continue to run until 31 December 2000 (Decision 102/97/EC of the Parliament and the Council of 16 December 1996). Priorities for the year 2000 will therefore also be fixed within the framework of a work programme.

As regards the 1999 project selection round, the Commission submitted to the programme committee at its meeting on 21 January 1999 a list of projects selected for possible support from among the 187 project proposals received.

The final decision on the projects selected for support in 1999 will be taken in the period following this meeting.

(1999/C 207/125) **WRITTEN QUESTION P-3625/98**

by Niels Sindal (PSE) to the Commission

(24 November 1998)

Subject: Failure of certain Member States to implement obligations under MAGP III

With reference to the answer given by Mrs Bonino on 21 October 1998 to Question E-2623/98 ([1]) on the failure of certain Member States to implement obligations under MAGP III:

1. What special steps have the French authorities taken, and with what result?

2. Does the Commission have more recent data showing that the UK is now meeting the MAGP objectives?

3. What exactly are the 'steps being taken by the Dutch authorities?'

4. What precisely has the Commission done to fulfil its promise, given to Parliament in spring, that it would scrutinise the figures from the Netherlands and even carry out inspections to ensure that there is full supporting evidence for the historical data in the fleet records?

5. Has the Commission given consideration to actually carrying out the threat it made to take legal action against MAGP cheats?

([1]) OJ C 182, 28.6.1999.

Answer given by Mrs Bonino on behalf of the Commission

(18 January 1999)

1. The French authorities implemented a scheme of permanent withdrawal during 1998 that resulted in a considerable reduction of the capacity of the fleet. The current situation of the French fleet is now within the global objectives of its multiannual guidance programme (MAGP III).

2. The data in the fishing fleet register indicate that the United Kingdom is now within the global objectives for the end of 1996, which were revised at the start of the MAGP IV on the basis of improved historical data on fleet capacity. The situation of the fleet with respect to the new MAGP IV segment objectives is not yet available in the fleet register. This is due to the delay in the adoption of the MAGP IV and the consequent delay in specifying codes for the MAGP IV segmentation. However according to the data supplied by the United Kingdom, at the end of 1997 the tonnage objectives had been met in 4 of the 9 segments of the fleet and the power objectives in 5 of the 9 segments.

3. The Netherlands is one of six Member States that have opted to achieve the MAGP IV objectives through a mixture of capacity and activity limitations, as provided in Council Decision 97/413/EC which fixed the guidelines for the programmes. New legislation has been introduced in the Netherlands to ensure that sea time can be adjusted to be in line with Community rules and the objectives of the programme.

4. The Netherlands authorities have been co-operating closely with the Commission in order to establish a more accurate historical record of the fleet. Numerous missions to the Netherlands have been completed, at which all the historical data were made available for analysis. Proposals for the modification of the programme for the Netherlands have been prepared and are currently the subject of bilateral discussions. A modified programme will be adopted early in 1999 after the management committee for fisheries and aquaculture has given its opinion.

5. According to the report to the Council and the Parliament on the results of the MAGP covering the period until the end of 1997, to be published in the very near future, only two Member States, France and the Netherlands, had not fulfilled the MAGP III objectives by that date. France has since achieved those objectives and, as mentioned above, discussions are continuing with the Netherlands on the proposed modifications to its programme. The Commission will examine the legal implications of the modifications before deciding what further action should be taken.

(1999/C 207/126) **WRITTEN QUESTION E-3626/98**

by Hartmut Nassauer (PPE) to the Commission

(3 December 1998)

Subject: Unresolved problems relating to property between the Federal Republic of Germany and the Czech Republic

It is a well-known fact that the Government of the Federal Republic of Germany has always condemned as contrary to international law the expulsion of Germans from Czechoslovakia and the confiscation of German property without any compensation. The German Government has always vigorously maintained this viewpoint. The German Government has made it clear to the Czechs right up to the present that the property issues have still not been resolved. The Federal German Chancellor pointed this out most recently following the signing on 21 January 1997 by the Czech Republic and the Federal Republic of Germany of the declaration on bilateral relations and the future development of such relations.

How does the Commission view these still unresolved property issues, having regard to the accession negotiations between the European Union and the Czech Republic?

Does the Commission take the view that these still unresolved issues might have repercussions on the forthcoming accession negotiations?

Has the Commission taken formal note of these issues in its preparations for the forthcoming accession negotiations, or does it intend to do so in the future?

Does the Commission believe that the continued existence of unresolved problems relating to property between Member States of the European Union might jeopardise the Community legal order?

(1999/C 207/127) **WRITTEN QUESTION E-3628/98**

by Hartmut Nassauer (PPE) to the Commission

(3 December 1998)

Subject: Benes Decrees

The Constitutional Court of the Czech Republic ruled on 8 March 1995 in the Dreithaler Case that depriving the German population of their rights and deporting them on the basis of the 'Beneš Decrees' was compatible with the legal principles of civilised European societies. As a result of that decision, the Law of 8 May 1946 on the legality of acts committed in connection with the struggle by the Czechs and Slovaks to regain their freedom is still in force, so that the perpetrators of these arbitrary measures, whose effects continue to be felt, are still covered today by the immunity from criminal proceedings conferred by that law.

Having regard to the forthcoming accession negotiations, how does the Commission view the fact that in the Czech Republic discriminatory legalisation is in force against another Member State or some of its citizens?

Does the Commission share the view that the continuing validity of this legislation is incompatible with the European legal order?

Does the Commission believe that the Czech Republic can accede to the European Union whilst this legislation continues to be unrestrictedly valid?

Has the Commission already taken formal note of the above-mentioned legislation in its preparations for the forthcoming accession negotiations with the Czech Republic, or will it do so in the future?

What specific steps does the Commission intend to take regarding the accession negotiations with the Czech Republic to prompt the Czech Government to bring its legislation and legal provisions into line with the Declaration of Fundamental Rights and Freedoms?

Does the Commission believe it to be appropriate, in view of the accession negotiations, to persuade the Czech Government that it is essential for it to distance itself from the 'Beneš Decrees' expropriating property and depriving people of their rights, in order to guarantee that the principles of the rule of law and human rights apply unrestrictedly in the enlarged European Union?

(1999/C 207/128) **WRITTEN QUESTION E-3629/98**

by Hartmut Nassauer (PPE) to the Commission

(3 December 1998)

Subject: Repercussions of the legislation in force in the Czech Republic on the assessment of its application for accession

To date, the infringements of human rights committed by expelling citizens of various nationalities from Czechoslovakia after the end of the Second World War have not been remedied. Many of those people are still alive. Pursuant to decrees issued by the President of the Republic and other legislation, in 1945 and 1946 all the property owned by certain people, mostly Germans and Hungarians, was expropriated. Although the adverse effects of this situation continue to be felt, the provisions ordaining this expropriation are still enshrined in the legal order of the Czech Republic. The Czech Republic persists in the view that the Law of 8 May 1946, which confers immunity from criminal proceedings with regard to the excesses committed in connection with that expulsion, is still in force.

Does the Commission believe that the fact that basic human and civil rights are or are not infringed must affect the way in which the European Union views the application of the Czech Republic for accession to the European Union?

Joint answer
to Written Questions E-3626/98, E-3628/98 and E-3629/98
given by Mr van den Broek on behalf of the Commission

(3 February 1999)

The accession negotiations concern the future membership of the Czech Republic in the Union and its acceptance of Community rules ('the acquis').

Property ownership is not as such part of the acquis. Article 222 of the EC Treaty stipulates that the Treaty in no way prejudices Member States' rules governing the system of property ownership. The Commission, therefore, considers the questions raised by the Honourable Member a bilateral issue between Germany and the Czech Republic.

At the same time, the acquis contains a number of basic freedoms — such as the free movement of people and the freedom movement of establishment — that will apply in the future equally to citizens of new and old Member States. The application of these rights by the Czech Republic should ease the solution of the issue mentioned by the Honourable Member.

(1999/C 207/129) **WRITTEN QUESTION E-3627/98**

by Hartmut Nassauer (PPE) to the Commission

(3 December 1998)

Subject: Reservation by the Czech Republic with regard to the right of individual recourse

The Czech Republic has signed the European Convention on the Protection of Human Rights and Fundamental Freedoms and the protocols thereto.

In view of the accession negotiations, how does the Commission view the fact that the Czech Republic has made a reservation with regard to the right of individual recourse, pursuant to which individuals cannot bring proceedings for infringements of the right to liberty of movement or of the prohibition against individual or collective expulsion if such infringements took place before the convention and the corresponding protocol came into force with regard to the Czech and Slovak Federal Republic?

Does the Commission believe that it is undesirable from the legal and political point of view for there to be restrictions on the extent to which the Czech Republic is bound by the European Convention on Human Rights, having regard to current events in Europe, for example in former Yugoslavia?

Does the Commission share the view that in a united Europe, and in the European Union in particular, all Community citizens should enjoy the same protection of their fundamental rights and freedoms and that there is no legal or political justification for differences in the level of protection, particularly in the field of human rights?

Has the Commission taken formal note of the fact that this means that even after the Czech Republic accedes to the European Union a substantial number of Community citizens whose human rights have been infringed will be unable to assert and enforce their fundamental human rights and freedoms?

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

(29 January 1999)

According to information available to the Commission the Czech Republic has not made a reservation of the type mentioned by the Honourable Member. The Commission is therefore of the opinion that the Honourable Member's additional questions do not apply.

(1999/C 207/130) **WRITTEN QUESTION E-3631/98**

by Panayotis Lambrias (PPE) to the Commission

(3 December 1998)

Subject: Measures to encourage the use of olive oil as part of the campaign to prevent cardiovascular disease

As part of its activities to prevent cardiovascular disease, the Commission gives financial support to the European Heart Network which successfully organised a campaign in Parliament recently and published an extremely useful brochure entitled 'Food, Nutrition and Cardiovascular Disease Prevention in the European Union'. However, the key element in the campaign, as well as the brochure, should be to promote the use of olive oil, which has been scientifically proven to be the most appropriate basis for a healthy diet because it is low in unsaturated fats and which is also a basic commodity produced by the Mediterranean Member States.

Will the Commission take measures to launch a wide-ranging campaign to promote the use of olive oil, granting financial assistance to the Mediterranean cardiology associations which are members of the European Heart Network?

Answer given by Mr Flynn on behalf of the Commission

(4 February 1999)

The Commission shares the view of the Honourable Member that the consumption of olive oil has positive health effects and that non-saturated fats play an important role in a healthy diet. In general, diet together with physical activity is a key health determinant and is therefore one of the priorities of the Community action programme on health promotion, information, education and training ([1]).

The Commission does not foresee financial support for a campaign to promote olive oil consumption under this action programme. The Commission is supporting a European project to develop a basis for possible European recommendations for a healthy diet. The project is chaired by the University of Crete and will look into the role of fats in a healthy diet. The Commission has chosen this approach because there is a need to consider diet in general rather than single products. European dietary recommendations would provide the

Commission with an important tool in its work to ensure that health requirements are integrated into other Community policies as foreseen by the Treaties.

In the framework of the common agricultural policy (CAP) and based on Council Regulation (EEC) 1970/80 of 22 July 1980 laying down general implementing rules for campaigns aimed at promoting the consumption of olive oil in the Community [2], the Community has carried out promotional programmes since the early 1980s. The aim is to increase the consumption of products in surplus and thereby contribute to the stabilisation of the markets. The seventh campaign to promote the consumption of olive oil in the Community will be launched in spring 1999 and will cover all the Member States with a total budget of approximately 15 millions euro a year for three consecutive years for the dissemination of scientific knowledge on nutritional aspects of olive oil, and measures like advertising, public relations and promotion. All information to the public is based on objective and correct scientific information on the nutritional aspects of olive oil. All communication material is checked by a research institute which specialises in the health related aspects of nutrition. Olive oil will be promoted in the context of the 'Mediterranean diet', which has been proved to have positive effects on health.

[1] Decision No 645/96/EC of the Parliament and of the Council of 29 March 1996 — OJ L 95, 16.4.1996.
[2] OJ L 192, 26.7.1980 and OJ L 288, 31.10.1980.

(1999/C 207/131) **WRITTEN QUESTION E-3637/98**

by Richard Corbett (PSE) to the Commission

(3 December 1998)

Subject: Number of Commission officials

Could the Commission please indicate the number of Commission officials there are for every million EU citizens and an estimate of the number of national civil servants working for the government of each Member State per million inhabitants of that state?

Answer given by Mr Liikanen on behalf of the Commission

(13 January 1999)

The total population of the Union is roughly 370 million. If this figure is compared with the number of officials in the Commission's establishment plan, i.e. 19 830 (16 666 on the operating budget and 3 164 on the research budget), a ratio of 53,6 officials to one million inhabitants is obtained.

As far as the ratio for the Member States themselves is concerned, the Commission does not have comparable statistical data on numbers of civil servants and is therefore unable to answer the second part of the question put by the Honourable Member.

(1999/C 207/132) **WRITTEN QUESTION E-3644/98**

by Roberta Angelilli (NI) to the Commission

(3 December 1998)

Subject: Assistance for disabled children in Rome

Rome city council recently took a decision to delegate the provision of assistance for disabled children to social cooperatives. It has been revealed by the press that the majority of these cooperatives appear not to apply the terms of the National Employment Contract specific to this area, underpay staff, and even employ staff on an unofficial basis. Furthermore, because of their 'social' nature they are not well suited, according to the unions, to programmed and coordinated work with schools, working groups on disability, in accordance with the provisions of the national laws on disabled students' right to study.

In view of the above, can the Commission say:

1. whether there are any specific directives or studies relating to disabled children's right to study;

2. what are the positions of the other countries of the European Union on this matter;

3. whether it considers it advisable to check that the above decision complies with the European directives in force?

Answer given by Mrs Cresson on behalf of the Commission

(29 January 1999)

The basic reference is the subscription of all Member States to the United Nations Standard Rules on equal opportunities for the disabled ([1]), which call on Member States to ensure that education for the disabled is an integral part of the education system (Article 6). The Salamanca Statement on principles, policy and application of special educational needs and the Framework for Action on special educational needs — approved at the World Conference on Special Needs in Education organised in June 1994 by the United Nations Educational, Scientific and Cultural Organisation (Unesco) — reaffirmed the commitment of all Member States to 'education for all', i.e. integration of the disabled into regular education systems.

At Community level, there are no European directives on the subject as such. The principle of subsidiarity applies, which means that the Member States are fully responsible for the content and organisation of their respective education systems (Article 126 of the EC Treaty).

However, the common approach adopted by the Member States in conjunction with the implementation of the Helios Community action programmes for the integration of the disabled (including the Council Decision of February 1993 on Helios II (1993-1996) ([2])) and of the principle of inclusion of the disabled in all Community policies and actions, particularly in the field of education (based on the above-mentioned UN standard rules) — cf. Commission Communication of July 1996 ([3]) and Council Resolution of December 1996 ([4]) — is clearly to integrate disabled children and persons into education systems under the same conditions as other children, with the necessary support.

At the final seminar to present the results of the Helios II programme in December 1996, the representatives appointed by the Member States adopted the Luxembourg Charter, which sets out the principles, strategies and proposals for a 'School for All'.

The new provisions of the Amsterdam Treaty on combating inequalities and social exclusion have been strengthened (especially Articles 2, 3 and 6) and specifically refer to ensuring equal opportunities for the disabled.

The 1999 guidelines for Community action based on the first European Employment Council held in November 1997 reinforce integration of the disabled under the 'employability' pillar, i.e. better access to the labour market.

As far as studies are concerned, the Commission has supported two studies undertaken by the European Agency for Development in Special Needs Education, one on the present status of special educational systems in 14 European countries (update of the Helios I report) and the other on early intervention. These studies analyse the current situation, legislation and practices in the various Member States. Summaries are available on the Agency's website (http://www.european-agency.org) or in Euronews.

([1]) General Assembly of the United Nations, Resolution 48/46, 20.12.1993.
([2]) OJ L 56, 9.3.1993.
([3]) COM(96) 406 final.
([4]) OJ C 12, 13.1.1997.

(1999/C 207/133) **WRITTEN QUESTION E-3645/98**

by Amedeo Amadeo (NI) to the Commission

(3 December 1998)

Subject: Common system of taxation applicable to interest and royalty payments

In connection with the 'Proposal for a Council Directive on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States' (COM(98) 67 final — 98/0087 CNS) [1], the Commission indicates that it may submit a proposal, at a later date, in the framework of the completion of the single market, to extend the measure provided for by the directive to taxes levied on interest and royalty payments made between companies which are not associated.

This gradual approach is motivated by a desire to alleviate the budgetary impact of the proposal in Member States that are net importers of capital and technology, while, moreover, a five-year transitional period is being requested for the Member States in question (Greece and Portugal) during which the taxation rate will be gradually reduced: the governing principle will be that interest and royalty payments that can be exempted from taxation at source are to be arm's length payments made between independent companies. When such payments are made between associated companies, the application of this principle involves treating the excess part of these payments as distributed income which falls within the scope of Directive 90/435/EEC [2]. What is the logic behind these arrangements?

[1] OJ C 123, 22.4.1998, p. 9.
[2] OJ L 225, 20.8.1990, p. 6.

Answer given by Mr Monti on behalf of the Commission

(8 February 1999)

The purpose of the proposal for a directive is to eliminate one of the tax obstacles to cross-border cooperation between companies in different Member States. The measure is necessary for the completion of the single market.

However, in order to reduce the financial impact for Member States that are net importers of capital and technology, the proposal provides for gradual elimination of taxation at source. Initially, only payments between associated companies would be concerned. The proposal also provides for a five-year derogation period for Greece and Portugal. Since most interest and royalty payments are between associated companies, the derogation seems to be justified.

It is true that interest and royalties should in principle be fixed as if there were no relationship between the payer and the beneficial owner. That rule, which is completely separate from the transitional measures for Greece and Portugal, is intended to exclude from the scope of the proposal payments which constitute a distribution of profits. The amount of interest or royalty payments not exceeding the amount which would have been agreed in the absence of a special relationship continues to be treated as interest or royalty, even in the case of payments between associated companies, and should thus be caught by the directive. The surplus amount which would be re-characterised as a distribution of profits would benefit from Directive 90/435/EEC, provided that it satisfied the conditions laid down in that directive.

(1999/C 207/134) **WRITTEN QUESTION E-3650/98**

by Amedeo Amadeo (NI) to the Commission

(3 December 1998)

Subject: Instruments for investment support in third countries (own-initiative opinion)

With regard to the Opinion of the Economic and Social Committee on 'EC Instruments for investment support in third countries', does the Commission intend to make its investment support instruments in third countries part and parcel of an overall strategy that encompasses simultaneously the essential principles of cooperation, social regulations and environmental standards, and the legitimate interests of Europe, notably in respect of reciprocity, employment and competitiveness?

Does it intend to make this strategy the subject of a political Communication by the Commission, accompanied by specific measures to ensure transparency, consistency and coordination?

Answer given by Mr de Silguy on behalf of the Commission

(4 February 1999)

1. The Commission considers that the different investment support instruments in favour of third countries reflect the diversity of the Community's contractual relations with its partners and its policy priorities in the different regions of the world. These instruments have of course been developed at different moments and reflect the evolutionary nature of Community relationships with each particular region. They also take into account the very distinct economic and social situations of those regions as well as the difference in the Community's geopolitical priorities. These factors explain most of the apparent discrepancies between the different instruments.

The establishment of those instruments has nevertheless been driven by common values encompassing political, economic and social conditionalities. The Commission ensures that all actions financed from the different instruments respect international social, environmental, employment and development standards, and are also of mutual benefit to Community enterprises. The instruments in place already take account of the need to promote sustainable growth and a climate conducive to investment, to facilitate the transition to market economies and to encourage European investment in emerging markets.

At the operation level the Commission is committed to regular review of the functioning of these instruments so as to streamline administrative procedures and avoid procedural disparities in the field of external aid. The recent creation of the Joint service for Community aid to non-member countries (SCR) has this as one of its main objectives.

2. For these reasons the Commission does not intend to propose a unified strategy in the field of investment support for third countries which could be applicable across-the-board. Of course, this does not prevent the Commission, as a single institution, ensuring the necessary transparency and consistency.

(1999/C 207/135) **WRITTEN QUESTION E-3651/98**

by Cristiana Muscardini (NI) to the Commission

(3 December 1998)

Subject: Protection of mountainous agricultural areas

Law 335/95 delegated the task of rationalising the tax concessions for disadvantaged agricultural areas to the Italian Government. Legislative Decree 146/97 provided for a new classification of these areas to apply from 1 January 1998, subsequently changed to 1 January 1999. This classification is decided on by the CIPE (Interministerial Committee for Economic Planning), but the ministry responsible for this area has submitted reclassification proposals to the trade organisations, prompting reactions from elected representatives and local authorities worried about further difficulties for agriculture and the certain failure of the companies that are still operating in these areas. It would appear that the criteria used by the Ministry of Agriculture are based on so-called objective parameters, which are applied across the board without regard for the special circumstances of certain provinces.

In order to establish whether or not the criteria are analogous with the Community criteria and aims adopted in relation to the protection of disadvantaged mountainous areas under the CAP,

1. can the Commission say what classification criteria it used;

2. did it taken account of the territorial scope of the companies in question and their fragmented nature;

3. did it consider the lower productivity of the funds and the higher production costs;

4. did it take account of the existence of regional planning constraints of a territorial (parks, nature reserves and sanctuaries), hydrological and environmental nature;

5. did it assess the ecological risks associated with closure of production facilities, caused by the increased poverty of populations living in mountainous areas?

Answer given by Mr Fischler on behalf of the Commission

(15 January 1999)

The Honourable Member's questions concern the aid scheme to benefit less-favoured agricultural areas laid down by Council Regulation (EC) 950/97 of 20 May 1997 on improving the efficiency of agricultural structures ([1]).

1. Mountain areas are characterised by either very difficult climatic conditions resulting in a shortened growing season, or steep slope excluding the use of machinery or requiring the use of very expensive equipment. Alternatively a combination of these factors may lead to the classification of mountain areas. For Italy, under Council Directive 75/273/EEC of 28 April 1975 concerning the Community list of less-favoured farming areas within the meaning of Directive No 75/268/EEC ([2]) the specific criteria are a minimal average altitude of the commune of 700 m for Northern and Central Italy and of 800 m for Southern Italy, or slopes steeper than 20 %, or a minimum altitude of 600 m for Northern and Central Italy and of 700 m for Southern Italy and, simultaneously, slopes steeper than 15 %.

2. Neither the surface cultivated by each individual farm nor the fragmentation of the terrain is taken into consideration as a criterion for classification. However, for the granting of compensatory allowances to farmers in less-favoured areas a minimum threshold is three hectares of usable agricultural area (two hectares in the Italian Mezzogiorno).

3. These aspects are inherently related to the definition of mountain areas. In addition Member States fix the amounts of compensatory allowances to be granted according to the severity of the permanent natural handicaps affecting farm activities.

4. Criteria other than altitude and slope are not taken into account for the classification of mountain areas. Environmental and hydro-geological constraints can be considered for classification of 'small areas affected by specific handicaps,' the third type of less-favoured area.

5. The Commission emphasises that the impoverishment of the agricultural population as well as its consequences such as abandonment of fields, degradation of the environmental and depopulation are the major concerns of the Community aid scheme for less-favoured areas as reflected in its definition. Furthermore, depopulation is one of the explicit criteria for classification of 'less-favoured areas in danger of depopulation,' the second type of less-favoured area.

Finally it should be mentioned that the Commission is not aware of any initiative of reclassification mentioned by the Honourable Member. Member States communicate to the Commission the proposed amendments of the boundaries of the less-favoured areas and submit all relevant information. For the modification of an existing classification the decision level (Council or Commission) depends on the extent of the modifications.

([1]) OJ L 142, 2.6.1997.
([2]) OJ L 128, 19.5.1975.

(1999/C 207/136) **WRITTEN QUESTION E-3654/98**

by Lutz Goepel (PPE) to the Commission

(7 December 1998)

Subject: Effectiveness of disinfection measures as part of the fight against epidemics among animals

Thorough disinfection is an important link in the chain of measures to be taken if epidemics among animals are to be combated. The disinfectants available are expected to meet stringent requirements as to their effectiveness. They must be, for example, compatible with animals, highly wettable, non-corroding, quick to take effect, effective at an outdoor temperature of less than 10°C in certain cases, toxicologically and ecotoxicologically safe and officially authorised.

Large quantities of an effective disinfectant are needed for the disinfection of farm buildings and vehicles and for vehicle troughs and footbaths. Given the high costs to which this gives rise, there is a danger that the instructions for the use of disinfectants will not be observed and adequate protection against epidemics will not be ensured.

1. Is the Commission able to influence the development and provision of cheap disinfectants?

2. How can the conditions governing the authorisation of disinfectants be harmonised and simplified in the European Union?

Answer given by Mrs Bjerregaard on behalf of the Commission

(26 January 1999)

Disinfectants will be covered by Directive 98/8/EC of the Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ([1]). The Directive entered into force on 14 May 1998 and should be implemented in the Member States by 13 May 2000. It will harmonise the Community market for biocidal products and it will guarantee a high level of protection for humans and for the environment.

The authorisation procedures of the Directive will operate on two levels. The first level will be linked to the active substance contained in the biocidal product, which needs to be evaluated and included in a positive list (Annex 1 of the Directive), with decision taken at Community level. The second level is related to the individual products. Once an active substance is included in the positive list, biocidal products containing it could be approved and placed on the market in Member States. The Directive also contains provisions for the mutual recognition of authorisation. The efficacy of a biocidal product is one of the key criteria for its authorisation.

Annex V of the Directive lists the 23 product types that fall within its scope. Product type N 3 will cover veterinary hygiene biocidal products, i.e. products used for veterinary hygiene purposes including products used in areas in which animals are housed, kept or transported.

1. The Commission communication 'An industrial competitiveness policy for the European chemical industry: an example' ([2]) does have a certain influence. On the other hand, in the framework of Directive 98/8/EC, the cost of a product is not a criterion for authorisation of a biocidal product. Moreover, cheaper products are usually old products that normally have a less interesting toxicological and ecotoxicological profile.

2. As described above, the Directive will harmonise the Community market for biocidal products. Furthermore the Directive provides simplified procedures for biocidal products posing only a low risk to humans and to the environment.

([1]) OJ L 123, 24.4.1998.
([2]) COM(96) 187 final.

(1999/C 207/137) **WRITTEN QUESTION E-3655/98**

by Elisabeth Schroedter (V) and Heidi Hautala (V) to the Commission

(7 December 1998)

Subject: Repressive measures taken against environmental activists in Ukraine

After the Ukrainian environmental group 'Rainbow Keepers' released information about possible diversion and misuse of funds given by the EBRD, including funds for ensuring safety at Chernobyl, members of this organisation reported that they had been harassed by the police and the Ukrainian Secret Service (the former KGB). Before the EBRD summit in Kiev on 9-12 May, environmental activists were interrogated and threatened with arrest.

Is the Commission aware of the harassment of environmental activists in Ukraine?

What measures does the Commission take to promote freedom of speech in Ukraine?

Does the Commission take any measures to protect from such harassment environmental activists who supply information about the misuse of EU funds to the European institutions?

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

(19 January 1999)

The Commission is not aware of the harassment of ecological activists in Ukraine.

As laid down in article 2 of the partnership and co-operation agreement between the Community and its Member States on the one part, and Ukraine on the other part, respect for democratic principles and human rights (as defined in particular in the Helsinki final act and the charter of Paris for a new Europe, including the freedom of opinion and of expression) constitutes an essential element of partnership and of the agreement.

The Commission's main instrument to promote the freedom of expression in Ukraine is the Phare and Tacis democracy programme, which is part of the European democracy initiative of the Parliament. This programme aims to promote the concept of democratic society governed by the rule of law in Central and Eastern European countries, the New Independent States and Mongolia. In Ukraine, the Tacis democracy programme provides assistance to media monitoring and training, and actions to enhance the contribution of the independent television sector to democratic and civil society development, to promote civic education at school, and to further public participation in economic and environmental decision making.

The Commission seeks to protect individuals and groups delivering information on alleged abuses of Community money by ensuring the confidentiality of the information provided and by maintaining the anonymity of the informer.

(1999/C 207/138) **WRITTEN QUESTION E-3656/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: EU-WTO multilateral negotiations

One issue in EU-WTO relations, which specifically affects the service sector, remains outstanding, in that thus far no agreement has been reached in the negotiations on maritime transport, air transport and the audiovisual sector.

In the Commission's view, what type of strategy should the EU employ in order to ensure that agreement is reached at the EU-WTO multilateral negotiations, due to begin within a year?

Answer given by Sir Leon Brittan on behalf of the Commission

(15 January 1999)

The Community aims at achieving a comprehensive negotiation, covering all issues and services sectors with no a priori exclusions. However, it would be premature to establish at this stage a precise set of priorities — in particular sectoral priorities — and the Commission is not yet in a position to assess in detail any negotiating objective for the forthcoming round of multilateral negotiations. In this respect, intensive consultations have recently been launched with Member States and industry, especially in the sectors of transport and audio-visual. In these sectors, an agreement was reached at the end of the Uruguay round, but of limited scope.

It must be acknowledged that transport services are currently not covered by the General agreement on trade in services (GATS) in an appropriate manner. More precisely, although maritime transport services are included in the scope of the GATS as a result of the Uruguay round, no agreement was reached on specific commitments which would guarantee a satisfactory degree of liberalisation in this services area. Therefore, at this stage, the GATS basic liberalisation principles (the market access and national treatment principles) are not effectively applied. There will be an opportunity for improvement in this situation since maritime transport services negotiations are expected to be resumed in the framework of the new round.

In air transport, the coverage of the GATS currently does not include traffic rights and services that are directly related to their exercise. Consequently, bilateral agreements still regulate the international supply of air transport services. During the Uruguay round, most World trade organisation (WTO) members only offered commitments on the auxiliary air transport services that are listed in the annex on air transport services to the

GATS (aircraft repair and maintenance services, computer reservation system services, selling and marketing of air transport services).

The audio-visual sector is also covered by the GATS as a result of the Uruguay round. However, during the Uruguay round the Community and its Member States did not make any commitments on audio-visual services and made a number of exemptions from the GATS MFN (most-favoured nation) principle, in order to preserve their respective audio-visual policies. The same approach has been followed by a large majority of WTO members. Currently a consultation process has been launched for this sector and the results will be taken into account in preparation of the strategy for the forthcoming multilateral negotiations in WTO.

(1999/C 207/139) **WRITTEN QUESTION E-3658/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: The millennium bug

It has been established that the 'millennium bug', a problem also known as the 'year 2000 effect', may affect all types of programmable electronic systems (PESs), ranging from mainframe computers to microchips.

These systems are employed for all nature of industrial purposes at the various stages of the production process, in the transport sector, in the public services and so forth. Furthermore, the said systems are date-dependent and their reaction on the first day of the new millennium will be critical. For those reasons, it would advisable to pinpoint the risks involved.

Has the Commission envisaged organising a seminar of any kind on awareness of this potential problem and how it can be prevented?

Answer given by Mr Bangemann on behalf of the Commission

(18 January 1999)

The problems associated with the millennium bug have been widely discussed during the past few years in the Community, and particularly during 1998, in many different channels of communication, including press, television, and conferences. Most Member States have already carried out awareness campaigns, or plan to do so in the near future. In such circumstances, it is not clear that a Commission awareness campaign could offer significant added value. There are also practical issues to be taken into account arising from national and local specificities.

The Commission's Year 2000 world wide web site (http:/www.ispo.cec.be/y2keuro) provides access to a wealth of international information on the problem and how to take action.

(1999/C 207/140) **WRITTEN QUESTION E-3660/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: The millennium bug

It has been established that the 'millennium bug', a problem also known as the 'year 2000 effect', may affect all types of programmable electronic systems (PESs), ranging from mainframe computers to microchips.

These systems are employed for all nature of industrial purposes at the various stages of the production process, in the transport sector, in the public services and so forth. Furthermore, the said systems are date-dependent and their reaction on the first day of the new millennium will be critical. For those reasons, it would advisable to pinpoint the risks involved.

Will the Commission provide guidelines on how to devise and implement a programme to combat this problem?

Answer given by Mr Bangemann on behalf of the Commission

(15 January 1999)

Due to the complex nature of the Year 2000 computing problem, the various interfaces between different products and systems, and the enormous number of products which could potentially be affected, it is not possible to define one standard methodology to address all aspects of this problem.

Nevertheless, the Commission's Year 2000 world wide web site (http/www.ispo.cec.be/y2keuro) contains links to web sites of Member States' governments and relevant industry sectors which provide various guidelines on how to address the problem.

(1999/C 207/141) **WRITTEN QUESTION E-3661/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: The millennium bug

It has been established that the 'millennium bug', a problem also known as the 'year 2000 effect', may affect all types of programmable electronic systems (PESs), ranging from mainframe computers to microchips.

These systems are employed for all nature of industrial purposes at the various stages of the production process, in the transport sector, in the public services and so forth. Furthermore, the said systems are date-dependent and their reaction on the first day of the new millennium will be critical. For those reasons, it would advisable to pinpoint the risks involved.

Has the Commission carried out a general analysis of the nature of the problems which may arise and of the potential errors or breakdowns in date-dependent systems?

Answer given by Mr Bangemann on behalf of the Commission

(15 January 1999)

The Commission would refer the Honourable Member to its communications [1] [2] on the Year 2000 computing problem and on how the Community is tacking the Year 2000 computing problem respectively.

[1] COM(98) 102.
[2] SEC(98) 2100.

(1999/C 207/142) **WRITTEN QUESTION E-3664/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: Counterfeiting and piracy

On 22 October 1998 the Commission announced the publication of a Green Paper on combating counterfeiting and piracy in the single market, with which it launched wide-ranging consultations on the matter with interested parties in the Member States.

In the Commission's view, what impact have these practices had on the EU economy?

(1999/C 207/143) **WRITTEN QUESTION E-3665/98**

by José García-Margallo y Marfil (PPE) to the Commission

(7 December 1998)

Subject: Counterfeiting and piracy

On 22 October 1998 the Commission announced the publication of a Green Paper on combating counterfeiting and piracy in the single market, with which it launched wide-ranging consultations on the matter with interested parties in the Member States.

What kind of initiatives might the Commission consider implementing in accordance with existing legislation, once the said consultations have been completed?

Joint answer
to Written Questions E-3664/98 and E-3665/98
given by Mr Monti on behalf of the Commission

(29 January 1999)

One of the aims of the Green Paper on combating counterfeiting and piracy in the single market ([1]) is to assess the economic impact of this phenomenon on the internal market. The assessment will be based on the information provided by interested parties (in particular, undertakings, owners of intellectual property rights and professional organisations) in response to the questions asked in the Green Paper. The Honourable Member will be aware that the Green Paper contains detailed questions on the economic and social effects of counterfeiting and piracy in the internal market both for undertakings (loss of market share, loss of jobs, drop in sales) and for economies (drop in investments, undeclared employment, loss of tax revenue). The answers from the interested parties should give the Commission a clearer picture of the effects of counterfeiting and piracy on the European economy.

With regard to the initiatives the Commission might consider at the end of this period of consultation, it is still too early to give the Honourable Member any details, since the consultation has not yet been completed. However, the Commission does not a priori exclude any form of intervention, nor favour one method of combating counterfeiting and piracy over another. Since the measures considered in the Green Paper are very diverse, any initiatives the Commission might take would not necessarily be of a legislative nature, but might, for example, comprise financial support for action taken against counterfeiting and piracy, or organisational or administrative measures, or even incentives or facilitation measures.

([1]) COM(98) 569 final.

(1999/C 207/144) **WRITTEN QUESTION E-3667/98**

by Philippe Monfils (ELDR) to the Commission

(7 December 1998)

Subject: VAT on works of art

Some countries, including Belgium, have been applying the Seventh VAT Directive since 1 January 1995. To raise the VAT rate, Germany, on the other hand, has been granted a deferment until 1999. The result is distorted competition among art dealers in the various Member States, since VAT in Belgium, for example, is 21 %, but only 7 % in Germany. This difference represents an enormous competitive advantage in a market as specialised and transnational as the art market.

Besides the competition aspect, there would also appear to be discrimination as regards the rate of VAT liability among the various segments of the market in cultural goods and services. Bookshops and, more recently, performing artists thus benefit from a reduced rate of 6 %. This reduction was introduced with the aim of stimulating cultural life and giving it a chance of surviving.

Is the Commission aware of the difficulties being encountered by art dealers, and does it envisage proposing the amendment of Directive 92/77/EEC supplementing the common system of value added tax and amending Directive 77/388/EEC with a view to the inclusion of works of art in Annex H to this directive (List of supplies of goods and services which may be subject to reduced rates of VAT) to ensure fair competition among the European Union's art dealers as part of the Community policy of supporting the cultural sector?

Answer given by Mr Monti on behalf of the Commission

(2 February 1999)

The 7th VAT Directive of 14 February 1994 (94/5/EC) ([1]) provides special arrangements applicable to second-hand goods, works of art, collectors' items and antiques. This allows taxpayers to account for VAT on their profit margin on the sales of works of art, which is the case in Belgium, rather than having to account for VAT on the full sale price, which is applied in Germany. Furthermore, Member States have the option to apply the reduced rate to imports of works of art, and when they do so, they then have the option of applying the reduced rate to first supplies of works of art effected by the creator or his successors in title, thus putting visual artists in the same situation as performing artists. However, the decision to apply the reduced rate either to first supplies by visual artists or services supplied by performing artists is a matter for each Member State.

The Commission is conscious of the distortions due to the derogations granted to two Member States at the time of adoption of the 7th VAT Directive, but is confident that these distortions will disappear with the expiration of these derogations on 30 June 1999.

([1]) OJ L 60, 3.3.1994.

(1999/C 207/145) **WRITTEN QUESTION E-3672/98**

by Gerhard Hager (NI) to the Council

(4 December 1998)

Subject: Financing agreements with the Czech Republic

On the occasion of his visit to the Czech Republic in early October Commissioner van den Broek signed three financing agreements with the Czech Finance Minister, Mr Svoboda, involving payments of ECU 36,9 million to the Czech Republic from PHARE funds. ECU 4,8 million is to be spent on strengthening the external frontiers of the EU.

Can the Council amswer the following questions:

1. What specific projects will be covered by the ECU 4,8 million?

2. Will the sum also be used to build reception camps on Germany's and Austria's current external frontiers?

3. Are the payments linked to tangible progress in the fight against the evil of trafficking in illegal immigrants?

4. What is the substance of the other agreements concerning cross-border cooperation between the Czech Republic and Germany (ECU 7 million) and Austria (ECU 2,9 million)?

5. Why did the Commission sign these two agreements?

Reply

(9 March 1999)

The Council is unable to reply to the Honourable Member's questions, which are a matter for the Commission in the context of the implementation of the PHARE programme.

(1999/C 207/146) **WRITTEN QUESTION E-3673/98**

by Gerhard Hager (NI) to the Commission

(7 December 1998)

Subject: Financing agreements with the Czech Republic

On the occasion of his visit to the Czech Republic in early October Commissioner van den Broek signed three financing agreements with the Czech Finance Minister, Mr Svoboda, involving payments of ECU 36,9 million to the Czech Republic from PHARE funds. Part of this money is to be spent on projects concerning democratisation and the protection of minorities.

Can the Commission answer the following questions:

1. Do these projects include funding for the German-speaking minority?

2. Is the conclusion of the financing agreements connected with obligations concerning improving the rights guaranteed in the European Convention on Human Rights (annulment of the Beneš Decrees)?

3. Does the Commission believe that the Beneš Decrees, which are still in force and which violate international law and human rights, satisfy the Copenhagen criteria (respect for and compliance with human rights)?

4. Has the Commission ever raised the question of the Beneš Decrees in the acquis screening?

5. If not, why not? If so, with what result?

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

(13 January 1999)

1. On 12 October 1998 the Czech Finance Minister and the responsible member of the Commission signed documents related to the 1998 national Phare programme for the Czech Republic, which includes a project supporting the further integration of Roma into Czech society.

2. Phare assistance is conditional on the Czech Republic's respect of its commitments under the Europe agreement, further steps towards satisfying the political and economic criteria established by the Copenhagen European Council of June 1993 and progress in implementing the accession partnership of March 1998.

3. The implementation of the European Human Rights Convention (EHRC) is the responsibility of the Council of Europe. Questions on the compatibility of the Benes decrees with the EHRC can only be answered by that organisation. Furthermore, the Commission would refer the Honourable Member to the provisions of the Czech-German Declaration of January 1997.

4. and 5. No questions related to the issues raised by the Honourable Member have arisen under the negotiating chapters already examined during the screening exercice.

(1999/C 207/147) **WRITTEN QUESTION E-3676/98**

by Gerhard Hager (NI) to the Commission

(7 December 1998)

Subject: Daphne programme

In recent years there has been an increase in child abuse and child pornography in Europe together with violence against women, for example in the form of forced prostitution. The Daphne programme is intended to deploy coordinated measures Europe-wide to combat violent attacks on women and children in the EU. The intention is to make the public aware of the sexual abuse of women. Non-governmental organisations have been chosen to implement the project because they often have better access to the victims.

On 10 and 11 November 1998 there was a presentation in the European Parliament of a project financed under Daphne to combat violence against young people on the grounds of their sexual orientation.

Can the Commission answer the following questions:

1. How many projects authorised under the Daphne programme are to do with the need to protect people because of their sexual orientation?

2. What is the level of funding for such projects and which NGOs have set up the projects?

3. What is the Commission's justification for including these projects in the Daphne programme which is supposed to be concerned with child pornography, child abuse and violence against women?

Answer given by Mrs Gradin on behalf of the Commission

(25 January 1999)

The Commission shares the concern of the Honourable Member about the problems of child abuse and child pornography in Europe together with violence against women. It is also concerned about the problem of violence towards minority groups and groups subject to discrimination.

1. The Commission is supporting one project in the 1997 Daphne programme and one in the 1998 programme to combat violence against young homosexuals.

2. Their level of funding is 36 192 ECU and 41 762 ECU respectively. The non-governmental organisation (NGO) concerned in both projects is Azione Gay e Lesbica (formerly Arcigay — Arcilesbica Firenze).

3. The aim of the Daphne programme, as established by the Parliament and as implemented by the Commission, is to combat violence against children, young people and women. All forms of violence are included. For example, 40 % of the projects supported in the 1997 programme concerned solely sexual violence and the remaining 60 % concerned solely or partly violence of a non-sexual nature.

The Daphne programme attaches particular importance to combating violence against groups which are the subject of discrimination. Article 13 of the Amsterdam Treaty aims 'to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation'. In this spirit, the Daphne programme is supporting projects which combat violence against women, racial and ethnic minorities, religious minorities, the handicapped, the aged, children and homosexuals.

(1999/C 207/148) **WRITTEN QUESTION E-3684/98**

by James Nicholson (I-EDN) to the Commission

(7 December 1998)

Subject: Chernobyl disaster — imports of fish

What safeguards does the Commission have in place to deal with fish imported from areas which may have been contaminated by fall-out from the disaster at the Chernobyl nuclear power station?

Answer given by Mrs Bjerregaard on behalf of the Commission

(4 February 1999)

The release for free circulation in the Community of agricultural products imported from third countries is subject to the conditions laid down in Council Regulation (EEC) 737/90 of 22 March 1999 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station [1], which stipulates that these products must not exceed accumulated maximum tolerances for caesium-134 and caesium-137 of 370 Bq/kg for milk, milk products and foodstuffs intended for infants and 600 Bq/kg for other products.

However, to take account of the fact that it is impossible for certain products to have been significantly contaminated by fallout from the Chernobyl accident and of changes in the radiological situation in the countries affected by the fallout, the Commission has decided, in accordance with the provisions of Regulation (EEC) 737/90, to adopt a regularly updated list of products which are excluded from the scope of the abovementioned Regulation. The first list of excluded products in the Annex to Commission Regulation (EEC) 146/91 of 22 January 1991 ([2]) contained a large number of products, including in particular fish, crustaceans, molluscs and other aquatic invertebrates of marine origin only. Fish, crustaceans, molluscs and other invertebrates from fresh water were excluded in 1993 when a new list was adopted under Commission Regulation (EEC) 1518/93 of 21 June 1993 ([3]). Since 1991, the Commission, assisted by an ad hoc committee made up of representatives of the Member States, has regularly reexamined the list. The last revision of the list of products was in 1997 and led to the adoption by the Commission of Regulation (EC) 727/97 of 24 April 1997 ([4]). Although fish and other aquatic products are no longer covered by the scope of Regulation (EC) 737/90, the Member States must comply with the provisions of the Directive laying down the basic safety standards for the health protection of the general public against the dangers of ionising radiation ([5]), including exposure resulting from the consumption of foodstuffs.

([1]) OJ L 82, 23.3.1990.
([2]) OJ L 17, 23.1.1991.
([3]) OJ L 150, 22.6.1993.
([4]) OJ L 108, 25.4.1997.
([5]) OJ L 246, 17.9.1980, OJ L 265, 5.10.1984, OJ L 159, 29.6.1996.

(1999/C 207/149)

WRITTEN QUESTION E-3686/98

by Hiltrud Breyer (V) to the Commission

(7 December 1998)

Subject: Nuclear power plant in Ignalina, Lithuania

1. Is the Commission aware that in November the Lithuanian Parliament will discuss and adopt the National Energy Strategy, which may well recommend the rechannelling of the reactors in the Ignalina nuclear power plant in Lithuania, a measure which would contravene the Nuclear Safety Account Agreement and Agenda 2000? What measures is the Commission taking to ensure that the plant is not rechannelled?

2. Will the Commission make any pre-accession funds allocated to Lithuania conditional upon the closure of Ignalina?

3. Does not the Commission believe that the recent contracts signed by the Lithuanian energy sector for the export of 6 TWh electricity every year for the next 10 years — nearly the total amount generated by one reactor at the Ignalina NPP — will discourage the Lithuanian authorities from closing the reactors?

4. What measures will the Commission take, should the Lithuanian Government begin rechannelling the Ignalina reactors?

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

(15 January 1999)

The Commission is aware of the commitment by the Lithuanian government to submit a national energy strategy to the Parliament before the end of 1998 and is closely following this issue.

In coordination with international financial institutions, the Commission has repeatedly urged the Lithuanian government to respect the commitments under the nuclear safety account (NSA) agreement with the European bank for reconstruction and development. In the NSA the Lithuanian authorities undertake a commitment not to rechannel the units of the Ignalina nuclear power plant (NPP). In its opinion on Lithuania's application for Community membership, in the accession partnership, and in the regular report of 4 November 1998, the Commission has identified this as a priority area for action. The Commission has also expressed its concern about the energy export policy of Lithuania.

The Commission has indicated its willingness to cooperate with the Lithuanian government in the preparation of a comprehensive energy strategy. This should include consideration of the consequences resulting from the closure of the plant. Provided Lithuania commits itself to an acceptable closure timetable, support financing can be made available from the Community budget. Any future Phare funds for the Lithuanian energy sector will be conditional upon the adoption of a national energy strategy in line with the NSA agreement, confirmation of the commitment not to rechannel and the adoption of a realistic closure timetable.

(1999/C 207/150) **WRITTEN QUESTION E-3694/98**

by Jan Mulder (ELDR) to the Commission

(7 December 1998)

Subject: The stunning of poultry for slaughter

Directive 93/119 ([1]) permits the customary waterbath method for the stunning of poultry. However, in recent years methods of gas stunning of poultry have been developed which result in an improved quality end product and better guarantees of animal welfare. Some of these methods are based on two research projects financed by the EU: AIR 3 Project CT94-0885 and Volair EU 113711.

1. Can the Commission confirm that the gas stunning of poultry can produce better results, in terms of both product quality and animal welfare, than the waterbath method?

2. Can the Commission indicate when it will implement Article 13(2)(b) and (c) of the Directive which states that the Commission shall submit, no later than 31 December 1995, proposals concerning the gas stunning of animals?

3. Does the Commission agree that speed is of the essence in submitting these proposals from the economic point of view and, more importantly, from the point of view of animal welfare?

([1]) OJ L 340, 31.12.1993, p. 21.

Answer given by Mr Fischler on behalf of the Commission

(20 January 1999)

In June 1998 the scientific committee on animal health and animal welfare reported on the use of mixtures of carbon dioxide, oxygen and nitrogen for stunning or killing poultry ([1]). The report showed that, in comparison with electricity, the use of combinations of these gases can improve the quality of the meat and the welfare of the animals.

Based on the opinion of the scientific veterinary committee, the Commission is preparing a proposal for the stunning and killing of animals, which should be presented shortly.

([1]) http://europa.eu.int/comm.dg24/health/sc/scah/outcome.

(1999/C 207/151) **WRITTEN QUESTION E-3702/98**

by Gerhard Hager (NI) to the Commission

(7 December 1998)

Subject: Twinning partnership programme

According to information in the press, the first national officials of the Member States will be sent to the ministries of the candidate countries in January 1999 to help them build administrative and institutional capacities. These transfers are, it is said, to be confined to the areas of agriculture, the environment, finances and justice and home affairs, with the Commission ensuring coordination of the partnerships on the basis of the projects proposed by the CEEC and the corresponding offers made by the Member States.

— Does the Commission have any figures on how many projects will actually be launched in 1999?

— Can it say on what specific areas these projects will focus?

— Does it also have information on the number of projects in which Austrian officials will be involved?

— Is it already in a position to estimate how high the grant from Phare resources will be for this programme (broken down by specific areas) and what the cost to the Member States participating will be (taking Austria as an example)?

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

(15 January 1999)

In May 1998 the Commission presented a list of some 100 partnership projects to the Member States, asking them to state whether they wished to be involved. It has received 360 replies and to date has found partners for 80 projects. The specific terms of reference are being drafted. Since then a further list of 28 projects derived from the 1998 programming exercise has been presented to the Member States and approximately 100 national officials are therefore expected to be seconded to postings in Central and Eastern European countries (CEECs) in 1999.

The projects do indeed focus on agriculture, finance, justice and home affairs and the environment, plus preparations for the administration of structural resources. There are two reasons for keeping the list short. All the partnership reports drew attention to the weakness of the CEECs' administrative capabilities in these areas, and the Commission therefore has little choice initially but to keep the operation within reasonable bounds until such time as procedures and rules are properly fixed.

Austria is currently responsible for three partnerships and will contribute to nine others. Grants from Phare funds for partnerships in which Austria is involved total EUR 4 million. As a rule Member States will be reimbursed for partnership costs incurred.

(1999/C 207/152) **WRITTEN QUESTION E-3703/98**

by Hiltrud Breyer (V) to the Council

(4 December 1998)

Subject: Health insurance and discrimination against women

1. Is the Council aware that women pay higher health insurance contributions?

2. Does it see this as contravening the principle of equality?

3. What measures is it planning to take to put a stop to this discriminatory practice?

Reply

(9 March 1999)

For its part the Council has no information concerning discrimination against women of the type described by the Honourable Member in her question. In any case, it is for the Commission to ensure the application of the provisions of the EC Treaty and of the provisions adopted by the institutions pursuant thereto.

(1999/C 207/153)

WRITTEN QUESTION E-3706/98

by Nikitas Kaklamanis (UPE) to the Commission

(11 December 1998)

Subject: Commission competition for Greek-language interpreters

The tests in the Commission's competition for Greek-language interpreters were scheduled to be held on 12 October 1998 in Brussels and on 15 and 16 October 1998 in Athens. The Brussels tests took place, whereas those in Athens were cancelled without informing all the examiners or, more particularly, the candidates.

All the necessary arrangements had already been made (premises rented, officials posted, etc.) and all the related expenditure disbursed. Candidates have complained to me that it took a great deal of effort to find out what exactly happened. I am also informed that the unduly cancelled part of the competition (which should have been held in Athens) will finally take place in Brussels, probably in December.

Will the Commission say:

(a) who signed the cancellation order and on what grounds,

(b) whether it believes that this manner of organising events, which results in a waste of money and a loss of public confidence in the Commission, is appropriate, and

(c) what measures it intends to take to mete out exemplary punishment to those responsible?

Answer given by Mr Liikanen on behalf of the Commission

(15 February 1999)

The open competition COM/LA/1052 for the recruitment of Greek interpreters is organised by the Commission. The selection board consists of conference interpreters, working in the Joint interpreting and conference service (JICS), with the exception of the chairman, a university professor and high-level counsellor at the Greek ministry for foreign affairs.

After the admission procedure and the obligatory written tests, 28 candidates were admitted to the oral tests which consist of two parts: consecutive interpretation and simultaneous interpretation. Out of these, seventeen live in Brussels, ten in Greece and one in the United States.

As the chairman could not take successive days of leave from his post at the ministry he requested that part of the tests take place in Athens. It was therefore decided to invite the seventeen candidates who live in Brussels for oral tests in Brussels, but to hold the consecutive part in Athens for the other eleven. The intention was to invite only the candidates who were successful in the consecutive part subsequently to Brussels for the simultaneous part (due to lack of suitable premises it was impossible to conduct the simultaneous part in Athens).

At the beginning of September 1998 it appeared that, taking into account the language combinations of the candidates in Athens, apart from the four members of the selection board, six other interpreters would be absent for two days, plus the additional days of travelling to and from Athens, due to these oral tests. Taking into account all the implications in terms of functioning of the JICS, in particular the need to keep the staff interpreters in Brussels, it was decided to organise both parts of the oral tests in Brussels.

The secretary of the selection board duly informed all the candidates. No candidates turned up for the oral tests, and no complaints were received. The candidate who had arranged to travel from the United States had to pay a fee for the cancellation of her ticket, but will be reimbursed by the Commission for the expenses incurred. The test centre in Athens was informed of the cancellation beforehand and has not billed the Commission. The oral tests were held on 20-22 January 1999 in Brussels.

The Commission regrets that these tests had to be postponed.

(1999/C 207/154)

WRITTEN QUESTION E-3719/98

by Giuseppe Rauti (NI) to the Commission

(11 December 1998)

Subject: Postponement till 2004 of the liberalisation of cabotage in Italy

Is the Commission aware of the dramatic situation with which Italy will be faced following the new legislation on European cabotage which will enter into force on 1 January 1999? The projected 'liberalisation' does not cover Greece — which secured postponement till 2004 — with the result that Greece is preparing to 'colonise' Italian cabotage, which accounts for 80 % of passenger cabotage and 45 % of goods cabotage and which will be 'liberalised' on 1 January. This is a sector which in Italy (see the article by Giorgio Lonardi in 'La Repubblica' of 17 inst., p. 35) employs '15 000 seamen engaged on 470 vessels', not to mention 'the 2 000 shore-based workers and the 29 000 auxiliary workers', so that Italy stands to lose a 5 000 billion annual turnover to Greece, a country which violates the rules on competition by recruiting ill-assorted crews composed of non-Community nationals compelled to work in conditions of virtual slavery.

Would it not be fair, not to say ethically and socially correct, to impose on Greece the same timescale as for Italy or to postpone the entry into force of the new legislation till 2004 for Italy as well?

Answer given by Mr Kinnock on behalf of the Commission

(18 January 1999)

The Commission does not agree with the Honourable Member's analysis of the situation.

Firstly, Regulation (EEC) 3577/92 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) [1] allows for the imposition of host State conditions for all matters relating to manning on Community shipowners carrying out island cabotage services, and the Italian legislation does not allow third country nationals to be employed on board vessels carrying out cabotage. In addition, such Community shipowners will have to comply with all conditions for carrying out cabotage in the Member State of registration of the vessel. The Greek legislation similarly provides that only Greek or Community nationals may be employed on vessels carrying out cabotage. Therefore, Greek shipowners will not be able to employ vessels manned by third country nationals in Italian island cabotage.

Secondly, according to the two reports drawn up by the Commission in 1995 [2] and in 1997 [3] on the implementation of Regulation (EEC) 3577/92, the participation of non-national Community vessels in the liberalised sectors of cabotage in the five Southern Member States has been very marginal. It is, therefore, highly unlikely that there will be any development resembling a 'colonisation' of Italian island cabotage by the fleet of any Member State.

The Council Regulation is binding in its entirety. The Commission is not empowered to impose shorter deadlines nor to prolong transitional periods which have been decided by the Council.

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[1] OJ L 364, 12.12.1992.

[2] Report from the Commission to the Council on the implementation of Regulation (EEC) 3577/92 applying the principle of freedom to provide services to maritime transport within Member States — 1993-1994 — COM(95) 383 final.

[3] Report from the Commission to the Council on the implementation of Council Regulation (EEC) 3577/92 applying the freedom to provide services to maritime cabotage (1995-1996) and on the economic and social impact of the liberalisation of island cabotage — COM(97) 296 final.

(1999/C 207/155) **WRITTEN QUESTION P-3723/98**

by Roy Perry (PPE) to the Commission

(25 November 1998)

Subject: Community obligations to islands under the Treaty of Amsterdam

Now that the Treaty of Amsterdam has been signed and is generally expected to be ratified, what does the European Commission intend to do to honour its obligations to islands under the new Article 158? Can the Commission indicate any proposals it is considering making in order to meet its legal obligations under this Article, once ratification has been completed?

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

(6 January 1999)

On 18 March 1998, the Commission approved a proposal for a General Regulation on the Structural Funds ([1]) which translates into operational terms the guidelines set out in 'Agenda 2000: for a stronger and wider Union' ([2]). In order to increase the impact of Community structural policies in regions facing the most difficulty, the Commission is proposing that geographical concentration of assistance be tightened: the proportion of the Community population in areas eligible under the new Objectives 1 and 2 should be around 35-40 % compared with 51 % at present under Objectives 1, 2, 5(b) and 6. This effort of concentration is to involve all regions, including islands.

The wording of the future Article 158, such as it arises from the Treaty of Amsterdam in the process of ratification, states that 'the Community shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.' This Article does not therefore cover all islands but only those which have least-favoured status. The Commission believes that the eligibility criteria proposed for the new Objectives 1 and 2 will make it possible to assess the extent of the problems with which islands are confronted, bearing in mind that the individual circumstances of different islands can be very diverse.

([1]) OJ C 176, 9.6.1998.
([2]) COM(97) 2000 final.

(1999/C 207/156) **WRITTEN QUESTION P-3725/98**

by Carlos Carnero González (GUE/NGL) to the Commission

(25 November 1998)

Subject: Continued eligibility of the Autonomous Community of Cantabria (Spain) under Objective 1 of the Structural Funds

Over the past few days various sections of the Spanish media have given coverage to the statistics released by Eurostat on the average income of EU regions over the three-year period 1994-1996, which apparently reveal that the figure for the Autonomous Community of Cantabria is slightly higher than 75 % of the Community average.

According to several daily newspapers, these results have led the Spanish Government and the regional authorities in Cantabria to assert that the region will no longer be covered by Objective 1 of the Structural Funds in the new programming period.

Does the Commission believe that, in the light of these statistics, there are grounds for such an interpretation?

If so, does it not regard it as premature at this stage in the legislative debate for the central and regional governments to draw the above conclusions, given the European Parliament's request in a recent resolution for more flexible criteria to be employed when it comes to drawing up the list of regions covered by Objective 1 of the Structural Funds?

Does it take the view that purchasing power parity, the criterion employed by Eurostat, gives the most satisfactory indication of a region's real degree of wealth, or does it see the need rather to establish more objective yardsticks, such as the average GDP of a region's working population?

Does it not believe that in employing the latter criterion, Eurostat's statistics would yield different results, reflecting more accurately the true wealth of each EU region?

Lastly, regardless of Cantabria's eligibility under any given Structural Funds Objective, how does the Commission intend to ensure that the said region continues to benefit from sufficient structural assistance to enable it to tackle its imbalances through an effective regional development plan acceptable to the most prominent political and social bodies?

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

(6 January 1999)

For the period 2000-06, the Commission has proposed determining the eligibility of regions under Objective 1 by strict application of the criterion of per capita gross domestic product (GDP) and a threshold of 75 % of the Community average. Per capita GDP will be calculated in purchasing power parities at NUTS II level. The list of regions eligible under Objective 1 will be drawn up by the Commission, using data for the last three years available, once the Rgulation laying down general provisions on the Structural Funds has been adopted ([1]). This proposal is currently being considered by the Council and Parliament.

The data for the years 1994, 1995 and 1996 show that the region of Cantabria has a per capita GDP of 76,66 % of the Community average. Under the Commission's proposal it would therefore cease to be eligible under Objective 1 from 1 January 2000. It would, however, receive tapering transitional support from the Structural Funds for six or possibly seven years.

The criterion of per capita GDP in purchasing power parities and calculated at NUTS II level has been used since 1988 to determine the eligibility of regions under Objective 1. The Commission regards it as a good measure of the level of economic development of regions.

([1]) OJ C 176, 9.6.1998.

(1999/C 207/157) **WRITTEN QUESTION P-3726/98**

by Werner Langen (PPE) to the Commission

(25 November 1998)

Subject: Principle of exhaustion/EU trade mark directive

In its answer to Question P-0737/98 ([1]) the Commission states:

1. 'Current international economic relations being what they are, Community exhaustion is likely to have certain advantages for consumers, depending on the product. In particular, it can guarantee the sustained quality of the products moving around the internal market and ensure continuity of after-sales service.'

2. ' ... that at present, none of the Community's main trading partners or its Member States apply the principle of the international exhaustion of industrial property rights.'

3. Referring to the Silhouette case and the Advocate-General's conclusions, that 'the relevant provision of the Directive constitutes a total harmonisation measure.'

Can the Commission explain:

1. How far sustained quality depends on the introduction of the Europe-wide exhaustion of trade mark rights?

2. Are branded products imported from non-European economic areas not, as a rule, identical products?

3. Are European sales outlets not in any case frequently supplied by non-European production plants owned by the holder of the trade mark?

4. Does the Commission stand by its contention that maintaining continuity of after-sales service entirely depends on Europe-wide exhaustion, given that there are, according to newspaper reports, firms which urge their dealers to increase the prices of spare parts and maintenance for owners of grey market products?

5. Does the Commission not consider Japan, the USA, Switzerland, and South Korea to be main trading partners of the Community and its Member States, given that these countries — as judgments of the highest courts prove — accept and endorse the principle of international exhaustion, with exceptions in South Korea's case?

6. Would harmonisation not have occurred even if international exhaustion had been generally introduced, without the price-boosting disadvantages occurring for the consumer?

(1) OJ C 402, 22.12.1998, p. 25.

Answer by Mr Monti on behalf of the Commission

(14 January 1999)

1. and 2. The international exhaustion of trade mark rights could indeed pose some risks with regard to the quality of products sold in the Community. While it is not possible to apply this claim generally, it seems that some types of product sold under the same trade mark throughout the world can have differing characteristics as a result of the requirements of the local markets in which they are sold (e.g. because of the local climate). In such cases, international exhaustion of rights could mean that a consumer living in the Community might find that a parallel import of the product differs from that to which he is accustomed. In addition, there is a risk that the international exhaustion of rights may result in a certain number of counterfeit goods among the flow of unchecked imports, which would obviously be to the disadvantage of consumers.

3. It is true that distributors located in the Community may be supplied by trade mark holders with goods manufactured outside the Community. This is a decision that is up to each company and is part of its industrial strategy. The Commission has no detailed figures on this matter at the moment. The study which the Commission has ordered on the economic consequences of the current situation in the Community concerning the exhaustion of rights should provide more information on the subject.

4. The Commission has no knowledge of situations whereby distributors and retailers are urged by trade mark holders to charge more for after-sales service when the product in question has been imported via the grey market.

5. The initial indications emerging from the study that the Commission has ordered on the economic consequences that currently apply in the Community and its major partners concerning the exhaustion of rights indicate that the situation is rather complex. Especially in the United States and Japan, the Community's main trading partners, international exhaustion is not applied on an automatic and general basis. In the United States, for example, it is possible for holders of a trade mark to restrict parallel imports when there is no economic and legal link between the firm that holds the trade mark and the manufacturer in the foreign country, and when the product that is imported on the grey market is materially and qualitatively different from that sold domestically. As for Japan, the distribution contracts signed by trade mark holders and their retailers govern this matter and impose contractual obligations on the different parties.

6. Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (1) represents, as far as the matter of exhaustion is concerned, a measure for total harmonisation, and this was confirmed by the Court of Justice in the Silhouette case. It is not for the Commission to comment on the suggestion that the same degree of harmonisation would have been achieved if the directive had been worded differently.

(1) OJ L 40, 11.2.1989.

(1999/C 207/158)

WRITTEN QUESTION E-3730/98

by Antonios Trakatellis (PPE) to the Commission

(11 December 1998)

Subject: Deficits of public enterprises and organisations and Greece's membership of EMU

The Commission's recommendations in its 'Broad economic guidelines for 1998' state that the public deficit in the Community should be less than 2 % of GDP in 1998, to be achieved largely through fiscal reform. The Commission also stresses that, despite Greece's efforts, its public deficit in 1997 was 4 % of GDP. It, therefore, calls for further efforts to achieve fiscal reform by introducing the stringent measures that the Greek Government announced it would take when the drachma entered the Exchange Rate Mechanism of the EMS. According to the Commission's recent estimates, the average budget deficit in the EU will be restricted to 1,8 % in 1998, whereas in Greece the forecast is for a slight deterioration. The Ecofin Council in October noted that the objective of the Greek convergence programme in terms of the public deficit for 1998 was optimistic (2,4 %) and that, accordingly, additional measures were required.

1. Given that the deficits of public enterprises and organisations are the bane of the Greek economy, draining the public coffers as they do and constantly increasing rather than falling, is it consistent with Community rules for the State to persist in pumping money into these deficits in an uncontrolled manner and how is this policy compatible with Greece's efforts to achieve genuine (rather than nominal) convergence for entry into EMU?

2. How is the constant supply of Community funds to public organisations and enterprises, through the 2nd CSF and other Community resources, when they have huge debts and deficits which are covered by the national budget — as is the case with Greek Railways with its operating loss of DR 550 billion; OASA with DR 950 billion and Olympic Airways with ECU 2 059 million for 1990-1995) etc. — consistent with the fact that they do not implement plans to restructure their operations and make them viable?

3. How are the cuts in public investment and the decrease in take-up of Community appropriations for major development projects (Via Egnatia, natural gas, land register, health, education etc.) in a bid to pay off counterproductive public deficits compatible with the aims of economic development?

4. To what extent can the Community's rules on competition and fiscal reform be implemented across the board in all public enterprises and organisations to ensure that Community and national resources, as well as state aid, are used for development purposes?

Answer given by Mr de Silguy on behalf of the Commission

(15 February 1999)

1. The Greek government has recognised the need for structural reform in the wider public sector in order to enhance the potential and the efficiency of the Greek economy. The package of accompanying measures announced on 14 March 1998, on entering the exchange rate mechanism (ERM) included, among other measures, a wide-ranging privatisation plan for 1998 and 1999 and a medium-term programme for the restructuring of loss making public corporations. Greece has made significant progress in reducing fiscal imbalances in recent years. The general government deficit was reduced to 4 % of gross domestic product (GDP) in 1997 from 13,8 % of GDP in 1993, and is estimated by the Greek authorities at 2,2 % of GDP in 1998. Furthering fiscal adjustment and structural reform have been reaffirmed in the convergence programme, covering the period 1998-2001, submitted by Greece under the stability and growth pact Council regulations. The Ecofin Council examined, on 12 October 1998, the Greek convergence programme and issued an opinion on a Commission recommendation in accordance with Council Regulation (EC) 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies ([1]). The Council considered that the programme was compatible with the broad economic policy guidelines and was an important step in the direction of the requirements of the stability and growth pact. The Council urged the Greek government to implement the programme vigorously and to take the necessary measures to achieve its targets, which include the reform of the wider public sector.

2. The primary objective of structural funds and the Cohesion fund is to promote economic development by financing projects which contribute to achieving this objective. Main criteria for Community co-financing are therefore the eligibility of projects, as for example defined in the Greek Community support framework

(CSF), and their efficient implementation. The allocation of these Community funds is not directly conditional upon the structure of a beneficiary organisation or enterprise as long as efficient management of projects is ensured.

3. The economic performance of several Member States has provided evidence that macroeconomic stability, including a low public deficit, is a necessary condition for economic development. In these successful cases reductions of public expenditure have mainly been implemented by reducing public consumption while maintaining a high level of public investment. In the context of the structural funds the principle of additionality aims to ensure that the level of national public eligible expenditure is not reduced compared to the previous programming period. However, methodological problems of data provided by the Greek authorities have not yet allowed the Commission to confirm that additionality has been respected during this programming period.

4. The Community has made the whole area of Greece eligible for assistance under objective 1 of the structural funds, for the Cohesion fund and for state aids under Article 92.3(a) of the EC Treaty with the aim of promoting the Member State's economic development. As mentioned above, assistance under these schemes depends mainly on the efficiency of projects to contribute to the development objective. In view of the principle of subsidiarity, the EC Treaty provides the Community with hardly any powers to interfere directly into the organisational structure of a Member State's public sector. Exceptions are restructuring conditions linked to the authorization of state aids and provisions in the context of the liberalisation of network industries.

In terms of state aids, Article 92.2 and 92.3 of the EC Treaty provide derogations to the general ban of Article 92.1. The compatibility of aid with the common market under Article 93.2(a) and (c) is assessed through specific criteria covered by the guidelines on national regional aid. Regional aid can be authorised in these regions as long as it specifically aims at their development by supporting investment or job creation in a sustainable context. The guidelines also specify ceilings for the aid intensity which take into account the nature and importance of the regional problems being addressed. Other frameworks for state aid control take into account development by authorising higher aid intensities in assisted regions.

(1) OJ L 209, 2.8.1997.

(1999/C 207/159) **WRITTEN QUESTION E-3731/98**

by Nikitas Kaklamanis (UPE) to the Commission

(11 December 1998)

Subject: Breach of Community directives on working conditions

The Works Council at Andersen B.P.M. Ellas claims that working conditions are in breach of at least two Community directives on health and safety in the workplace and also accuses the company of failing to pay allowances to which the workers are entitled.

Workers are showing symptoms of overwork, constant sickness and breakdowns owing to stress; there is only token compliance with the provisions of Directives 89/391/EEC (1) and 75/117/EEC (2) or International Labour Convention 135. Furthermore, there are anomalies in the payment of allowances to workers (e.g. the bonus of 10 % of the basic rate for working on screens is not paid to all the workers who are entitled to it), which creates justifiable bitterness and unrest among the staff.

Is the Commission aware of the above company's failure to comply with the directives and what steps will it take to prompt the Greek authorities into action to enforce Community legislation in all companies operating in Greece, including Andersen B.P.M. Ellas?

(1) OJ L 183, 29.6.1989, p. 1.
(2) OJ L 45, 19.2.1975, p. 19.

Answer given by Mr Flynn on behalf of the Commission

(5 February 1999)

The Commission has recently had a considerable amount of mail about the position of people working for Andersen B.P.M. Ellas (S.A.) and this is now being studied.

The Commission will ensure Community law is correctly applied, by virtue of the powers conferred on it by the EC Treaty.

(1999/C 207/160) **WRITTEN QUESTION E-3733/98**

by Brendan Donnelly (PPE) to the Commission

(11 December 1998)

Subject: VAT on golf-club membership

Will the Commission state whether VAT may legally be charged in Spain on membership of sporting organisations such as golf clubs?

Answer given by Mr Monti on behalf of the Commission

(29 January 1999)

According to Article 13(A)(1)(m) of the 6th VAT Directive 77/388/EEC ([1]), Member States exempt certain services closely linked to sport or physical education supplied by non-profitmaking organisations to people taking part in sport or physical education.

New Spanish legislation, in force since 1 January 1999, applies a general exemption for sports activities under the conditions laid down by the 6th Directive. Consequently, membership of sporting organisations, such as golf clubs, fulfilling these conditions, is exempt from VAT in Spain.

([1]) OJ L 145, 13.6.1977.

(1999/C 207/161) **WRITTEN QUESTION P-3739/98**

by David Thomas (PSE) to the Commission

(25 November 1998)

Subject: Agenda 2000 budget

The recent Court of Auditors' report claims that the Commission has seriously miscalculated the cost of its Agenda 2000 proposals and that they could exceed the EU's budget by billions of pounds. Can the Commission say if this is a correct assessment of what is likely to happen?

Answer given by Mr Liikanen on behalf of the Commission

(27 January 1999)

On 29 May 1998 the Council asked the Court of Auditors to send it any comments it might have on the financial aspects of the legislative proposals relating to the reform of the common agricultural policy (CAP), the Structural Funds, pre-accession aid and the guarantee fund for external action, presented by the Commission as part of Agenda 2000. On 29 October 1998 the Court adopted opinion 10/98 on these matters.

The Commission can find no general statement in the Court's opinion leading to the conclusion which is the subject of the Honourable Member's question. There are just two comments, relating exclusively to the reform of the CAP, which could have prompted the question: the Court refers to the risk of world wheat prices falling below the proposed intervention price (paragraph 82 of the opinion) and judges the forecast of the increase in demand for beef (paragraph 83) to be optimistic. The Commission has no new facts in its possession at present which would warrant a revision of its assumptions.

The Court also referred to the case of payment of direct aid in new Member States following enlargement of the Community. The Commission clearly stated in its proposals that it was not considering the possibility of such payment being made in the new Member States during the coming period given the present average prices of agricultural products in these countries and the danger that this aid could disrupt economies.

(1999/C 207/162)

WRITTEN QUESTION E-3743/98

by Maartje van Putten (PSE) to the Commission

(11 December 1998)

Subject: EU aid to France for the 'Route forestière du Port des Moines' in Morvan (Burgundy)

1. Is the Commission aware of the deforestation taking place in various parts of the 'Route forestière du Port des Moines', that the deforestation involves species of conifers, that water resources in the area are affected and that the natural values of the area are impaired and a drought is occurring as a result?

2. What are the Commission's views of the affect on natural values in the regional natural park in the light of the fact that the region receives European financing via the structural funds (SPD Burgundy, Objective 5a regions 1994-1999, EAGGF money)?

Answer given by Mr Fischler on behalf of the Commission

(2 February 1999)

The operational programmes part-financed by the Structural Funds in rural areas (Objective 5(b)) are implemented in a decentralised manner by the regional authorities responsible for selecting the projects. The Burgundy region authorities consulted by the Commission have informed it of difficulties in identifying the 'Route forestière du Port des Moines'. To allow a more detailed reply to the question raised, more precise geographical references are required (name of the commune and of the forest in question).

(1999/C 207/163)

WRITTEN QUESTION E-3745/98

by Christoph Konrad (PPE) to the Commission

(11 December 1998)

Subject: Electoral law in Italy

1. Is the European Commission aware that, in the vote in the Italian Parliament on 25 July 1998, a bill was defeated which would give Italian voters living abroad the possibility of exercising their right to vote in Italian parliamentary elections (postal vote)?

2. Does the Commission believe that this legal vacuum constitutes a violation of the democratic principles that must be upheld by the Member States of the European Union and the applicant countries?

3. If so, what steps is the Commission going to take?

4. If not, why not?

5. In which other EU Member States can citizens exercise their right to vote only in their own country?

Answer given by Mr Monti on behalf of the Commission

(29 January 1999)

With regard to the questions raised by the Honourable Member, the Commission would point out that the conditions under which Member States grant nationals who are resident abroad the right to vote in the various national elections fall within the exclusive powers of those Member States. The legislation referred to by the Honourable Member does not therefore violate Community law. Under the terms of Article 8b of the EC Treaty, every citizen residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal and European Parliament elections in the Member State in which he resides, under the same conditions as nationals of that State.

As regards the Honourable Member's inquiry as to legislation in the other Member States, the Commission regrets that it does not have sufficient information at its disposal to provide an answer.

(1999/C 207/164) **WRITTEN QUESTION E-3746/98**

by Glyn Ford (PSE) to the Commission

(11 December 1998)

Subject: EC mark for electric shock batons

Is the Commission aware that The Huang Plastic Co. Limited, of 5/f no 210 Ming Fung Street, His-Chih-Cheng, Taipei, Taiwan, produces an electric shock device for which they claim EC certification?

Answer given by Mr Bangemann on behalf of the Commission

(2 February 1999)

The Commission was not aware of the matter described by the Honourable Member.

The safety of electrical equipment designed for use within certain voltage limits (between 50 and 1 000 volts for alternating current and between 75 and 1 500 volts for direct current) is regulated by 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 [1]. The Commission does not possess enough information to determine whether or not the device in question is covered by this Directive.

Further, the control of the acquisition and possession of weapons is regulated by Council Directive 91/477/EEC of 18 June 1991 [2], which lays down the categories of weapons the acquisition or possession of which by private persons are either prohibited or subject to authorisation or declaration. In this context, national legislation may also be of relevance.

With a view to a possible initiative in respect of combatting torture or other cruel, degrading or inhuman treatment, the Commission is presently gathering more precise information regarding the classification of electric shock devices under the national arms/weapons legislation of Member States.

[1] OJ L 77, 26.3.1973.
[2] OJ L 256, 13.9.1991.

(1999/C 207/165) **WRITTEN QUESTION E-3751/98**

by Glyn Ford (PSE) to the Commission

(11 December 1998)

Subject: Financial support for educational charities

Is the Commission aware of the financial assistance being given to educational charities such as the Council for Education in World Citizenship, which purports to be non-partisan and yet, under the banner of Europe 2000, presented a platform of elected representatives recently at North Devon College which included no

representative from the Labour Party, despite the fact that the Labour Party forms the government of the UK and has the second highest number of MPs in the region after the Conservative Party?

Will the Commission ensure in future that such organisations are warned of the need for political impartiality?

Answer given by Mrs Cresson on behalf of the Commission

(18 January 1999)

Educational charities are eligible for financial assistance under the EU's Socrates programme for cooperation in education. Subsidies are intended for the implementation of projects, which must adhere to the eligibility criteria laid down under the programme, particularly as regards content and quality. In this context, the profiles of the members of these bodies are only taken into account if the persons concerned are involved in the implementation of a project for which an application for financial assistance has been made. Political affiliations form no part of the eligibility criteria for a project.

(1999/C 207/166) **WRITTEN QUESTION P-3753/98**

by Mair Morgan (PSE) to the Commission

(27 November 1998)

Subject: Expenditure on information and communication activities in the UK

Following the reply to Written Question P-3013/98 ([1]) given to me by Mr Oreja on behalf of the Commission on 18 November 1998, would the Commission provide a further detailed breakdown of the 1998 budget allocation of ECU 3,3 million for information and communication activities for the UK, including administrative costs, publications, hospitality, etc.?

Would the Commission also supply a further breakdown of how exactly the indicative expenditure for information and communication activities in Wales of ECU 116 500 in 1997 and ECU 39 450 in 1998 was spent?

Would the Commission explain why there was such a large reduction in expenditure on information and communication activities in the UK between 1997 and 1998?

([1]) See page 22.

Answer given by Mr Oreja on behalf of the Commission

(5 February 1999)

The ECU 3,3 million budget of the Commission Representation in London for 1998 to which the Honourable Member refers breaks down as follows: public opinion analysis (ECU 135 464), dissemination of information (ECU 639 382), direct communication activities (ECU 292 586), communication activities via civil society (ECU 61 381), public relations (ECU 328 000), support (ECU 509 768) and communication activities via relays (ECU 1 341 009). This last item breaks down into the Europe service contract (ECU 777 329, education (ECU 553 353) and the public information relay factfile (ECU 11 327).

The above figures cover the Commission's representation activities throughout the United Kingdom, including Wales, Scotland and Northern Ireland. This also covers publications, the national relay network, storage, distribution and the mobile information unit. In addition, since Wales, Scotland and Northern Ireland also have their own Offices, resources are earmarked for them for targeted policy and information activities. Expenditure for Wales in 1998 (in ecus; figures for 1997 shown in brackets) breaks down as follows: direct communication activities 13 691 (86 486), communication activities via civil society 5 000 (-), communication activities via relays (education) 43 265 (39 044), public relations 8 700 (1 608), support 1 700 (2 000) and dissemination of information (1997 budget subheading) 0 (1 710). This gives a total for 1998 of 72 356 (1997-130 848).

The difference between expenditure in 1997 and 1998 referred to by the Honourable Member is accounted for by the preparations for the UK Council Presidency, at which time more prominence is naturally given to the image of the Community. This entails a significant increase in the number and type of tasks undertaken by the Commission Representation during the Presidency. In terms of the budget, some appropriations were granted in 1997 but disbursed in 1998.

(1999/C 207/167) **WRITTEN QUESTION E-3754/98**

by Marlies Mosiek-Urbahn (PPE) to the Commission

(11 December 1998)

Subject: Repayment of French textile subsidies

Werner Langen's Written Question No E-2856/97 ([1]) and Mr Van Miert's answer of 4 November 1997 on the Commission's behalf give rise to the following questions:

1. When will the social security contributions be paid? What payment terms (interest, payment period) have been agreed?

2. Why was the de minimis threshold (ECU 100 000) applied in the case of these unlawful subsidies? Will the fact that only social security contributions exceeding this amount are to be repaid not encourage other Member States to use the de minimis threshold as a loophole for the occasional subsidization of individual industries?

([1]) OJ C 117, 16.4.1998, p. 82.

Answer given by Mr Van Miert on behalf of the Commission

(26 January 1999)

1. The new scheme for the reduction of social security contributions referred to in the answer to Mr Langen's Written Question No E-2856/97 was set up by the Law of 13 June 1998, which provides for financial incentives in the form of such reductions for enterprises shortening the working week to 35 hours before 1 January 2000.

The sooner enterprises introduce measures to that effect and the more they shorten the working week below 35 hours, the greater the reductions will be. The actual arrangements for shortening the working week and for exploiting the resulting potential for creating jobs are to be decided in negotiations between labour and management.

According to the information which the French authorities have provided to the Commission, this scheme is to be extended to the whole of the French economy.

As regards the arrangements for recovering aid granted under the textile plan and declared incompatible with the common market by the Commission decision of 9 April 1997, the French authorities are currently looking into ways in which this aid can be recovered in practice without creating insurmountable financial difficulties for the recipients. They therefore proposed to the Commission that recovery be staggered. The Commission has set out the circumstances in which it would be prepared to accept some limited staggering. In particular, interest would run from the time when the aid was granted until it was actually repaid.

2. In its notice on the de minimis rule ([1]), the Commission stated that this rule set a threshold figure below which Article 92(1) of the EC Treaty did not apply in so far as it did not threaten to distort trade between Member States to any perceptible degree.

The Commission does not believe that this rule encourages Member States to subsidise certain industries on an occasional basis, given that the public assistance to be taken into account when determining the ceiling of EUR 100 000 comprises all aid granted bypublic authorities at national, regional or local level over a three-year period. Any Community cofinancing should also be taken into account when applying the de minimis rule.

([1]) OJ C 68, 6.3.1996.

(1999/C 207/168) **WRITTEN QUESTION E-3758/98**

by Roberta Angelilli (NI) to the Commission

(11 December 1998)

Subject: Further thoughts concerning private armed guards in Italy

Further to Written Question E-1713/98 [1] on the regulation of private armed guards in Italy can the Commission say:

1. whether there are Commission documents on recognition of the new professions which may, inter alia, assist the recognition of the profession of private civilian security guards, who are currently included in the general category of unskilled workers in Italy;

2. whether the special and sensitive nature of the sector, rightly pointed out by Commissioner Monti, should not lead to private security guards being given the status of public servants;

3. whether it does not consider that failure to recognize this profession may have an adverse effect on both the qualifications of private security guards and the social protection of workers?

[1] OJ C 13, 18.1.1999, p. 67.

Answer by Mr Monti on behalf of the Commission

(12 February 1999)

1. The Commission has not undertaken any special studies of private security services. With regard to the recognition of the professional qualifications required in a Member State, the honourable Member is referred to 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], as well as Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC [2].

2. Inasmuch as private security services constitute an economic activity under the meaning of the EC Treaty, the Member States cannot exclude economic sectors from the application of the principle of non-discrimination. It is an economic activity because the protection and surveillance activities are based on private relations, and their exercise does not mean that the companies and staff have any powers of constraint. Simply helping to maintain public safety, which any individual may be required to do, cannot be likened to powers of constraint and cannot therefore be considered direct and specific involvement in the exercise of official authority in accordance with Articles 55 and 48 (4) of the EC Treaty. The Commission's position was confirmed recently by the Court of Justice in the case of the Commission v Spain (ruling of 29 October 1998, C-114/97).

3. As far as Community law is concerned at the moment, the Member States are responsible for measures relating to the training and social protection of those employed by private security companies. Inasmuch as there is compliance with the principle of non-discrimination and recognition of professional qualifications in accordance with the directives mentioned earlier, the Member State in question can adopt measures seeking a general interest objective in compliance with the proportionality rule.

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

(1999/C 207/169) **WRITTEN QUESTION E-3765/98**

by Freddy Blak (PSE) to the Commission

(11 December 1998)

Subject: Discrimination on the labour market

Does the Commission not think that sacking or discriminating against men who have long hair, wear earrings, have their bodies pierced or dye their hair odd colours is an infringement of equal opportunities legislation even if they were informed before being taken on that certain criteria had to be met in the workplace?

Answer given by Mr Flynn on behalf of the Commission

(10 February 1999)

The Commission is not aware of any situations of the type referred to by the Honourable Member.

In the absence of more precise details, the Commission assumes that dismissal would be based on failure to comply with criteria concerning the physical appearance of employees in a company, as would seem to be suggested by the information in the question.

However, the Commission is willing to take a closer look at the situation referred to, if the Honourable Member can provide concrete examples of cases in which male workers are alleged to have been treated in a discriminatory manner compared with their female colleagues.

(1999/C 207/170) **WRITTEN QUESTION E-3766/98**

by Susan Waddington (PSE) to the Commission

(11 December 1998)

Subject: Treatment of citizens during border controls

What measures is the Union taking to ensure that the Member States' authorities responsible for border controls respect the rights and dignity of women when identity checks, interviews, body searches and other related activities are being carried out?

(1999/C 207/171) **WRITTEN QUESTION E-3767/98**

by Susan Waddington (PSE) to the Commission

(11 December 1998)

Subject: Treatment of citizens during border controls

What measures is the Union taking to ensure that the Member States' authorities responsible for border controls respect the rights of minority groups, particularly ethnic minority citizens, when identity checks, interviews, body searches and other related activities are being carried out?

(1999/C 207/172) **WRITTEN QUESTION E-3768/98**

by Susan Waddington (PSE) to the Commission

(11 December 1998)

Subject: Treatment of citizens during border controls

What measures is the Union taking to ensure that citizens have access to information in their own language whilst being questioned by Member States' police officers when identity checks and other border controls are being carried out?

Joint answer
to Written Questions E-3766/98, E-3767/98
and E-3768/98 given by Mr Monti on behalf of the Commission

(8 February 1999)

With regard to ethnic minorities, and in particular the risk of racially-motivated checks, it should be pointed out that the European Council in Vienna on 11 and 12 December 1998 particularly underlined the need to

combat all manifestations of racism, both within and outside the Union. The European Council asked the Commission to draft proposals for its next meeting in Cologne for measures to counter racism in the applicant countries and also invited the Member States to consider taking similar measures inside the Union. In this context, the Commission will consider possible measures, particularly in the area of staff training, aimed at preventing racist incidents during border checks.

Finally, the Commission acknowledges the fact that problems can arise during border checks where the officials responsible for checks or citizens exercising their right to free movement lack knowledge of foreign languages. However, the Commission has not been informed of any significant practical problems in this regard. For the time being, therefore, it does not intend to take any initiatives in this area.

(1999/C 207/173) **WRITTEN QUESTION E-3775/98**

by Hiltrud Breyer (V) to the Commission

(11 December 1998)

Subject: The threat to ethical and social values from the commercialisation of death and human cadavers

1. Would the Commission state its views on the legality (setting aside the ethical aspect) of testators bequeathing their bodies to private plastic surgery clinics? Is it not fair to assume that, as in the case of organs 'donated' by people from very poor countries, this form of 'donation' is forced upon people by extreme poverty and harsh social conditions (see question 4)?

2. Does the Commission agree that it is against the ethics of the medical profession to 'carve up' human cadavers for cosmetic purposes or for use as a commodity?

3. Does the Commission further agree that the exhibition for commercial purposes and sale of whole-body anatomical specimens at so-called 'art' exhibitions, on videos or on CD-roms is an affront to the rights and values enshrined in the European Community?

4. Were licences issued for the import of at least three corpses imported into Germany from China, Russia and Kirghizia?

5. Is it consistent with the European Community's position on the universal status of human rights for the corpses of people convicted and executed in China — in circumstances of highly questionable legality — to be used in Europe as a source of body parts, whole-body anatomical specimens or 'art' gallery exhibits?

6. How is it possible that, although usually it is prohibited for private individuals to be given charge of human cadavers, in this case no problems seem to have been raised?

Answer given by Mr Santer on behalf of the Commission

(12 February 1999)

The Commission deems that Community law does not offer an adequate legal base to treat this matter. Therefore, the institutions of the European Union are devoid of competence to act in this field. However, the possibility of bringing a case before the European Court of Human Rights cannot be ruled out.

Given the high sensitivity of the issues raised by the Honourable Member, the Commission has decided to forward the matter to the European Group on Ethics in Science and New Technologies.

(1999/C 207/174) **WRITTEN QUESTION E-3776/98**

by Anna Karamanou (PSE) to the Commission

(11 December 1998)

Subject: Outcome of the Buenos Aires environment conference and EU measures to implement the Kyoto Protocol

The outcome of the latest world conference on the environment in Buenos Aires was not particularly encouraging; on a proposal from the USA, the famous 'flexible mechanisms' were adopted allowing the big polluters (the USA accounts for 1/4 of all pollutants on a world scale) to comply marginally with the terms of the Kyoto agreement, which calls on the industrialised countries to reduce their emissions of environmentally harmful gases between the years 2008 and 2012 to 5,2 % lower than 1990 levels.

In what ways will the Commission intervene to ensure that the Kyoto Protocol is implemented as quickly as possible in view of the fact that ecosystems are being rapidly destroyed and 40 % of deaths worldwide are attributable to environmental pollution and climate change?

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 February 1999)

The Commission is of the opinion that the fourth Conference of the parties to the United Nations framework convention on climate change, held in Buenos Aires from 2-13 November 1998, was successful in that a plan of action was adopted, setting out a work programme for the resolution of 'unfinished business' of the Kyoto Protocol and outstanding Convention issues. By adopting this plan of action the political momentum is maintained and the negotiations in Buenos Aires may be seen, therefore, as a useful and very necessary step forward in the implementation of the Kyoto Protocol.

The European Council in Vienna welcomed the Buenos Aires plan of action and underlined the importance of its implementation for an early ratification of the Kyoto Protocol. The European Council further concluded that a comprehensive Community strategy on climate policy should be considered at its meeting in Cologne on the basis of a report by the Commission.

The Commission intends to produce a communication in time for the Cologne European Council. This communication will concentrate on elements that are considered essential for the Community to achieve its Kyoto commitment and to prepare for ratification of the Protocol. The Commission is convinced of the need to act now, through policies and measures both at national and at Community level, if the Community target of a 8 % reduction of greenhouse gas emissions compared to 1990 levels is to be achieved by the year 2012. The communication will also address what preparatory steps can be taken in order to implement the Kyoto Protocol's flexible mechanisms.

In this context, the integration of climate change concerns into other policy areas is of utmost importance. At Community level, a number of proposals that could contribute to this reduction, for example the proposal for a directive restructuring the Community framework for the taxation of energy products ([1]), are currently under consideration by the Community institutions.

([1]) COM(97) 30 final.

(1999/C 207/175) **WRITTEN QUESTION E-3780/98**

by Manuel Escolá Hernando (ARE) to the Commission

(11 December 1998)

Subject: Slump in the pigmeat sector

As part of the measures adopted by the European Union to confront the slump in the pigmeat sector, the Commission has approved the provision of 100 000 tonnes of pigmeat in food aid to Russia.

The said aid will result from the withdrawal of 1,2 million pigs from the market and, combined with other ad hoc measures, will bring some relief to a sector whose plight has reached the extreme.

However, the Commission has yet to indicate how this withdrawal of meat from the market is to be shared out amongst the producer countries.

What criteria does the Commission intend to adopt to share out the aforementioned 100 000 tonnes of pigmeat amongst the producer countries? Will it take into account the production levels in each Member State?

Answer given by Mr Fischler on behalf of the Commission

(13 January 1999)

The detailed rules for the food supply programme for Russia are at the moment under preparation and will be published in the Official journal as Commission regulations in the near future.

The Commission will obtain the agreed quantity of pigmeat from the markets through a tender system, which will give the operators in Member States the possibility to make offers in the context of the food supply programme.

(1999/C 207/176) **WRITTEN QUESTION E-3792/98**

by Niels Kofoed (ELDR) to the Commission

(11 December 1998)

Subject: Robots used for milking and Directive 89/362, Chapter III(4)

Pursuant to Chapter III(4) of Directive 89/362 [1] on hygiene, before the milking of the individual cow the milker must inspect the appearance of the milk. It is not possible to comply with this requirement, however, if robots are used for milking. Nevertheless, more than 400 robots are used for milking in the Netherlands, Germany, France, Belgium, Italy and the UK.

What does the Commission intend to do to ensure that the rules are applied uniformly throughout the Union? Will the Commission amend the directive to allow the use of robots under certain conditions? Is the Commission considering measures to enforce the current rules?

[1] OJ L 156, 8.6.1989, p. 30.

Answer given by Mr Fischler on behalf of the Commission

(21 January 1999)

The Commission has been informed of the existence of the milking robots to which the Honourable Member refers. They allow each animal to be milked when it wishes; while the milk cannot be visually inspected by a human operator as a result, it does represent progress both in terms of animal welfare and the farmer's improved quality of life. Physical or chemical sensors should make it possible to assess the quality of the milk as accurately as a visual examination alone.

The Commission intends to evaluate the objectivity of these advances and their compatibility with the highest levels of food safety, which must of course remain paramount. As part of a more general project to simplify the veterinary health directives, the Commission will make inspection visits to Community milk establishments and, based on the resulting reports, will amend the rules if necessary.

(1999/C 207/177) **WRITTEN QUESTION P-3803/98**

by Luigi Moretti (NI) to the Commission

(4 December 1998)

Subject: Siting of radio and TV transmitters in residential areas

A number of articles on the damage which magnetic fields generated by radio and TV transmitters can cause to health have recently appeared in the Italian press.

On 5 November 1998 the author of this question tabled a question to the Commission on the harm which may be caused by such transmitters in residential areas.

Would the Commission now look into the matter without delay, with a view to determining exactly how dangerous such transmitters are?

Answer given by Mr Flynn on behalf of the Commission

(22 January 1999)

The Commission would refer the Honourable Member to its answer to his Written Question E-3491/98 ([1]).

([1]) See page 77.

(1999/C 207/178) **WRITTEN QUESTION P-3807/98**

by Maartje van Putten (PSE) to the Commission

(7 December 1998)

Subject: The alleged dumping on the European market of steel from countries affected by the economic crisis

In the light of the international financial crisis and the devaluation of various national currencies in the countries affected, resulting in falling prices of products from those countries compared with the prices of products from European countries, I should like answers to the following questions:

1. Has the Commission received a complaint from the European steel industries operating in 'Eurofer' concerning the possibility of steel being dumped on the European market by (companies from) countries affected by the economic crisis and, if so, can the Commission state the precise nature of the complaint?

2. What is the Commission's attitude towards the agreements made in early November 1998 in the Steel Committee of the OECD on avoiding protectionist measures in response to the supply of cheap steel from (companies in) countries suffering from the international financial crisis?

3. What is the Commission's attitude towards the final declaration of the Ministerial Conference of the WTO in May in Geneva which said that keeping markets open was a key element in a sustainable solution to the international financial crisis and that protectionist measures should therefore be rejected?

4. Will the Commission take account of the positions adopted by the OECD and the WTO in handling the complaint from 'Eurofer' and, if so, in what way?

Answer given by Sir Leon Brittan on behalf of the Commission

(13 January 1999)

1. The Commission has, indeed, received an anti-dumping complaint concerning hot rolled coils of steel. As required by the Basic anti-dumping regulation (EC) 384/96 ([1]), the Commission is examining whether the complainant has provided sufficient prima facie evidence regarding the existence of dumping and the material injury resulting. Six exporting countries are involved. According to the provisions of the Basic anti-dumping regulation, the Commission, after consultation of Member States, has 45 days from the lodging date to decide whether or not an anti-dumping investigation is warranted.

2. The Commission endorses the statement agreed at the Organisation for economic cooperation and development (OECD) steel committee in November. This stressed the need for all parties to act responsibly, for steel exporting countries to ensure fair trading practices, and for steel importing countries to refrain from disproportionate or hasty responses to pressures on their steel markets.

3. In accordance with the World trade organisation (WTO) ministerial declaration in May 1998 the Commission is fully committed to maintaining current levels of market access while pursuing further liberalisation. The Commission considers that the expansion of trade within a rule-based system will help economies recover from current economic difficulties. In this context, trade defence instruments are necessary to remedy specific situations, as provided in WTO rules.

4. The Eurofer complaint will be assessed on its own merits as is the case with all anti-dumping complaints. This means, in practice, that the Commission will analyze whether there is prima facie evidence supporting the allegations of dumping practices on the one hand and of material injury resulting on the other. If an anti-dumping investigation were to be initiated, it would be conducted in accordance with the Community basic anti-dumping regulation which is in full conformity with the WTO anti-dumping agreement.

(1) OJ L 56, 6.3.1996.

(1999/C 207/179)

WRITTEN QUESTION E-3830/98

by Paul Rübig (PPE) to the Commission

(22 December 1998)

Subject: Impact of international financial turmoil on the European steel market — fairer world trade

The international steel trade faces new challenges; three major regions of the world — Russia, South-East Asia and Latin America — are facing economic problems. The consequences of this are twofold: the shift in traditional trade flows has led to massive increases in imports into Europe, with a 520 % rise in imports from Asia and a 109 % rise in imports from the USA in 1998, and the concentration of markets has resulted in a fall in European exports, exacerbated by a tendency towards regional protectionism. European steel producers have so far coped successfully with this development. What is now needed above all is regulatory measures for the future.

What measures does the Commission consider necessary to ensure fair conditions of competition worldwide? More specifically, will the Commission provide a list of all anti-dumping and anti-subsidy proceedings current or pending?

Answer given by Sir Leon Brittan on behalf of the Commission

(19 January 1999)

The Commission recognises that the Community steel sector has experienced an exceptional surge in imports as well as a fall in exports as a result of the crises that began in South East Asia last year. Under these conditions, it is necessary for all parties to act responsibly, for steel exporting countries to ensure fair trading practices and for steel importing countries to refrain from disproportionate or hasty responses to pressures on their markets.

In accordance with the World trade organisation (WTO) ministerial declaration in May 1998 the Commission is fully committed to maintaining current levels of market access while pursuing further liberalisation. The Commission considers that the expansion of trade within a rule-based system will help economies recover from current economic difficulties. In this context, trade defence instruments are necessary to remedy specific situations, as provided in WTO rules.

The Commission received an anti-dumping complaint and an anti-subsidy complaint from Eurofer about hot rolled coils of steel concern imports from six and three countries respectively. As required by the Basic

anti-dumping Regulation (EC) 384/96 of 22 December 1995 ([1]), the Commission examined the complaints to ensure they met the requirements concerning the provision of prima facie evidence in accordance with the Basic anti-dumping and anti-subsidy legislation, both of which are fully in conformity with the WTO agreements in these areas. Following consultation of the Member States, the Commission decided on 6 January that the prima facie case of the European industry was strong enough to warrant the initiation of full investigation.

The following is the list of current anti-dumping (AD) and anti-subsidy (AS) investigations concerning steel products:

Exporting country	Product	Investigation
Ukraine Croatia	Seamless pipes and tubes	AD
India South Korea	Steel big wire	AD/AS
South Korea	Steel fine wire	AD/AS
India	Steel fine wire	AD/AS
Slovenia SouthAfrica	Steel plates (heavy)	AD
India SouthKorea SouthAfrica Ukraine China Mexico Hungary Poland	Steel wire ropes	AD

([1]) OJ L 56, 6.3.1996.

(1999/C 207/180)

WRITTEN QUESTION E-3832/98

by Paul Rübig (PPE) to the Commission

(22 December 1998)

Subject: Impact of international financial turmoil on the European steel market — training and further training

The international steel trade faces new challenges; three major regions of the world — Russia, South-East Asia and Latin America — are facing economic problems. The consequences of this are twofold: the shift in traditional trade flows has led to massive increases in imports into Europe, with a 520 % rise in imports from Asia and a 109 % rise in imports from the USA in 1998, and the concentration of markets has resulted in a fall in European exports, exacerbated by a tendency towards regional protectionism. European steel producers have so far coped successfully with this development. In future there will also be a need for targeted training and further training for workers in this sector.

What is the Commission's assessment of the current level of training and the further training available in the steel sector? Where should efforts be stepped up in the future?

Answer given by Mr Flynn on behalf of the Commission

(8 February 1999)

The steel industry has experienced many crises over the last twenty years. It has had to make fairly drastic cuts to its labour force, while retraining the workers kept on, in line with ongoing technological progress. As a result, the whole of the present labour force is generally regarded as having a good level of technical training.

Recent examinations of this issue, particularly within the industry itself, suggest that the competitiveness and hence the economic viability of undertakings depend less on the adoption of new production methods and the adaptation of workers to those methods than was previously the case, although both those measures remain necessary. The competitiveness of undertakings would appear to depend increasingly on changes to their internal organisation, based to some extent on workers' individual and collective adherence to a company plan.

Without neglecting technical training, which remains necessary depending on the circumstances, undertakings must therefore, in their workforce training plans, take account of, and perhaps even give priority to, measures designed to make workers more versatile and more collectively and individually aware of their role in the company.

(1999/C 207/181) **WRITTEN QUESTION E-3833/98**

by Paul Rübig (PPE) to the Commission

(22 December 1998)

Subject: Impact of international financial turmoil on the European steel market — enlargement

The international steel trade faces new challenges; three major regions of the world — Russia, South-East Asia and Latin America — are facing economic problems. The consequences of this are twofold: the shift in traditional trade flows has led to massive increases in imports into Europe, with a 520 % rise in imports from Asia and a 109 % rise in imports from the USA in 1998, and the concentration of markets has resulted in a fall in European exports, exacerbated by a tendency towards regional protectionism. European steel producers have so far coped successfully with this development. The number of operators in central and eastern European countries raises important issues for the Union's enlargement strategy.

What importance does the Commission attach to the steel sector in the current and planned accession negotiations, particularly in view of the current situation?

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

(24 February 1999)

As regards the steel sector, the applicant countries will be expected, upon accession, to implement the relevant acquis. In the run up to membership they prepare themselves in the framework of the pre-accession strategy. The Commission attaches great importance to the steel sector in this preparatory phase. In its communication of 7 April 1998 ([1]), the Commission outlined a methodology for supporting steel industry restructuring in the Central and Eastern European countries to ensure a successful integration into the internal market.

([1]) COM(98) 220 final.

(1999/C 207/182) **WRITTEN QUESTION P-3836/98**

by Eva Kjer Hansen (ELDR) to the Commission

(7 December 1998)

Subject: Establishment of an office to investigate internal and external fraud

Will the Commission provide a legal opinion demonstrating how the establishment of an office for the investigation of internal and external fraud completely independent of and without any links to the Commission (as described by Mr Santer during the debate on the Bösch report in plenary on 6 October 1998), can be based on the Treaty, with reference to both the Maastricht Treaty and the Amsterdam Treaty, or whether the establishment of this office would require an amendment to the Treaty?

Will the Commission also state how such a proposal can be compatible with its obligations pursuant to Article 280 of the Amsterdam Treaty, especially in the light of the debate in several countries on the implications of ratification of that article?

Finally, will the Commission state the legal grounds for using the 'catch-all' Article 235 of the current Treaty as the possible legal basis for establishing this office, both in relation to the new Article 280 of the Amsterdam Treaty and in the light of the reservations several Member States have against the use of Article 235?

Answer given by Mr Santer on behalf of the Commission

(2 February 1999)

The Court of Justice has consistently ruled ([1]) that the choice of a legal basis for an instrument should be based on objective factors amenable to judicial review. These include mainly the purpose and content of the instrument. On 1 December 1998 the Commission presented a proposal for a Regulation establishing a European Fraud Investigation Office ([2]). Given its aim and content the proposal is based on Article 235 of the EC Treaty and Article 203 of the Euratom Treaty; the Commission considers that in the current state of Community law the Treaties do not provide a specific legal basis for the Regulation.

In the Explanatory Memorandum to the proposal the Commission points out (paragraph 16) that the Amsterdam Treaty in fact establishes a specific legal basis. The new Article 280 EC provides that under the codecision procedure the Community can adopt 'the necessary measures in the fields of the prevention of and fight against fraud affecting the financial interests of the Community'. The Commission has announced that as soon as the Treaty of Amsterdam comes into force it will amend the proposal using the new provision. Since this proposal for a Regulation is currently under consultation in Parliament more detailed explanations regarding the choice of a legal basis will be supplied in that context.

([1]) Judgment of 13 May 1997 in Case C-233/94 Germany v Parliament and the Council [1997] ECR -2405.
([2]) COM(98) 717 final.

(1999/C 207/183) **WRITTEN QUESTION E-3839/98**

by Viviane Reding (PPE) to the Commission

(22 December 1998)

Subject: Draft directive on 'Food for special medical purposes' and ethical marketing of infant milk

Directives 91/321/EEC ([1]) and 92/52/EEC ([2]) are the result of tireless efforts by the European Parliament to ensure that infant milk is ethically marketed. Their existence has up to now prevented any repetition of tragic events of the past.

The draft directive currently in preparation (Doc. III/53/18/98 Rev -1) places the safeguards provided by the above two directives in jeopardy. Including infant formula and milk in a directive dealing with a great variety of products whose composition is only approximately defined opens the way for the industries in question to circumvent the advertising and labelling restrictions set out in the above directives.

Does the Commission share this view? What does the Commission intend to do to prevent the new directive from being used as a pretext for circumventing European legislation already in force?

([1]) OJ L 175, 4.7.1991, p. 35.
([2]) OJ L 179, 1.7.1992, p. 129.

Answer given by Mr Bangemann on behalf of the Commission

(27 January 1999)

The draft directive to which the Honourable Member refers covers products for special medical purposes. These, according to the definition included in the draft, are products for ' ... feeding of patients with a limited,

impaired or disturbed capacity to take, digest, absorb, metabolise or excrete ordinary foodstuffs or certain nutrients contains therein or metabolites, ...'. They are not comparable to ordinary infant formulae covered by directives 91/321/EEC and 92/52/EEC which are intended for normal healthy infants.

Foods for special medical purposes are necessary for the exclusive or partial feeding of infants with medically-determined nutrient requirements. Failure to meet these requirements may have grave and sometimes fatal consequences for these infants. It is therefore very important that information about existence and use of these products is available. The draft directive also includes the necessary provisions for the safe and appropriate use of these products and imposes a mandatory statement on the label that the products must be used under medical supervision.

The Commission accordingly takes the view that it would not be appropriate to impose the same restrictions on advertising and labelling of these products as those applicable to products intended for use by infants in good health.

(1999/C 207/184) **WRITTEN QUESTION P-3843/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(7 December 1998)

Subject: Preferential treatment by the Greek Government of the Greek Railway Organisation and Post Office

The Greek Ministry of Transport is seeking the adoption of draft legislation for reimbursement of debts incurred by the Greek Railway Organisation (OSE), amounting to DR 550 billion, and the Greek Post Office (ELTA) amounting to DR 70 billion, either from national budget appropriations or by contracting loans guaranteed by the Greek Government. This would enable the Greek Railway Organisation and Post Office to set fares and prices in accordance with different criteria to those applying on the free market.

Can the Commission say if, and to what extent, these provisions are in accordance with Article 86a of the Treaty establishing the European Community (abuse of a dominant position within the market and directly or indirectly imposing prices), if it considers that these measures lead to unfair competition at the expense of private undertakings in the same sectors and to what extent the measures concerning the Post Office are in accordance with the principles of free competition, in particular the provisions of Article 90(2) and 7d of the Treaty, in the light of the decision by the European Court of Justice to recognise the principle of free competition as applying to Post Office services?

Answer given by Mr Van Miert on behalf of the Commission

(25 January 1999)

The Commission is not aware of the measures in favour of the Greek Post Office referred to by the Honourable Member, which have not been notified to it pursuant to Article 93(3) of the EC Treaty. It will therefore have to contact the Greek authorities with a view to obtaining the information in question. A supplementary answer will be sent to the Honourable Member as soon as the Commission is in a position to comment on these two cases.

Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways ([1]) requires the Member States to set up appropriate mechanisms to help reduce the indebtedness of railway undertakings to a level which does not impede sound financial management and to improve their financial situation. The Commission recently adopted a communication on the implementation and impact of the above-mentioned Directive ([2]) which highlights the results achieved by railway undertakings. In its communication it noted that debt servicing continued to represent a heavy burden for railway undertakings in several Member States, including Greece. However, it acknowledged that the overall debt of railway undertakings in the Community had improved between 1980 and 1995.

With regard to the measures in favour of the Greek Railway Organisation referred to by the Honourable Member, the Commission would point out that Directive 91/440/EEC states that aid for rail transport must be granted in accordance with Articles 77, 92 and 93 of the EC Treaty. However, the specific measures introduced

by Council Regulation (EEC) 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway ([3]), by Council Regulation (EEC) 1191/69 of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway ([4]) and by Council Regulation (EEC) 1192/69 of 26 June 1969 on common rules for the normalisation of the accounts of railway undertakings continue to apply. The compensation, aid and intervention granted by national authorities on the basis of the aforementioned Regulations are notified regularly to the Commission, which makes this information available to the Member States in the form of an analytical report. The Commission is currently updating the report for 1997.

([1]) OJ L 237, 24.8.1991.
([2]) COM(98) 202 final.
([3]) OJ L 130, 15.6.1970.
([4]) OJ L 156, 28.6.1969.

(1999/C 207/185) **WRITTEN QUESTION E-3851/98**

by Sören Wibe (PSE) to the Commission

(4 January 1999)

Subject: Suitability of 'Ice-Cream War' as propaganda in all 15 Member States

Material in the form of a comic strip entitled 'The Ice-Cream War', aimed at the younger youth bracket, has been published in all the official languages of the Union.

In the UK, however, the material has reportedly been cancelled following a debate in the House of Commons and, in Denmark, the Commission's information office is not distributing the material as it is not considered to be appropriate to the Danish debate.

'The Ice-Cream War' contains propaganda for EMU. To date, three Member States have declined to take part in EMU. Under these circumstances, is it appropriate for the Commission to produce and distribute material propagandising for EMU in a Member State which has decided not to take part in EMU?

Would it not be appropriate to withdraw the Swedish edition of 'The Ice-Cream War' on grounds of the EMU propaganda contained in the material?

Answer given by Mr Oreja on behalf of the Commission

(4 February 1999)

The Commission publication 'The Raspberry Ice Cream War' ([1]) (Swedish title 'Glasskriget') aims at explaining some basic Community policies concerning the internal market. In this context it briefly mentions the introduction of the euro. The Commission would not agree that this publication amounts to 'propaganda'. The Commission's representations in the Member States advise the Commission on the suitability for distribution of centrally-produced publications. It is true that, on the basis of such advice, the Commission chose not to distribute 'The Raspberry Ice Cream War' in certain Member States. In others, the Commission notes, the publication is proving popular.

([1]) ISDN 92-828-2341-5.

(1999/C 207/186) **WRITTEN QUESTION E-3856/98**

by Cristiana Muscardini (NI) to the Commission

(4 January 1999)

Subject: Freedom of movement for sports coaches

1. Is it true that the Italian Government (through the Italian National Olympics Committee, sports academies and technical bodies) discriminates against its own people and against sports professionals by

preventing them from practising freely both within Italy and in Europe as a whole on account of the fact that the relevant law decrees have not yet been revised in accordance with Community Directives 89/48 [1] and 92/51 [2], which were due to be implemented by June 1994?

2. Is it true that the Italian National Olympics Committee has a monopoly on sports training courses (including courses financed by the European Social Fund) and that the national sports federations do not ensure that their courses correspond to the five levels laid down in the rules agreed at the European Council held in Milan in 1985?

3. Is it true that certain Italian sports institutes, promotional bodies, private schools and sporting associations issue diplomas from the Central Sports Academy relating to the training of highly qualified technicians (secondary education plus three years' professional experience in accordance with EU rules) and sports instructors, thus enabling them to work either as salaried professionals or on an independent basis?

4. If the answers to the above questions are in the affirmative, what action does the Commission intend to take in order to ensure that the situation is brought into line with the principles and rules laid down in Community law?

[1] OJ L 19, 24.1.1989, p. 16.
[2] OJ L 209, 24.7.1992, p. 25.

Answer by Mr Monti on behalf of the Commission

(23 February 1999)

The honourable Member refers primarily to Directives 89/48/EEC and 92/51/EEC. Council Directive 89/48/EEC of 21 December 1988 implemented a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration. This Directive was supplemented by Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training. The latter Directive deals with diplomas which were not covered by Directive 89/48/EEC. The qualifications for sports instructors are covered, with certain exceptions, by Directive 92/51/EEC. Under the general system for the recognition of diplomas, a person who is fully qualified to exercise a profession in one Member State must, in principle, be able to exercise that profession in another Member State.

Italy, like all the other Member States, had to bring its legislation in line with these directives. Until now, the Commission has not been made aware of any particular difficulty in the recognition of diplomas for sports instructors in Italy.

It should be stressed that these directives apply only when there is a cross-border element, in other words, when a person who has been awarded a qualification in another Member State (whether this person be Italian or a national of another Member State) wishes to have this qualification recognised for the purposes of working in Italy. The mechanisms implemented by these directives do not cover the situation of persons trained in Italy and wishing to work there, which is a purely domestic matter.

In addition, the Commission cannot impose on Italy specific measures for regulating the profession. In accordance with the principle of subsidiarity, the Member States are legally sovereign as regards regulations on professions. As a result, certain professions exist in some Member States, but not in others. Sometimes even the same name will represent different professions. By the same token, the training qualifications required to enter into the same profession can also vary. The Commission is therefore not in a position to intervene in the way in which Italy regulates the profession of sports instructor on its own territory. However, the Italian authorities do, of course, have a duty to implement mechanisms for recognising diplomas and to abolish any measure that could be considered to be discriminatory.

The honourable Member also mentions the five training levels established by Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States [1]. However, the aim of this Decision was to encourage, not force, the Member States to implement a similar system. Article 2 of the Decision stipulates that the structure of training levels covered in the annex may be used. It also states that 'the text of the said structure is attached to this Decision for information purposes'. The Italian authorities are therefore entitled to either implement or reject the proposed structure as they see fit.

[1] OJ L 199, 31.7.1985.

(1999/C 207/187) **WRITTEN QUESTION P-3862/98**

by Joan Colom i Naval (PSE) to the Commission

(9 December 1998)

Subject: Television advertising

The 'Television without frontiers' Directive regulates, among other things, television advertising, specifically as regards commercial breaks during programmes or films.

Can the Commission say whether the Member States and Spain in particular are complying with the Directive or any other rules that might apply?

Answer given by Mr Oreja on behalf of the Commission

(4 February 1999)

Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities [1] (Television without Frontiers Directive) contains provisions on the amount of advertising transmission time permissible on television (hourly and daily limits, Article 18), the number and manner of advertising interruptions (Article 11), and the content and presentation of advertisements (Articles 10 to 16). There are also specific rules on sponsorship (Article 17).

A number of complaints have been referred to the Commission regarding the alleged failure in some Member States to comply with advertising rules. These complaints, which are generally lodged by consumer associations, relate to the systematic exceeding of authorised transmission times. More specifically, the problems concern the practices in certain broadcasting organisations, in Greece, Spain, Italy and Portugal.

The Commission is in the process of gathering the necessary information to assess the extent to which these alleged excesses could constitute infringements by the Member States concerned, in order to take the appropriate measures if necessary.

[1] OJ L 298, 17.10.1989.

(1999/C 207/188) **WRITTEN QUESTION E-3874/98**

by Raimo Ilaskivi (PPE) to the Commission

(4 January 1999)

Subject: Report on EU aid for Yasser Arafat

According to an EU report which has been leaked to the public, aid approved by the European Union to provide support for poor districts in Gaza and the West Bank may have been used to build homes for close associates of Yasser Arafat. The report claims that as much as FM 115 million has been spent on unexplained projects.

What measures does the Commission plan to take to check the truth of the allegations made in the report referred to above? And what steps does it plan to take to demand the return of misappropriated EU aid should the suspicions be confirmed?

Answer given by Mr Marín on behalf of the Commission

(12 February 1999)

The Community is the first world donor to the Palestinians. The Community budget and the Member States provide 54 % of total assistance to the West Bank and Gaza Strip.

Some press articles have recently questioned the way in which one Community financed project has been implemented, concerning support given to the Palestinian housing council (PHC).

The project was conceived right after the Gulf war, under exceptional political, economic and social circumstances. The main objectives were to provide housing for 2 000 families (about 12 000 people), create jobs (over 30 000 man-months), inject investment into the depressed Palestinian economy, create a revolving fund for further housing construction and stimulate a downstream multiplier effect for small business. The project has achieved results. Over 2 000 apartments have been built and a revolving fund has been established for further construction. As many as 30 700 man-months of construction works have been created so far.

A financial audit of the PHC project was made in July 1998. It states that no financial irregularities were found in the project and that the majority of the objectives of the project have been met (promotion of the housing development, encouragement of a balanced approach to meet economic and social needs, provision of employment, stimulation of internal economic and social needs, development of management and financial skills and administration, and encouragement of training in construction). One of the objectives, namely keeping the cost of construction very low, was not attained. The financial audit states that no Community funds should be reimbursed.

(1999/C 207/189) **WRITTEN QUESTION E-3875/98**

by Philippe Monfils (ELDR) to the Commission

(4 January 1999)

Subject: Irregularity in the authorisation for the construction of an incinerator at Drogenbos (Belgium)

During Question Time at the second March 1998 part-session, I asked the Commission (Oral Question H-0329/98) whether the decision of the Flemish Regional Government to uphold the granting by the Flemish Brabant Permanent Committee of an environmental permit for the construction of a waste incinerator at Drogenbos did not violate several European environmental directives. The Commission replied in substance that a similar complaint had already been submitted and that, if examination of the case confirmed a breach of Community law, the Commission would be in a position to decide whether it would be appropriate to initiate an infringement procedure.

Having received no further information, I tabled another question to the Commission (E-3326/98) asking if the Commission could state whether its investigations had confirmed an infringement and, if so, whether a decision to initiate the infringement procedure had been taken and what the grounds for such a decision were.

Since I have still not received either a positive or a negative reply, I would now ask the Commission to make known its decision regarding the initiation of the infringement procedure.

The Commission's decision is all the more urgent since the Flemish Region has just issued the permit for the construction of the incinerator.

Answer given by Mrs Bjerregaard on behalf of the Commission

(11 February 1999)

Following the examination of the complaints about the incinerator referred to by the Honourable Member, the Commission has decided to start infringement proceedings against Belgium pursuant to Article 169 of the EC Treaty on account of a presumed infringement of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment ([1]).

([1]) OJ L 175, 5.7.1985.

(1999/C 207/190) **WRITTEN QUESTION E-3877/98**

by Riccardo Garosci (PPE) to the Commission

(4 January 1999)

Subject: Statements made by EU experts at the joint EP/Commission conference on food safety and the BSE crisis

At the joint EP/Commission conference on food safety following the BSE crisis held in Brussels on 30 November 1998, several speakers, including members of the SSC and the SCAN, expressed doubts about the countries with no cases of BSE, maintaining that the disease does not stop at borders and that checks in those countries are minimal, which is why few cases have been recorded. Given that there was much talk during the conference of 'transparency' and information, such allegations are extremely serious.

Annex 6 to the second quarterly report of the BSE monitoring committee states that only 3 countries have had an extremely limited number of cases of BSE: Denmark (1), Luxembourg (1) and Italy (2). In view of the above, would the experts provide more information on the doubts voiced at the meeting? It is unacceptable for people in their position to make unsubstantiated allegations of this kind.

Answer given by Mr Fischler on behalf of the Commission

(28 January 1999)

At the joint EP/Commission conference on 30 November and 1 December 1998, the verbatim report of which is already available on the Commission's internet site, the scientific experts present made known their views on the situation in the Community as regards bovine spongiform encephalopathy and its likely trend. They spoke in complete independence and openness. The Commission cannot therefore respond on their behalf to the Honourable Member's request.

Under Commission Decision 98/272/EC of 23 April 1998 on epidemio-surveillance for transmissible spongiform encephalopathies and amending Decision 94/474/EC [1] a first review of surveillance for TSEs will be made in spring 1999. On this occasion the Commission, in order to check that the purposes for which the Decision was adopted have been attained, will carefully examine the programmes set up by Member States.

[1] OJ L 122, 24.4.1998.

(1999/C 207/191) **WRITTEN QUESTION P-3879/98**

by Daniela Raschhofer (NI) to the Commission

(11 December 1998)

Subject: 'World Vision Austria' and misappropriation of funds

It recently emerged in Austria that a large amount of funds — Sch. 15 million — destined for the 'World Vision Austria' aid organisation had been misappropriated.

Since an Austrian Member of the European Parliament and EU project funds are involved, will the Commission answer the following questions:

1. What official contacts and links exist between the aid organisation 'World Vision Austria' and the European Union?

2. Are any aid projects being carried out by 'World Vision Austria' on behalf of, or in cooperation with, the European Union, and if so which projects?

3. What are the objectives and who are the recipients of the aid?

4. How much money was allocated to the aid projects?

5. Does the Commission know whether the aid reached its destination and the objective of the aid measures was attained?

6. Was any pressure applied to entrust an EU aid project for Bosnia to the aid organisation 'World Vision', and if so by whom?

7. Which Austrian NGOs does the Commission work with in carrying out aid projects?

8. What is the level of EU funds thus allocated to people in need?

Answer given by Ms Bonino on behalf of the Commission

(20 January 1999)

The Commission has taken the matter referred to by the Honourable Member in hand. At present it does not have sufficient information to confirm or refute the allegations.

Between 1996 and 1998, the Commission concluded three humanitarian aid contracts with World Vision Austria accounting for a total of ECU 1 022 000, all for emergency rehabilitation projects in former Yugoslavia, enabling minority groups to return to the canton of Zenica-Doboj. The projects benefited some 228 families whose homes were rehabilitated and 150 pupils of the primary school in Cobe. All three were completed satisfactorily.

The other Austrian non-governmental organisations with which the Commission works in the field of humanitarian aid are the Austrian Help Program, Care Osterreich, Caritas Austria, Osterreichisches Hilfswerk International, the Austrian Red Cross and SOS Kinderdorf.

The budget allocated by the budgetary authority to humanitarian aid under Chapter B7-21 for 1998, including additions, is ECU 475 million.

(1999/C 207/192) **WRITTEN QUESTION E-3883/98**

by Michl Ebner (PPE) to the Council

(4 January 1999)

Subject: European Civilian Service

Most Member States of the Union acknowledge civilian service, but some, like Greece, do not. Accordingly, in the latter instance, people who refuse to undertake military service on religious or conscientious grounds are persecuted by national authorities.

On 22 September 1995, the European Parliament adopted a resolution (B4-1127/95) [1] on the establishment of a European Civilian Service in which it called on the Commission to submit a proposal for the establishment of a European Civilian Service.

Does the Council intend:

— as part of the process for the harmonisation of the legal system in the European Union, to put in hand an approximation of the relevant laws of the various Member States, and

— does it intend, in connection with the mobility of the inhabitants of the European Union, to devise a system which would permit the establishment of a genuine European Civilian Service or enable individuals to serve in a Civilian Service in a Member State of the Union other their own?

[1] OJ C 269, 16.10.1995, p. 232.

Reply

(9 March 1999)

The Honourable Member suggests devising a system that would permit the establishment of a European Civilian Service; however, the Treaties do not give the European Union any powers to harmonise Member States' legal systems in this regard.

(1999/C 207/193) **WRITTEN QUESTION E-3889/98**

by Graham Watson (ELDR) to the Commission

(4 January 1999)

Subject: EU tropical forestry sourcebook

In November 1998, Members of the European Parliament received from the Commission a copy of a 400-page sourcebook on EU aid to tropical forestry printed on art paper in A4 format.

Can the Commission confirm that the EU tropical forestry sourcebook was produced with recycled paper?

Does the Commission know how many trees were used to produce the entire edition of this publication?

Answer given by Mr Pinheiro on behalf of the Commission

(21 January 1999)

The 'EU Tropical Forestry Sourcebook', a joint publication of the Commission and the Overseas development institute, was produced entirely from sylvan coat — a recycled paper.

It is not possible to calculate how many trees were used as recycled paper uses pulp in a way which makes it very difficult to measure.

(1999/C 207/194) **WRITTEN QUESTION E-3890/98**

by Odile Leperre-Verrier (ARE) to the Commission

(4 January 1999)

Subject: Action aimed at young people in the Mediterranean area

In its reply to Written Question E-1253/98 ([1]), which was put to it in April 1998, the Commission stated that, in connection with the Barcelona Conference, 'a Euro-Mediterranean youth exchange programme should be established' and that 'specific initiatives for youth will be put forward shortly.'

Would the Commission say what measures it has launched thus far, given its statement to the effect that such activities might be introduced in 1998?

([1]) OJ C 386, 11.12.1998, p. 100.

Answer given by Mr Marín on behalf of the Commission

(8 February 1999)

On 27 October 1998 the Commission approved the setting-up of the Euro-Mediterranean youth action programme. This programme will receive EUR 6 million in MEDA funds over two years to finance youth exchanges, the integration of young people in social and professional life and the democratisation of civil society in the Mediterranean partner countries. It is also aimed at fostering citizenship among young people in their local communities and actively involving young people and their organisations in enhancing the employability of the young people concerned.

The thrust of the programme is two-fold: to promote multilateral youth exchanges and a number of voluntary service activities. There will also be some activities to provide incentives, kick-starting and assistance to improve the quality of both the exchanges and the levee of involvement of the young people concerned: short training courses, the provision of information, study visits, support for the setting-up of national youth councils, and cooperation on studies into the situation of young people.

The programme will draw on the experience gained through the Community programme Youth for Europe, with the assistance of the Socrates technical assistance office. National officers will be appointed in each of the 12 partner countries to promote and manage the programme in liaison with the European coordinating organisations, in particular the national Youth for Europe agencies in each of the Member States.

The programme was submitted to the Euro-Mediterranean Committee in Barcelona on 25 November 1998 and was endorsed by the 27 Euro-Mediterranean partners. It will become operational in early 1999. Since 1995, the Youth for Europe programme has supported projects involving young people in the Community and Mediterranean partner countries to the tune of some EUR 1 million annually; since 1996 it has funded a number of young European volunteers as part of the European Voluntary Service initiative.

(1999/C 207/195) **WRITTEN QUESTION P-3893/98**

by Arlindo Cunha (PPE) to the Commission

(11 December 1998)

Subject: Tomato quotas

How can the Commission be planning to redistribute the 1999 tomato quotas on the basis of data supplied by each Member State, when it knows that there are legitimate grounds for doubting the veracity of some of these figures?

What procedure will the Commission adopt if, once the quotas have been redistributed, it should indeed be proven that the figures used were false?

How will producers in the Member States be compensated for the losses suffered as a result of the decision establishing their quotas?

Answer given by Mr Fischler on behalf of the Commission

(13 January 1999)

As regards the veracity of the data used to calculate the allocation of the quotas between the Member States for the 1999/2000 marketing year, which the Honourable Member has cast doubts on, the Commission is aware only that judicial investigations are under way in one Member State.

The Commission will calculate the relevant quotas using the official information from the Member States, which it must use as long as such information is not invalidated by accurate and undeniable findings (especially legal) to the contrary.

If the Honourable Member has this information, he is invited to provide it to the Commission.

(1999/C 207/196) **WRITTEN QUESTION E-3899/98**

by Patricia McKenna (V) to the Commission

(4 January 1999)

Subject: Participation of Commissioner Emma Bonino in the 1998 Bilderberg meeting

Concerning the Bilderberg meeting attended by Commissioner Bonino in Turnberry, Scotland from 14-17 May 1998, could the Commission state:

1. What the items were which made up the total travel and whether the costs were reimbursed at the time, or if not who paid them?

2. Since Bilderberg normally pays the lavish accommodation, should this be declared by the Commissioner?

3. Did the Commissioner receive the specified subsistence allowance for the days of the trip?

4. Did the Commissioner take leave of absence for this trip?

(1999/C 207/197) **WRITTEN QUESTION E-3900/98**

by Patricia McKenna (V) to the Commission

(4 January 1999)

Subject: Participation of Commissioner Hans van den Broek in the 1995 Bilderberg meeting

Concerning the Bilderberg meeting attended by Commissioner van den Broek in Bürgenstock from 8-11 June 1995, could the Commission state:

1. What the items were which made up the total travel and whether the costs were reimbursed at the time, or if not who paid them?

2. Since Bilderberg normally pays the lavish accommodation, should this be declared by the Commissioner?

3. Did the Commissioner receive the specified subsistence allowance for the days of the trip?

4. Did the Commissioner take leave of absence for this trip?

(1999/C 207/198) **WRITTEN QUESTION E-3901/98**

by Patricia McKenna (V) to the Commission

(4 January 1999)

Subject: Participation of Commissioner Leon Brittan in the 1998 Bilderberg meeting

Concerning the Bilderberg meeting attended by Commissioner Leon Brittan in Turnberry, Scotland from 14-17 May 1998, could the Commission state:

1. What the items were which made up the total travel and whether the costs were reimbursed at the time, or if not who paid them?

2. Since Bilderberg normally pays the lavish accommodation, should this be declared by the Commissioner?

3. Did the Commissioner receive the specified subsistence allowance for the days of the trip?

4. Did the Commissioner take leave of absence for this trip?

(1999/C 207/199) **WRITTEN QUESTION E-3902/98**

by Patricia McKenna (V) to the Commission

(4 January 1999)

Subject: Participation of Commissioner Ritt Bjerregaard in the 1995 Bilderberg meeting

Concerning the Bilderberg meeting attended by Commissioner Bjerregaard in Bürgenstock from 8-11 June 1995, could the Commission state:

1. What the items were which made up the total travel and whether the costs were reimbursed at the time, or if not who paid them?

2. Since Bilderberg normally pays the lavish accommodation, should this be declared by the Commissioner?

3. Did the Commissioner receive the specified subsistence allowance for the days of the trip?

4. Did the Commissioner take leave of absence for this trip?

(1999/C 207/200)

WRITTEN QUESTION E-3903/98

by Patricia McKenna (V) to the Commission

(4 January 1999)

Subject: Participation of Commissioner Mario Monti in Bilderberg

Concerning the Bilderberg meeting attended by Commissioner Monti in Toronto from 30 May to 2 June 1996, could the Commission state:

1. What the items were which made up the total travel and whether the costs were reimbursed at the time, or if not who paid them?

2. Since Bilderberg normally pays the lavish accommodation, should this be declared by the Commissioner?

3. Did the Commissioner receive the specified subsistence allowance for the days of the trip?

4. Did the Commissioner take leave of absence for this trip

Does the Commission feel that Commissioner Monti should have declared his membership of the Bilderberg Steering Committee, and if not, why not?

Joint answer
to Written Questions E-3899/98, E-3900/98, E-3901/98, E-3902/98 and E-3903/98
given by Mr Santer on behalf of the Commission

(5 February 1999)

Travel and accommodation costs were covered in accordance with the provisions currently in force.

With respect to Mr Monti's participation at the Bilderberg Steering Committee meeting, the Commission would refer the Honourable Member to the answer to her oral question H-933/98 at question time at the second November part-session [1].

[1] Debates of the Parliament (November II 1998).

(1999/C 207/201)

WRITTEN QUESTION E-3911/98

by Jean-Claude Pasty (UPE) to the Commission

(4 January 1999)

Subject: Tariff and statistical nomenclature and the common customs tariff in respect of truffles

Commission Regulation (EC) 2261/98 [1] amends Annex I to Council Regulation (EEC) 2658/87 [2] on the tariff and statistical nomenclature and on the common customs tariff in respect of truffles. Truffles crop up in several places in that Annex — under code NC 0709 52 00 'Truffles', which gives an indication of the excise duty, and under code NC 0712 30 00, which covers 'Mushrooms and truffles'.

Despite its immense merit, the nomenclature is not specific enough as regards 'truffles'. That one word may actually encompass a dozen or so varieties of widely differing quality (and, hence, price), such as tuber melanosporum, tuber magnatum, tuber aestivum and tuber uncinatum, to name but the most widely marketed varieties.

Accordingly, with a view to establishing accurate statistics about the numbers being marketed, to setting appropriate tariffs and, not least, to ensuring consumer safety, does not the Commission feel that the 'truffles' line should be expanded while it exists and, in particular, while there is no general approach, for example in respect of quotas, to 'Mushrooms and truffles'?

Furthermore, could not the French standard for 'fresh truffles', which was adopted two years ago and includes a precise classification of the various varieties marketed, serve as a working basis for this issue?

[1] OJ L 292, 30.10.1998, p. 1.
[2] OJ L 256, 7.9.1987, p. 1.

Answer given by Mr Monti on behalf of the Commission

(11 February 1999)

The tariff and statistical nomenclature currently has three headings referring to truffles: 0709 52 ('fresh' truffles), 0712 30 (mushrooms and truffles, provisionally preserved but unsuitable in that state for immediate consumption) and 2003 20 (truffles, prepared or preserved otherwise than by vinegar or acetic acid).

The volumes and value of trade in the goods of codes 0709 52 and 2003 20 are fairly low, at EUR 270 000 and EUR 140 000 respectively (1997). In the case of the mushrooms and truffles of code 0712 30 the value of imports is a higher EUR 66 million. Though it is not possible to divide the statistics between mushrooms and truffles, the fact that the output of a valuable item like the truffle cannot be high suggests that truffles do not account for a large proportion of the amount in question.

Because (i) the Commission has embarked on simplifying and modernising the tariff and statistical nomenclature and (ii) increases in the number of statistical headings place an added administrative burden on companies, particularly small and medium-sized enterprises (SME), further subdivision to separate truffles and mushrooms does not seem an appropriate step.

(1999/C 207/202) **WRITTEN QUESTION E-3927/98**

by Paul Lannoye (V) to the Commission

(4 January 1999)

Subject: A 41 Annecy-Geneva motorway

Earlier this year, the French Minister of Transport, Mr Jean-Claude Gayssot, suspended work on the construction of the A 41 Annecy-Geneva motorway in order to allow the proper signature of the contract with the construction company. There are, however, reasons to believe that for the A 41 Annecy-Geneva motorway project, European legislation regarding public investment (e.g. Directives 89/440 [1] and 93/37 [2] has not been applied at all or at least not in a correct manner.

I should therefore like to know:

1. whether the French Government has issued a European 'call for tender' with respect to the building of the A 41 motorway as required under Directive 89/440/EEC, which had to be transposed by July 1990,

2. whether there has been any exchange of letters between the Commission and the French Government about the A 41 motorway and the choice of the company, Autoroute et Tunnel du Mont Blanc (ATMB), which was already responsible for the Tunnel and the 'white motorway' (A 40 motorway),

3. whether the Commission considers that the French Government has applied European legislation on public investment in a proper way?

([1]) OJ L 210, 21.7.1989, p. 1.
([2]) OJ L 199, 9.8.1993, p. 54.

Answer given by Mr Monti on behalf of the Commission

(24 February 1999)

The question of whether the system of motorway concessions in France is compatible with Community law on public works contracts is currently the subject of a thorough investigation by the Commission, along with the compatibility of the systems in the other Member States which are in a similar situation.

In recent months the Commission and the French authorities have discussed this issue on several occasions, and as a result the latter have undertaken to provide certain information and explanations that have proved to be necessary for this investigation. The Commission is waiting to have all the material available before deciding what action should be taken.

(1999/C 207/203) **WRITTEN QUESTION E-3934/98**

by Carlos Robles Piquer (PPE) to the Commission

(4 January 1999)

Subject: Use of nuclear energy for the desalination of sea water in arid countries

At its last conference the International Atomic Energy Agency, a United Nations body, proposed the urgent development of programmes for the desalination of sea water using small nuclear reactors.

At its last assembly in September it asked its Director to give priority to this option and to promote international cooperation in this field.

Can the Commission say what the European Union's position is on this subject, in particular the possibilities of cheap nuclear desalination in North Africa (Maghreb and Mashreq countries) in accordance with the study on the subject carried out by the IAEA?

Answer given by Mr Papoutsis on behalf of the Commission

(3 February 1999)

For very many years the Commission has been monitoring the work carried out by the International Atomic Energy Agency (IAEA) on the possible use of nuclear reactors for the desalination of sea water.

The Commission considers, moreover, that the use of the nuclear option requires high levels of expertise, experience and safety. It also demands high-level non-proliferation assurances and the existence of strong and independent safety authorities. Currently, these conditions do not all appear to have been met in the region referred to by the Honourable Member.

(1999/C 207/204) **WRITTEN QUESTION E-3937/98**

by Carlos Robles Piquer (PPE) to the Council

(4 January 1999)

Subject: Immediate prospects for the long-term nuclear fusion project

The US Department of Energy's decision to withdraw its researchers from foreign centres involved in the current ITER project presents the other partners — the EU, Japan and Russia — with difficult decisions.

According to information published recently, Europe has decided to continue for a few years without increasing its funding.

Furthermore, the loss of confidence in the long-term viability of the tokamak option (ITER) is renewing interest in other options such as stellarator-type reactors.

Can the Council say what its intentions are in this area and what the Japanese and Russian positions are? Also, can it examine the EU's budget line earmarked for this purpose for the duration of the Fifth Framework Programme? Finally, does it consider that the justification for this line can remain unchanged following the US decision?

Reply

(9 March 1999)

1. On 30 June 1998, the European Atomic Energy Community approved the extension of the ITER-EDA ([1]) agreement for three years (22 July 1998 to 21 July 2001) ([2]). The three-year extension was also approved by two of its partners to the agreement, Russia (on 16 June 1998) and Japan (on 14 July 1998).

On 22 September 1998, the United States (the fourth ITER partner) approved an extension of the agreement for one year only (22 July 1998 to 21 July 1999) on the understanding that during that period it would evaluate the prospects for its future participation ([3]).

2. On 22 December 1998, the Council adopted the Fifth Euratom Framework Programme for research and training activities (1998-2002), including a financial reference amount of ECU 1 260 million of which 788 million for thermonuclear fusion (in the Fourth Framework Programme the amount for fusion was ECU 840 million).

The Council also reached agreement on the two research and training programmes; in particular, that research on thermonuclear fusion should be carried out only by means of indirect actions. The objective of the key action on fusion remains, as in the past, to develop the capacity to construct and operate an experimental reactor (the 'next step'), without prejudice to the decision to be taken concerning such construction. Whilst magnetic confinement, including tokamak, spherical tokamak, stellarator and reversed field pinch, will constitute the main line of activity, coordination of national efforts in inertial confinement and alternative concepts will be pursued in the context of a keep-in-touch activity.

3. The Council does not expect the priorities of the fusion programme to change during the lifetime of the Fifth Framework Programme. However, the programme will be kept under regular review. In particular, should there be a change regarding the participation of one of the ITER partners, the Council will reassess the situation.

([1]) Engineering design activities for the international thermonuclear experimental reactor.
([2]) OJ L 335, 10.12.1998, p. 61.
([3]) OJ L 335, 10.12.1998, p. 63.

(1999/C 207/205) **WRITTEN QUESTION E-3939/98**

by Carlos Robles Piquer (PPE) to the Council

(4 January 1999)

Subject: Assessing the various consequences of abandoning the International Space Station

The first section of the International Space Station was launched successfully from Baikonur (Kazakhstan) on 20 November 1998. It is designed to turn into reality things that have for decades been science-fiction dreams. On 3 December the module Zarya (Sunrise) will be joined by the connecting module Unity launched from the United States. There have already been delays owing to economic problems in Russia, but the most serious problem is that there is a new timetable for Russia's launching of the service module, now scheduled for July 1999. In the meantime there is growing criticism. A significant example is the editorial in the 14 November issue of The Economist, which says 'With Russia's contribution to the project fast dwindling to nothing, the station is now losing even symbolic value ..., should it be going ahead at all? The answer is no.' Nothing is said about assessing the consequences of abandoning the project.

All this is symptomatic of the growing difficulties of international cooperation in various fields of megascience, space, nuclear fusion, etc. Can the Council say what the European position is and what is at stake for the European Space Agency and its members?

Reply

(15 March 1999)

The Council is not in a position to answer this question which would appear to be a matter for the European Space Agency (of which, moreover, not all Member States are members).

It is recalled that Community RTD space-related activities are limited to coordination of activities in those fields of applications (telecommunications, navigation and earth observation) which benefit from space technologies and systems, whilst ensuring synergy with ESA activities.

The Fifth Framework Programme for research, technological development and demonstration (1998 to 2002) does not include a 'space' activity as such.

(1999/C 207/206) **WRITTEN QUESTION E-3948/98**

by Johanna Maij-Weggen (PPE) to the Commission

(4 January 1999)

Subject: Award of DG VIII supply contracts

Under present development-aid arrangements, contracts are awarded by the Commission to third-party suppliers. Can the Commission state what conditions, in particular rules of origin, govern the supply to developing countries of such products as agricultural machinery? Do the same rules of origin also apply to machine components? Can use also be made of undertakings that are established in developing countries, including the recipient country?

Can the Commission set out the reasons for imposing the condition that products may originate only in the Community? Does the Commission not consider that it would be of some assistance to developing countries if products or product components were also allowed to originate in developing countries?

Are the same conditions applied to other programmes such as PHARE or TACIS?

Answer given by Mr Pinheiro on behalf of the Commission

(11 February 1999)

Where aid to non-member countries from the European Development Fund (EDF) is concerned, Article 294(1)(b) of the Lomé Convention stipulates that 'supplies must originate in the Community and/or the ACP States, in accordance with the provisions of Annex LIV', a provision which is repeated in Article 4.1(b) of the general regulations, general conditions and procedural rules on conciliation and arbitration for works, supply and service contracts financed by the European Development Fund (EDF). Where contracts funded under Phare and Tacis are concerned, an equivalent clause in inserted in the standard instructions to tenderers. In both cases, eligibility extends to products originating in any beneficiary country on equal terms with Community products.

Furthermore, in duly justified cases, permission can be given (Article 296 of the Lomé Convention; Articles 4 and 6 of the general regulations, general conditions and procedural rules) for firms from non-ACP (African, Caribbean and Pacific) developing countries to tender. Similar exceptions can be made for Phare and Tacis contracts under Article 114(2) of the Financial Regulation applicable to the general budget of the European Communities ([1]).

([1]) OJ L 356, 31.12.1977.

(1999/C 207/207) **WRITTEN QUESTION E-3949/98**

by Johanna Maij-Weggen (PPE) to the Commission

(4 January 1999)

Subject: VAT rates for veterinary surgeons

Can the Commission specify the rates at which VAT is applied to the services of veterinary surgeons in each of the EU Member States?

Answer given by Mr Monti on behalf of the Commission

(12 February 1999)

VAT rates applied to veterinary services as at 1 January 1999

Rate %	B	DK	D	GR	E	F	IRL	I	L	NL	AT	P	FI	SE	UK
Standard	21	25	16	18	16	20,6	12,5	20	12	17,5	20	17	22	25	17,5
Special					7	5,5						12			

(1999/C 207/208) **WRITTEN QUESTION E-3952/98**

by Nuala Ahern (V) to the Council

(4 January 1999)

Subject: German Government's plans to halt nuclear reprocessing

What coordination has been undertaken by the Presidency in the Troika to take forward the German Government's plans to halt nuclear reprocessing and introduce 'safe storage' alternatives for irradiated spent nuclear fuel and other radioactive waste?

Reply

(15 March 1999)

The German Government's plan to which the Honourable Member refers is a matter for the Member State concerned.

The Council has not to date received a Commission proposal on the management of radioactive waste, to which the aspects raised in this question relate.

(1999/C 207/209) **WRITTEN QUESTION E-3957/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(4 January 1999)

Subject: Safe delivery of food aid to Russia

The European Union has promised Russia food aid to the value of 2,4 billion marks in the form of cereals, rice, meat and milk powder. However, ensuring the safe delivery of food aid is seen as a problem, as it is difficult to supervise in Russia.

What will the Commission do, in cooperation with the Russian authorities, to ensure that food aid reaches its intended destination?

Answer given by Mr Fischler on behalf of the Commission

(27 January 1999)

A number of measures have been taken in relation to the control of the distribution of the food aid programme within the Russian Federation.

The regions and areas that will be the beneficiaries of the programme as well as the distribution of the products by region are listed in an annex to the memorandum of understanding between the Community and Russia. This annex will be subject to an official decision by the government of the Russian Federation, which will be published. Consequently, all regional governors will be able to check that they receive the quantities which have been designated for them.

The products included in the programme will be delivered in several consecutive steps. The Russian government will on a monthly basis transmit reports on the implementation of the programme to the Commission. The reports will contain all necessary details on the implementation of the programme (by product and by region) as well as a record of the special account and its use.

The Court of auditors of the Community has the right to carry out audits in the Russian Federation related to the food supply programme. Pursuant to Article 1(4) of Council Regulation (EC) 2802/98 of 17 December 1998, the memorandum will provide for monitoring, auditing, control and evaluation activities to be carried out within the Russian territory, in particular by the Court of auditors or by outside bodies delegated by the Commission for the purpose. The Commission will call on outside technical assistance for monitoring, auditing, control and evaluation of the proper conduct of the operation.

If the Commission receives information which gives it reason to doubt the proper implementation of the food supply programme, the Commission may suspend the operation.

(1999/C 207/210) **WRITTEN QUESTION E-3958/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(4 January 1999)

Subject: Counterfeit goods

According to reports by the UN Economic Commission for Europe, Central and Eastern Europe have become a thriving market for counterfeit goods, as Asia has been for some time, and such goods are reaching the EU's internal market via those regions. Counterfeit goods production is also a major obstacle to increases in EU investment in Eastern Europe, as businesses see that they will not enjoy the requisite legal protection in the countries concerned.

How will the Commission step up its efforts to combat the manufacture and distribution of counterfeit goods in Eastern Europe? What will the Commission do to improve cooperation with the authorities of Eastern European countries in this regard?

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

(8 February 1999)

The lack of sufficient and effective protection and enforcement of intellectual property rights in the Central and Eastern European countries (CEECs) is of concern to the Commission. The Commission agrees that piracy and counterfeiting activities are important obstacles for foreign investment.

Under the Europe agreements the CEECs have committed themselves to provide a level of intellectual property protection similar to that existing in the Community. The combat of counterfeiting production is primarily the responsibility of each of the countries concerned, but the Commission is closely monitoring the evolution of intellectual property protection in Central and Eastern Europe. In general, there is good co-operation between the authorities of the CEECs and the Commission. Progress has been made in all countries, in particular in Poland, Bulgaria and the Czech Republic where new legislation or practical measures within the police force, customs authorities and the judicial system have recently been introduced. The Commission has regularly raised, in its contacts with the CEECs, the issue of counterfeiting practices and piracy and it will continue to do so. Moreover, since 1992 the Commission has given technical assistance to the national authorities through the Phare programme, in particular through the multi-country programmes concerning intellectual and industrial property. Legal support and training of prosecutors, judges, customs and police officials are important features of its assistance.

(1999/C 207/211) **WRITTEN QUESTION E-3960/98**

by Jyrki Otila (PPE) to the Commission

(4 January 1999)

Subject: Decline in public health in Russia

During the 1990s, public health has declined substantially in Russia. Life expectancy has declined by ten years. Life expectancy in Russia is now 10 years shorter than the EU average and corresponds to the average figure for the least developed Asian countries.

This is a consequence of the collapse of the country's political and social system. One cause for concern is the renewed spread of infectious diseases in Russia which it was thought had already been effectively eliminated in Europe. These include tuberculosis and venereal diseases. The development of health care in Russia is one element in the building of a completely new society.

What will the Commission do to improve the sorry state of public health in Russia?

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

(1 February 1999)

In the field of health care, the 1996-1999 Tacis indicative programme ([1]) for Russia singles out support to the health sector as a priority. Tacis is currently implementing several key projects with the ministry of health in selected regions, aimed at improving management of health care systems (two projects for 7,5 millions euro), and at improving preventive health care policies (4 millions euro). Specific attention is paid to the Republic of Karelia, where one project focuses on reforming the health and social care systems (2,6 millions euro). For 1999, Tacis will implement a project on the reform of the financing of the health care system (2,5 millions euro).

Furthermore, from 1993 to 1997, the Commission has been carrying out humanitarian operations, also addressing medical needs, in favour of the Russian population. Under the 1998 budget, an amount of 1,2 millions euro has been allocated and after the financial crisis of August 1998 and the further deterioration of the public health situation, the Commission renewed efforts to tackle the most urgent needs: a special allocation for Russia of 5,4 millions euro was decided in December 1998 to address problems of tuberculosis (especially in its multi-drug resistant forms) and the provision of emergency assistance to refugees and people displaced within the territory of the New Independent States.

([1]) SEC(96) 1510.

(1999/C 207/212) **WRITTEN QUESTION E-3978/98**

by Klaus Lukas (NI) to the Commission

(4 January 1999)

Subject: Commission's 'Common Services' Unit

The Commission set up a 'Common Services' Unit in order to make the running of various EU programmes more efficient.

In this connection, would it please answer the following questions?

— Has the Commission now acquired any initial experience concerning the work of this unit?

— What has its experience been, and what conclusions have been drawn?

— For what tasks is this unit currently responsible?

— How many projects, and which ones, is this unit currently looking after?

— How many posts were scheduled for this unit?

— How many posts are currently occupied?

— By when should the unit be fully staffed?

— How are these posts filled (e.g. internal transfer, new recruitment, part-time staff)?

— What requirements must officials meet in order to be posted to this unit?

— What is the average age of officials serving in this unit?

— What is the average length of service of these officials?

— How many projects, on average, does an official currently look after?

— How much time, on average, is spent looking after a project?

— How much money is actually paid out (minimum, maximum and average amounts)?

— How frequently are officials able to carry out on-the-spot checks?

— Are Commission officials supported by third parties (e.g. Commission delegations, Court of Auditors, national authorities)?

— Is it true that the percentage of Austrians employed in this unit is very low?

— If so, why are there so few Austrians employed in this unit, and what steps will the Commission take to remedy the situation?

Answer given by Mr Santer on behalf of the Commission

(16 February 1999)

The Joint Relex Service (SCR, Service Commun Relex) became operational on 1 July 1998 and has the principal objective of simplifying and rationalising and thus making more effective the implementation of nearly 8 000 million euro a year in aid.

Its principal tasks in the first months have included the transfer of the staff or posts from the directorates general (DGs) linked to these activities, the transfer of certain activities from the geographical directorates general to the Joint Relex Service together with the associated files, both for technical and financial management, and starting the process of harmonising, simplifying and rationalising procedures for the award of contracts while at the same time ensuring the continued management of contracts and the payment of invoices. The annual workload for the SCR is currently estimated at 2000 calls for tender, 10 000 contracts and 50 000 financial transactions.

The number of personnel in the SCR is based on the report from the Commission's inspectorate general (IGS), which constituted the basis for the Commission Decision of 1 July 1998. The Commission decision foresees 648 posts (including external personnel) for the SCR plus the Director general, 6 directors and the posts of staff attached directly to them. 620 posts are currently occupied and it is expected that nearly all posts will be filled within the next few months.

Based on the IGS analysis, 30 to 35 % of the personnel of DG IA (External Relations: Europe and the New Independent States, Common Foreign and Security Policy and External Missions), DG 1B (External Relations: Southern Mediterranean, Middle East, Latin America, South and South-East Asia and North-South Cooperation) and DG VIII (Development) were identified for transfer to the SCR and were subsequently transferred between July and October 1998. Together with 9 staff members from DG I and 35 former European association for cooperation (AEC) personnel, this constitutes the workforce of the SCR.

To the extent that the SCR received vacant posts, these were published during the second half of 1998. The same rules for filling posts in the SCR apply as for any other DG or service of the Commission

The average age of officials working in the SCR is 45 years and 5 months and the average length of Commission experience is 12 years and 5 months.

The Joint Relex Service is divided into six directorates. Three directorates have mainly geographical responsibilities (Directorate A = Europe projects; Directorate B = Projects in the Southern Mediterranean, Middle East, Latin America, South and South East Asia; Directorate C = ACP projects). Three directorates have functional responsibilities (Directorate D = Budget and finances; Directorate E: Tendering, contractual and legal matters: Directorate F: resources, relations with the other institutions, evaluation and information).

In 1998, the combined result of the activities of geographical DGs until 30 June and of the SCR since 1 July represented 4 586 million euro spread over about 80 budget lines and the European development fund (EDF). Some 40 300 payments were made, ranging from 1 euro to 50 million euro with the average payment being 114 000 euro.

As to on-the-spot checks, a separate unit within the SCR is responsible for audit visits. It is estimated that there will be approximately 500 such visits a year. Most of these audits will be carried out by auditors engaged on a contractual basis but acting for the Commission, except in sensitive cases where Commission officials will always conduct the audit. In all cases, the follow-up and the decisional aspects of the audits remain with the Commission

There are 11 Austrians employed in the SCR, plus one trainee. Other Austrian candidates are being considered for recruitment.

(1999/C 207/213) **WRITTEN QUESTION E-3989/98**

by Roberta Angelilli (NI) to the Commission

(4 January 1999)

Subject: Toy museum

Nearly all major European cities, Vienna, Salzburg, Zurich, Budapest, Nuremberg, Göppingen (headquarters of Marklin), London and Paris, have a toy museum. Germany, France and England were the main manufacturers of toys during the interwar period and this is nearly always reflected in the collections of toys produced in those countries which the museums hold. In Italy, on the other hand, partly because people were less wealthy, toy factories were rarer and made products which, although less sophisticated, were clearly superior as regards being imaginative and varied. As a result, the small quantities of toys produced and the low-grade materials used in their manufacture have contributed to an impoverishment of the collection and preservation of Italian toys. Currently in Italy, in the historic centre of a village near Rome, a cultural association called 'La memoria giocosa' [the playful memory] runs a toy museum containing over 1 500 period artefacts dating from between 1920 and 1960 which belong to the association itself. It is proposed that the toys, which come from Germany, France, England, Italy and the United States, be displayed in more suitable premises of at least 200 m^2 in order for the museum's full potential to be realised.

In view of the important educational value of toy museums, the tourist and promotional activities which could be developed in the region, the importance of preserving this aspect of our cultural heritage, and above all, the fact that Italy does not have a toy museum, can the Commission say:

1. whether there are any Community programmes or initiatives which cover the setting up of a toy museum;

2. whether there is any possibility of aid or economic incentives in the form of grants to publicise such an initiative?

Answer given by Mr Oreja on behalf of the Commission

(16 February 1999)

1. The Community initiative best suited to the Honourable Member's question is the 1999 Raphael programme ([1]) which, in Action 1 provides for the safeguarding and enhancement of the European movable cultural heritage by promoting the pooling of skills and the development of best practice with reference to themes and problems common to various Member States. Toys, for the reasons given by the Honourable Member, clearly fall within the scope of these themes.

2. A contribution from the Commission may be obtained on presentation, by a European cooperation network consisting of partners from at least three countries eligible under the Raphael programme, of a project for the study of the common problem evoked and the development of a common methodology for innovative interventions which will serve as an example at a European scale and a case study. The closing date for presenting projects is 26 March 1999.

(1) OJ C 342, 10.11.1998.

(1999/C 207/214)

WRITTEN QUESTION E-3990/98

by Frank Vanhecke (NI) to the Commission

(4 January 1999)

Subject: Participation by European citizens in elections to the European Parliament in Member States whose nationality they do not possess

In his answer to my Written Question E-3595/96 (1) Commissioner Monti said that the information requested (my Written Question E-3314/95) (2) was still being collected in the Member States. The activities also had been extended to include data on the first European Parliament elections in Sweden, Austria and Finland in the report to Parliament and the Council.

Does the Commission now possess the statistics requested, broken down by nationality and by Member State?

What percentage of the persons in questions exercised their right to vote?

Has there been a previous report to Parliament and the Council? if so, where is it published?

(1) OJ C 217, 17.7.1997, p. 28.
(2) OJ C 91, 27.3.1996, p. 58.

Answer given by Mr Monti on behalf of the Commission

(5 February 1999)

All the information available to the Commission has been published in the report of 7 January 1998 from the Commission to the European Parliament and the Council on the application of Directive 93/109/EC (1).

(1) COM(97) 731 final.

(1999/C 207/215)

WRITTEN QUESTION E-3998/98

by Alexandros Alavanos (GUE/NGL) to the Commission

(5 January 1999)

Subject: Funding for groups of children from the Socrates programme

The DIECEC network (Developing Intercultural Education through Cooperation between European Cities) deals with the educational needs of disadvantaged groups of children; its activities have been funded hitherto by the Socrates programme.

Following the recent revision of the Socrates programme, will the above network continue to be funded from that programme?

Answer given by Mrs Cresson on behalf of the Commission

(2 March 1999)

In the context of the Socrates programme, and in accordance with the procedures laid down in the applicants' guide, the Commission has supported specific projects submitted by transnational partnerships involving local and regional authorities which are members of the DIECEC (Developing Intercultural Education through Cooperation between European Cities) network. Furthermore, the Commission has contributed to supporting and developing this network.

The Commission would like to draw the attention of the Honourable Member to the fact that the common position adopted by the Council (21 December 1998) concerning the second phase of the Socrates programme contains a specific action (Comenius, Action 3) aimed at supporting European networks working in the field of education. As a result, the procedures laid down in the context of the common position make it easier to provide financial support for organisations such as the DIECEC network, as they encourage participation by local and regional authorities.

(1999/C 207/216) **WRITTEN QUESTION E-4002/98**

by Caroline Jackson (PPE) to the Commission

(5 January 1999)

Subject: The Package Travel Directive

Consumer complaints about package tour operators continue to increase, despite the existence of the Package Travel Directive 90/314/EEC [1]. Particular concern has been expressed about what happens to package tour customers if their tour operator becomes insolvent and about the levying of surcharges on published prices.

Is the Commission satisfied that the Directive gives consumers adequate protection in the event of a tour organiser's insolvency, so that the organiser and/or retailer who is party to the contract are under an obligation to provide sufficient protection, in the event of insolvency, for the rapid reimbursement of all funds paid by the consumer?

Why has the Commission been prepared to accept that the United Kingdom has transposed Article 4 of the Directive, concerning the possibility of revising published prices, in a less rigorous and precise form than that set out in the actual text of the Directive?

Is the Commission preparing to come forward with amendments to the Directive in the light of these and other comments?

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[1] OJ L 158, 23.6.1990, p. 59.

(1999/C 207/217) **WRITTEN QUESTION E-0082/99**

by Anita Pollack (PSE) to the Commission

(27 January 1999)

Subject: Package Travel Directive

Will the Commission support calls for tougher safeguards to protect consumers against the collapse of package tour operators by bringing forward proposals to amend the Package Travel Directive, in order to give consumers additional information on the safeguarding of pre-payments, enable bookings to be transferred if their holiday is jeopardised and ensure that holidaymakers are brought home if the company goes bankrupt?

Joint answer
to Written Questions E-4002/98 and E-0082/99
given by Mrs Bonino on behalf of the Commission

(15 February 1999)

The wording of Article 7 of Directive 90/314/EEC, which obliges organisers and retailers of package holidays to 'provide sufficient evidence of security for the refund of money paid over and for the repatriation of the consumer in the event of insolvency' leaves a wide margin of interpretation.

In implementing this provision Member States have followed very different approaches. The Commission is closely following the implementation in all Member States. At present, infringement proceedings are pending against Italy, where the travel guarantee fund foreseen by law 111/95 has not yet been constituted, and against Greece, where maritime passenger transport companies are wholly exempted from the obligation to provide security for the case of their insolvency.

It must, however, be noted that the Commission can open infringement proceedings only in cases where shortcomings in the transposition and application of Article 7 of the Directive are obvious, e.g. where there is no implementation at all (as in Italy) or where the security to be provided by organisers and retailers is clearly insufficient. It is hardly possible to argue that a security system is insufficient, if there have been no shortcomings in practice.

In fact, the Commission has received no complaint from consumers or consumers' associations, either in the United Kingdom or in any other Member State, that concerned the insufficiency of national measures to implement Article 7. From this, it would appear that no grave problems have as yet occurred in practice.

Nevertheless, the Commission is still following the issue closely. Recent developments, especially the decisions of the Court of justice in the cases Dillenkofer (C-178/94), VKI vs Österreichische Kreditversicherung (C-364/96) and Ambry (C-410/96) give reason to believe that the measures chosen by some Member States to implement Article 7 are not in keeping with the Court's interpretation of that provision. The Commission will invite the Member States to discuss the issue early in 1999, and will then take further steps, if necessary.

As for Article 4(4) of Directive 90/314/EEC concerning the revision of published prices, the Commission would invite the Honourable Member to state the reasons that lead her to believe that this provision is not implemented correctly in the United Kingdom.

(1999/C 207/218) **WRITTEN QUESTION P-4011/98**

by Vincenzo Viola (PPE) to the Commission

(22 December 1998)

Subject: Proceedings under Article 93(2) opened in connection with the sale of Sicilcassa to the Banco di Sicilia SpA

Further to the Article 93(2) proceedings opened by the Commission on 7 May 1998 in connection with the sale of Sicilcassa to the Banco di Sicilia SpA, has the Italian Government supplied the information requested and when does the Commission intend to give its final opinion on whether the sale complies with the rules on free competition?

In particular, would the Commission establish whether the intervention of the Interbank Deposit Guarantee Fund ('Fondo interbancario di tutela dei depositi') does not itself constitute an improper aid measure, since the fact that the recovery of Sicilcassa's bad debts (a prime example being the Banca Agricola Etnea) is proving much more successful than had been anticipated shows that the bank's indebtedness was deliberately exaggerated so as to force it into liquidation, thus prompting the intervention of the guarantee fund and the sale of the bank to the Banco di Sicilia SpA, which, one cannot help feeling, can never have made a better deal, with scant regard for competition and market rules?

Answer given by Mr Van Miert on behalf of the Commission

(26 January 1999)

The Honourable Member has enquired as to the exhaustive nature of the documentation submitted to the Commission by the Italian Government following the initiation of proceedings under Article 93(2) of the EC Treaty. He also asks for the Commission's views on possible elements of state aid in the role played by the 'Fondo di Garanzia di Tutela dei Depositi' (Interbank Deposit Guarantee Fund) in the winding-up of Sicilcassa.

Firstly, it should be pointed out that the Italian Government has submitted most of the documents requested by the Commission, except for those which can be drawn up only after due diligence has been observed in respect of the assets and liabilities of Sicilcassa.

Secondly, when it initiated the proceedings in question ([1]), the Commission stated the reasons why the role of the 'Fondo di Garanzia di Tutela dei Depositi' did not involve elements of state aid. These reasons take into account, among other things, the legal nature of the Fund, its composition and its internal decision-making rules and procedures. The Commission's analysis, fully set out in its decision, concludes that the Fund is an association governed by private law and takes decisions independently of the public authorities.

([1]) OJ C 297, 25.9.1998.

(1999/C 207/219) **WRITTEN QUESTION E-4018/98**

by David Hallam (PSE) to the Commission

(8 January 1999)

Subject: Demonetised coins and notes and the introduction of the euro

Is the Commission aware that, whilst Germany, Austria, Switzerland, the USA and others maintain all coins and notes as valid for use, other countries demonetise old coins when bringing new designs into circulation?

Is the Commission also aware of the considerable cost incurred and inconvenience caused to European citizens travelling throughout the Union when currency which they take back to their country of residence is demonetised in the country they have visited?

Whilst the arrival of the single currency in 11 Member States will remedy this problem for most of the EU in the long term, will the Commission take steps to ensure that coins and notes replaced by the EURO can be exchanged in any bank in any EU country for a period of, say, five years?

Outside the EURO zone, the inconvenience of demonetised coins may continue. As this fundamental question is a hindrance to freedom of movement within the single market, will the Commission propose to the four Member States concerned (and the countries applying for accession to the EU) that they allow old-design coins and notes to remain legal tender until they are all withdrawn from circulation over time or come to some arrangement to provide for the exchange of old notes and coins over a much longer period?

Answer given by Mr de Silguy on behalf of the Commission

(12 February 1999)

The introduction of the euro notes and coins will on its own eliminate in the future within the euro-zone the problems of demonetised foreign coins and notes mentioned by the Honourable Member.

With regard to national currency notes and coins which will be replaced by the euro, Council Regulation (EC) 974/98 of 3 May 1998 on the introduction of the euro ([1]) gives Member States the competence to set the end of the legal tender status of their national currency within the maximum period of six months after the end of the transitional period. The laws and practices of the Member States will apply to the exchange by the respective issuers of notes and coins.

In most Member States, national banknotes can be exchanged at the counters of the central bank which issued them, for an indefinite or a very long period (10 years) after they have lost their legal tender. Similar possibilities are offered by the issuing authorities for coins for a shorter period. In the framework of the definition of the scenarios for the 2002 cash changeover, Member States might consider it appropriate to extend the period for such exchange, given the exceptional situation.

In addition, with regard to banknotes, the implementation of Article 52 of the European central bank (ECB) statutes results in the national central banks offering during the transitional period the exchange free of charges of other euro-area banknotes in at least one location. This will give the possibility to the euro-area citizens to get rid of their foreign notes before they cease to be legal tender.

In the particular case of the introduction of the euro, the demonetisation of euro-area notes and coins is a well known and anticipated event and should therefore not create difficulties for the citizens who will have sufficient time to get rid of their euro-area national notes and coins.

(1) OJ L 139, 11.5.1998.

(1999/C 207/220)

WRITTEN QUESTION E-4019/98

by José Barros Moura (PSE) to the Commission

(8 January 1999)

Subject: Financing of human rights actions

Having regard to the resolution adopted by the European Parliament on 3 December 1998 concerning the management and financing of human rights and democratisation programmes,

given that the Council of Europe — whose role, experience and knowledge in the field of human rights are remarkable — piloted, at the Commission's request, the measures submitted by the NGOs, including measures of annual duration; that the Commission's decisions have affected the arrangements as a whole, without prior consultation of the Council of Europe,

would the Commission provide clarification concerning:

1. the cooperation between Commission and Council that previously existed in this area and the assessment made of its results;

2. the reasons for the unilateral changing of procedures, without taking account of the effectiveness of cooperation with the Council of Europe;

3. the measures the Commission will take, in strict conformity with the resolution of Parliament, to restore cooperation with the Council of Europe and harmonious institutional relations that address the reciprocal, but convergent, interests of the EU and the Council of Europe in the promotion and defence of human rights and democracy?

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

(17 February 1999)

The Commission has a long tradition of working with the Council of Europe in the field of human rights and democratisation. Since 1993, the Commission and the Council of Europe have run joint programmes in a number of Central and Eastern European countries focusing on reforming the legal and local government systems and on setting up machinery to safeguard human rights. They have involved Albania, Estonia, Latvia, Lithuania, Moldova, Azerbaijan, Armenia, Georgia, Ukraine and the Russian Federation. Programmes on specific issues such as national minorities and combating organised crime and corruption are open to all of Central and Eastern Europe. The total budget of the ongoing programmes is EUR 13,19 million.

An outside evaluation of the joint programmes for bolstering federal structures, introducing machinery to safeguard human rights and reforming the legal system in the Russian Federation and Ukraine is currently under way.

The judgment delivered by the Court of Justice on 15 May in case C106/96 led to the freezing of all the budget headings dealing with non-governmental organisations' and international organisations' human rights activities (this included the Council of Europe) until the interinstitutional agreement at the end of July 1998 gave exceptional permission for them to be used. The interruption did not, however, have negative effects on the cooperation under way, nor did it endanger the planning of future activities. In 1998, the Commission approved three new projects drawn up in partnership with the Council of Europe.

The European Union-Council of Europe quadripartite meeting held on 7 October 1998 praised the state of cooperation between the two organisations.

(1999/C 207/221) **WRITTEN QUESTION E-4023/98**

by José Barros Moura (PSE) to the Commission

(8 January 1999)

Subject: EU-Macau relations following the transfer of sovereignty on 20 December 1999

Following the example of what it did in the case of Hong Kong, when is the Commission planning to draw up a communication on the future of relations between the EU and the Special Administrative Region of Macau once responsibilities have been transferred to the People's Republic of China? Account should be taken of the need for the application of the 'one country, two systems' principle to be guaranteed and of the major role which Macau could play as an 'open door' from China to the West and from the EU into China.

When is the Commission intending to submit such a communication, which must be received early enough to enable it to be discussed by Parliament?

Answer given by Sir Leon Brittan on behalf of the Commission

(5 February 1999)

The Commission strongly supports the application of the one country, two systems policy to the future special administrative regime of Macau.

As confirmed by the responsible member of the Commission during his visit to Macau on 2 November 1998, the Commission intends to prepare a communication to the Council and the Parliament on Community-Macau relations. Following a similar procedure as that followed in the case of Hong Kong, the Commission intends to prepare the communication close to the date of the transfer of sovereignty of Macau to the Peoples Republic of China in the last part of 1999.

That should allow the Commission to raise the main issues to follow in the first year of the implementation of one country, two systems policy.

(1999/C 207/222) **WRITTEN QUESTION E-4048/98**

by Marjo Matikainen-Kallström (PPE) to the Commission

(13 January 1999)

Subject: Nuclear safety in Russia and the Union's northern dimension

The reply given by Commissioner Hans van den Broek, on behalf of the Commission, to my quite specific Written Question E-3325/98 ([1]) was very general. It does not comment on any Commission programme of cooperation with regard to nuclear safety in Russia, although everyone knows that, for example, the Commission's document concerning the northern dimension of the EU includes unambiguous operational recommendations on nuclear safety.

What preparatory measures will the Commission adopt or has it adopted on the basis of its document on the northern dimension to enable the operational recommendations on nuclear safety in Russia to be implemented? What timetable does the Commission intend to adhere to in this regard?

(1) OJ C 142, 21.5.1999, p. 121.

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

(12 February 1999)

Under the Tacis programme the Commission is unable to make direct payments to beneficiaries, in this case power stations, even if they cannot pay their employees' salaries. Moreover this type of assistance is unlikely to be effective even in the short term.

The Commission's initial response has been to include an economic component in a number of projects of which managers of nuclear power stations, through on-the-spot assistance projects, directors of institutes and the nuclear authorities (Rosenergoatom, the main operator, and Minatom) in Russia must be made aware.

It will become standard practice to emphasise the economic component of Tacis projects at the very early stage of project definition for future programmes. However, in Russia economic aspects are rarely taken into account in the nuclear sector because of its extremely high political priority. Training of personnel is a huge undertaking and the impact can only be gradual in a sector which despite all efforts remains resistant to influence from the West.

The Commission recently learnt that Rosenergoatom appointed a financial expert as its new deputy Director-General in order to improve its finances. It is understood that there has been a significant improvement in Rosenergoatom's cash position.

The measures proposed under the northern dimension initiative are designed to improve nuclear safety in the region. Their objective is not therefore to provide a response to the financial crisis in Russia even though this may have a potential impact on projects.

(1999/C 207/223) **WRITTEN QUESTION E-4054/98**

by Ana Miranda de Lage (PSE) to the Commission

(13 January 1999)

Subject: Payment of contracts under the Al-Invest programme

There are currently 26 contracts signed during 1995 and 1996 within the framework of the Al-Invest programme and implemented in those same years for which payment by the Commission is still pending. The total amount is estimated at around ECU 200 000. Can the Commission explain the reasons for the delay in payments relating to the projects implemented by the European Coopecos and the Eurocentres in Latin America within the framework of the Al-Invest programme?

Answer given by Mr Marín on behalf of the Commission

(23 February 1999)

Most of the 1995 and 1996 dossiers which carried supporting evidence complying with the contract have been processed and the invoices paid.

The 1995 and 1996 Al-Invest contracts for which payment is pending are still being dealt with, either because they are now in the final stages of examination or because supporting evidence for which a repeat request was made and which is vital before a suitably documented payment order can be executed has yet to be supplied. The backlog has been caused by incomplete or incorrect technical or financial reports from the Eurocentros and Coopecos which the Commission has been unable to process fast enough.

Between the beginning of 1997 and April 1998, there was no technical secretariat to perform advance technical examinations. Staff shortages meant that it was only possible to keep operational activities going. Once tender procedures to select experts had been concluded in a manner guaranteeing the requisite transparency, a new technical secretariat started work in April 1998 on tackling the payment backlog by issuing requests for missing supporting evidence to bring about compliance with the terms of the contracts. Responses are being received from the partners involved. The financial management arrangements for payments set up in September 1998 has been working; the backlog is being absorbed, and the partners are once again being helped and supervised in a way which will ensure that this programme, widely recognised as extremely useful, runs fluidly and efficiently.

(1999/C 207/224)

WRITTEN QUESTION P-4055/98

by Roy Perry (PPE) to the Commission

(4 January 1999)

Subject: Raphael Programme

With regard to the Raphael Programme's call for proposals in 1998:

1. How many applications were made?

2. How many of these applications were submitted to the independent jury?

3. On what criteria were decisions made to submit applications to the independent jury and who took these decisions?

4. Who were the successful applicants?

5. On what criteria were the successful applicants chosen?

Answer given by Mr Oreja on behalf of the Commission

(15 February 1999)

1. In response to the call for proposals published in the Official Journal ([1]), 490 applications were received for the Raphael Programme in 1998. Taking all of the actions together, requests for financial assistance amounted to some EUR 56 million.

2. The 180 applications that passed the formal pre-selection procedure were submitted to a group of independent experts.

3. The formal pre-selection procedure is carried out by the Commission on the basis of the eligibility criteria specified in the call for proposals. These relate, for example, to partnership (the involvement in the project of partners from at least three Member States), the cultural heritage involved (Action I) (sites distributed over at least three Member States combining similar typology/technique of construction and/or similar historical or architectural context), financing (ability to raise funds to match the Community contribution, which may not exceed 50 % of the total cost of the project), compliance with financial ceilings, deadlines for completion and topics specified in the call for proposals, and deadline for submission of the application.

4. In the end 75 projects were selected to receive Community support in the 1998 operation. The list of successful applications is being sent direct to the Honourable Member and to Parliament's Secretariat.

5. The group of experts assesses the projects on the basis of merit and their European significance. Among the factors taken into account are the importance of the heritage site involved, the innovative measures planned in terms of conservation or restoration, the transfer of knowledge between operators and development of new techniques in the heritage field prompted by the project, the dissemination of the results among professionals, the socioeconomic impact of the project and the extent to which cultural heritage is accessible to the public.

([1]) OJ C 97, 31.3.1998.

(1999/C 207/225) **WRITTEN QUESTION E-4057/98**

by Anita Pollack (PSE) to the Commission

(13 January 1999)

Subject: EU-Asia relations

In its communication on EU-Asia strategy of 1994, the Commission oriented its approach towards the ASEAN countries largely on the basis of the purchasing power of those countries. In view of the Asian economic crisis, does the Commission agree that it should take a new look at this approach, given that South Asia has not been hit so badly by the economic crisis and in population terms is of growing importance to the EU?

Answer given by Mr Marín on behalf of the Commission

(12 February 1999)

'Towards a New Asia Strategy' ([1]), the Commission's strategy paper published in July 1994, indicated the changes faced by relations between the Community and the Association of South East Asian nations (ASEAN) and called for the building of a partnership of equals with ASEAN.

On this basis the Commission produced, in July 1996, a communication 'for a New Dynamic' in relations ([2]) between the Community and ASEAN. This communication can be described as an attempt to give a new boost to relations in the absence of any progress towards a new Community-ASEAN agreement. The Commission insisted on the growing political and economic importance of South East Asia and the need to embark on a new process which would create a more active partnership.

On 24 April 1997, the Council adopted a 'package for future action' with ASEAN which the Commission was charged to negotiate with the ASEAN side. On the basis of this package the Commission has prepared a work programme. This work programme has been updated since the unfolding of the economic crisis in Asia, in order to take into account the new economic situation in the ASEAN countries. Special emphasis has been put on actions responding to the crisis.

The work programme will be discussed and adopted at the next Community-ASEAN joint co-operation committee.

As regards South Asia, the Commission has tried to reinforce relations in this part of the world. It adopted a communication on 'EU-India Enhanced Partnership' in June 1996, and is in the process of concluding new agreements with Bangladesh and Pakistan. Despite certain setbacks following developments in the security field, economic relations continue to grow, with both a broadening and deepening of the partnership. The Commission is firmly of the opinion that South Asia has an important and increasing role in the world both economically and politically.

([1]) COM(94) 314 final.
([2]) COM(96) 314 final.

(1999/C 207/226) **WRITTEN QUESTION E-4068/98**

by Jaime Valdivielso de Cué (PPE) to the Commission

(14 January 1999)

Subject: Trade

In October 1998 the Czech Republic announced that it was taking unilateral measures against EU pigmeat exports and raising customs duties from the then current rate of 12 % to some 40,9 %. Hungary and Poland apparently intend to follow suit.

Could the Commission say what steps it will take against the above countries, which, through their unilateral action, have violated or are about to violate the Europe Agreements and may harm a sector of immense socio-economic importance for the EU in general and Spain in particular?

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

(16 February 1999)

The Commission is aware that the Czech Republic intended to increase import duties on Community pigmeat to counter the negative impact on the Czech market of imports, in particular those from the Community. The Commission had set refunds at a level designed to promote exports of pigmeat, primarily to Russia, in an attempt to solve the problems on the Community pigmeat market, but this also led to an increase in exports to the Czech Republic and other associated countries destabilising their pigmeat markets.

Other associated countries were planning similar measures. The Commission has had talks with the authorities of the countries in question with a view to ensuring that they continue to respect the provisions of the Europe Agreements. The Commission would inform the Honourable Member that, as a result of these consultations, none of the countries in question have applied such measures.

(1999/C 207/227) **WRITTEN QUESTION P-4070/98**

by John Cushnahan (PPE) to the Commission

(4 January 1999)

Subject: Misleading labelling

Is the Commission aware that poultry/pigmeat products are being imported into Ireland in significant numbers and are being passed off as Irish through inadequate and misleading labelling? Will the Commission investigate this matter?

Answer given by Mr Bangemann on behalf of the Commission

(29 January 1999)

The Commission has in its possession no information concerning the facts referred to by the Honourable Member.

Article 2 of Council Directive 79/112/EEC of 18 december 1978 ([1]), on the labelling of foods specifies that such labelling shall not mislead consumers, more particular as regards the origin or source of those foods. It is for the inspection authorities in the Member States to comply with that provision. In this instance any inquiry must therefore be conducted by the Irish inspection authorities.

([1]) OJ L 33, 8.2.1979.

(1999/C 207/228) **WRITTEN QUESTION E-4083/98**

by Françoise Grossetête (PPE) to the Commission

(14 January 1999)

Subject: Network for the surveillance and monitoring of communicable diseases

In view of the European Parliament and Council decision of 24 September 1998 establishing a network for the epidemiological surveillance and monitoring of communicable diseases;

In view of the pilot scheme currently being funded by the Commission for an epidemiological surveillance network for the epidemiological surveillance of alveolar hydatid disease, a parasitic disease transmitted through food but also closely linked to environmental factors and water;

In view of the spread of this disease in France and Germany, its appearance in the Netherlands and the threat it represents in the United Kingdom;

Does the Commission envisage amending the annex to the decision of September 1998 in the near future, as permitted by Article 8 thereof, to include alveolar hydatid disease, thus allowing surveillance of the disease which can only be properly carried out at European level?

Answer given by Mr Flynn on behalf of the Commission

(23 February 1999)

Decision 2119/98/CE of the Parliament and of the Council of 24 September 1998 sets up a network for the epidemiological surveillance and control of communicable diseases in the Community ([1]).

The Commission does not intend at the moment to submit any draft regarding the amendment of the Annex to the Decision to include 'hepatic alveolar echinococcosis'.

However, priorities may vary with time in response to changes in the epidemiological situation within and outside the Community so it is important to monitor potential health problems. The Commission is supporting 'EurEchinoReg' a pilot project on alveolar echinococcosis. When the results of the project are known the Commission will decide on any necessary action to be taken.

([1]) OJ L 268, 3.10.1998.

(1999/C 207/229) **WRITTEN QUESTION E-4097/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(14 January 1999)

Subject: Problems affecting the implementation of the Fourth Financial Protocol for Cyprus owing to a lack of cooperation from the Turkish Cypriot community

The Fourth Financial Protocol for Cyprus is running into difficulties, and there have been delays in the take-up of funds. One of the basic reasons for this is the refusal by the Turkish Cypriot community to cooperate in order to allow the projects in question to progress.

Given the repeated attempts that have been made to overcome the intransigence of the Turkish Cypriots — attempts which have so far failed to produce any results —, does the Commission not consider that it is time that these appropriations were allocated to the Government of Cyprus for the implementation of projects possibly benefiting both communities, so as to avert the threat that these appropriations may not be taken up and may eventually even be forfeited?

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

(12 February 1999)

The Commission shares the Honourable Member's concern. It is currently assessing the Cypriot authorities' request to use the funds available under the Fourth Financial Protocol to assist projects to back up Cyprus's pre-accession strategy and reinforce Cypriot civil society by supporting initiatives that help to bring the two communities together, for example, the restoration of the Hala Sultan Tekke mosque in Larnaca.

(1999/C 207/230) **WRITTEN QUESTION E-4107/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(14 January 1999)

Subject: Infringement of the Treaty on European Union — UK participation in attack on Iraq

The participation of the UK in military operations against Iraq is an infringement of Article J.1(1) and (2), Article J.2(1) and Article J.8 of the Treaty on European Union since there was no information or consultation

before the operations took place. Can the Commission, as guardian of the Treaties, confirm or deny this assertion? Should it be confirmed, what measures does the Commission propose to take?

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

(24 February 1999)

The Commission regards this mainly as a matter for the Council, under the common foreign and security policy (CFSP).

The Commission is fully involved in the CFSP, and would refer you to the Union's statement on Iraq, published on 9 November 1998, and to the statement by the Foreign Minister of Austria, which held the presidency of the Council at the time, made on 21 December 1998.

(1999/C 207/231) **WRITTEN QUESTION P-0014/99**

by Anna Karamanou (PSE) to the Commission

(12 January 1999)

Subject: Miserable treatment of orphans in Russia and inhuman conditions in orphanages

According to a recent publication by Human Rights Watch there are more than 600 000 orphans in Russia, one third of whom end up in institutions and orphanages where conditions are harsh and inhuman, they are beaten and frequently victims of sexual abuse.

These appalling conditions mean that, at the very best, even normal children become mentally retarded. Where children rebel against this miserable treatment, they are categorised as 'recidivists' and treated like dissidents in the former Soviet Union. According to the Russian Prosecutor-General's Office, of the 15 000 young people who leave orphanages each year 5 000 are unemployed, 6 000 have no fixed address, 3 000 resort to crime and 1 500 commit suicide!

Will the Commissions say what action it intends to take to ensure that the human rights of such children are protected and that conditions in Russian orphanages are made more humane?

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

(5 February 1999)

The Commission shares the concern of the Honourable Member about protecting human rights in Russia and more specifically about the situation in orphanages. Human rights issues are regularly raised at top level with the Russian authorities in the context of the ongoing political dialogue between the Community and Russia. Through the ECHO programme, the Commission provided some 53 millions euro of humanitarian assistance in the 1994-1998 period, typically targeted at vulnerable groups including children living in orphanages and prisoners suffering from tuberculosis. However, a general problem, given the size of Russia, is the relative lack of reliable non governmental organisations (NGOs) to help identify needs and deliver such assistance and the often difficult official procedures and regulations. Nevertheless, the Commission will continue with its humanitarian assistance efforts. The Commission is also about to launch a sizeable food aid programme targeted at especially vulnerable regions.

(1999/C 207/232) **WRITTEN QUESTION P-0015/99**

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(12 January 1999)

Subject: Complaint concerning the Drogenbos incinerator

In its answer to my question (H-0968/98) ([1]) on the progress reached in the complaint concerning the planned incinerator in Drogenbos, the Commission said on 17 November 1998 that it was examining the information it had received from the Belgian authorities.

Can the Commission answer the following:

1. Has the examination now been completed? If so, with what result?

2. What is the link between this complaint and the infringement proceedings which the Commission initiated in late December against Belgium concerning failure to transpose in full the directives on the prevention (89/369/EEC) ([2]) and the reduction of air pollution from new municipal waste incineration plants (89/429/EEC) ([3])?

([1]) Debates of the European Parliament (November 1998).
([2]) OJ L 163, 14.6.1989, p. 32.
([3]) OJ L 203, 15.7.1989, p. 50.

Answer given by Mrs Bjerregaard on behalf of the Commission

(11 February 1999)

Following the examination of the complaints about the incinerator referred to by the Honourable Member, the Commission has decided to start infringement proceedings against Belgium pursuant to Article 169 of the EC Treaty on account of a presumed infringement of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment ([1]).

There is no link between this case and the existing infringement proceedings against Belgium for failure to transpose properly Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants ([2]) and Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants ([3]).

([1]) OJ L 175, 5.7.1985.
([2]) OJ L 163, 14.6.1989.
([3]) OJ L 203, 15.7.1989.

(1999/C 207/233) **WRITTEN QUESTION P-0016/99**

by Konstantinos Hatzidakis (PPE) to the Commission

(12 January 1999)

Subject: Take-up of appropriations for data-processing and libraries at Greek schools

Sub-programme 1 'General and Technical Education' of the Greek Operational Programme 'Education and Initial Vocational Training' (EPEAK) includes actions 1.1b and 1.4c aimed at promoting data-processing at Greek schools and actions 1.3c and 1.4b aimed at promoting libraries at Greek schools.

However, according to the summary information available to me, in November 1998 the take-up rate for actions 1.4b and 1.4c was absolutely nil and virtually nil for action 1.3c; the take-up rate for action 1.1b can also be described as virtually nil, except for the appropriations intended to fund the action in favour of books and staff which seem to have already been completely taken up.

Will the Commission say:

1. What is the breakdown of the take-up rate of appropriations for these actions, and precisely what will happen in future?

2. What is the reason for the long delay in the take-up of the relevant appropriations, and what consequences may this have for the development of data-processing and libraries in Greek schools?

3. How can it account for the fact that the appropriations in favour of books and staff under action 1.1b have been fully taken up, while in the case of most of the other projects provided for under the action in question the take-up rate is absolutely nil?

Answer given by Mr Flynn on behalf of the Commission

(24 February 1999)

These actions are co-financed by the European social fund (ESF) and the European regional development fund (ERDF) in the framework of the operational programme (OP) of the Greek Community support framework.

1. According to information provided by the ministry of Education, the payments made by the ministry, expressed as percentages of the total budgets of the actions, at the beginning of 1999 amounted to 64 % for the ESF and 3 % for the ERDF (information technology) and 1,6 % for the ESF and 0 % for the ERDF (school libraries). These figures show that less than one year before the end of the current programming period, the situation is critical. However, the ministry of Education says that it has taken all the necessary measures in order to accelerate the implementation of the actions. In addition, the Greek authorities maintain that the take-up rates will increase rapidly in the following months and all credits will be used in time.

2. and 3. The delay in the implementation of the actions could be attributed to various reasons, the most important of which seem to be their delayed definition and start, the absence of appropriate implementing agencies, their complexity and the heavy administrative procedures. The introduction of information technologies to schools and the establishment of school libraries are implemented almost exclusively through the OP 'Education and initial training'. Therefore, any failure to use the Community credits in time would necessarily mean a restriction of the actions (fewer schools equipped with information technology facilities, fewer libraries) and non-attainment of the objectives initially set.

For further details, the Commission would refer the Honourable Member to the Greek ministry of Education.

(1999/C 207/234) **WRITTEN QUESTION P-0027/99**

by Marco Formentini (NI) to the Commission

(13 January 1999)

Subject: Increased charges introduced by TIM and OMNITEL for fixed-to-mobile telephone traffic

In light of the new charges introduced on 6 January 1999 by the two mobile telephone companies (TIM and OMNITEL), which entail substantial increases (up to 153 %) for calls from fixed to mobile telephones, can the Commission say:

— whether it considers that the agreement between the two operators to introduce equivalent price rises was drawn up in accordance with the rules on free competition on the market;

— whether it does not consider that, by virtue of this agreement, a cartel has been set up to manage the market, an unlawful practice as far as free competition is concerned and detrimental to the interests of the consumer;

— whether the agreement could be seen as taking advantage of consumers' good faith, since it was implemented immediately after the Christmas holidays, when a large number of new mobile telephone contracts were concluded, in particular 'family' contracts;

— whether it does not consider, in the light of this latest event, that the Italian economy is still dominated by monopolies or, at best, duopolies, which end up acting much like rigid monopolies;

— what steps it intends to take to safeguard free competition on the market and, above all, the interests of users?

(1999/C 207/235) **WRITTEN QUESTION E-0036/99**

by Gianfranco Dell'Alba (ARE) to the Commission

(20 January 1999)

Subject: Agreement between TIM and Omnitel on telephone charges

The Italian mobile telephone companies TIM and Omnitel have apparently come to an arrangement on charges, which for certain categories of telephone call or subscription rates entails an increase of up to 150 %. The increases concern in particular 'family' subscriptions, which were widely promoted in the run-up to Christmas, and adversely affect the promised incentives. The increases, which affect calls from fixed to mobile phones in particular, are blamed on decisions taken by the mobile telephony authorities.

Does the Commission not consider that the de facto agreement between TIM and Omnitel clearly infringes the rules on competition laid down in the EEC Treaty, in particular Article 85 thereof, according to which 'the following shall be prohibited as incompatible with the common market: all agreements between undertakings ... and concerted practices which ... have as their object or effect the prevention, restriction or distortion of competition within the common market, and in particular those which: (a) directly or indirectly fix purchase or selling prices and any other trading conditions'?

Does it not consider that it should order the immediate suspension of the new arrangements and initiate proceedings for infringement of Article 85 of the Treaty of Rome?

(1999/C 207/236) **WRITTEN QUESTION P-0047/99**

by Ernesto Caccavale (UPE) to the Commission

(15 January 1999)

Subject: Unlawful rise in the cost of calls between fixed and mobile telephones in Italy

In a move called 'simplification of charges' the two mobile telephone companies in Italy, Tim-Telecom and Omnitel, have jointly decided to raise substantially the cost of calls made from ordinary to mobile telephones. In some cases this rise can be as much as nearly 200 % and mainly affects calls made during the hours when calls used to be cheapest, i.e. at night, and on Saturdays, Sundays and public holidays. They have established a single rate valid every day and at all times of day, with VAT charged at 20 %, and two call units charged as soon as the person called answers the phone.

Can the Commission therefore:

1. ascertain whether the rise in question is a blatant infringement of European competition law, in particular Article 85 of the Treaty of Rome;

2. ascertain whether this across-the-board increase in the cost of calls made from fixed to mobile telephones, in a context of the liberalisation of telecommunication services, may be the result of a classic cartel between the two leading firms in the sector, disregarding the most elementary principles of free competition;

3. say what steps it intends to take to safeguard the free market and users in particular, whose right to choose between different rates is thus jeopardized and whether it does not consider, in particular, that there are therefore valid grounds for bringing infringement proceedings?

(1999/C 207/237)

WRITTEN QUESTION P-0049/99

by Roberta Angelilli (NI) to the Commission

(15 January 1999)

Subject: Increases in the cost of mobile telephone calls and infringement of competition

In the last few days the Italian press has announced the new charges for mobile telephone calls put forward simultaneously by Telecom Italia Mobile and Omnitel. These increases, which are particularly sizeable in certain cases, are totally unjustified, since calls from fixed to mobile telephones would cost up to four times as much as those from mobile phones to fixed telephones and between mobile telephones. Furthermore, the companies are profitable enough for such increases to be unwarranted, and they would above all penalize those who use mobile phones in the course of their work.

In view of this, can the Commission say:

1. whether the announcement of the new charges by TIM can be considered as misleading advertising, since it does not make it sufficiently clear that two units are charged every time a call is answered, and whether the statements made by the firms, who attribute responsibility for the increase to a decision by the telecommunications authority (which in fact has no competence in this sector), can also be considered as misleading;

2. whether the fact that the charges coincide exactly and are being increased at exactly the same time does not give cause to believe that there is an agreement between the two companies to the detriment of the consumer and hence a monopoly which could contravene the rules of competition in the sector;

3. whether, even if the increases are withdrawn as a result of a decision by the telecommunications authority and protests by consumer organizations and users, what has happened makes one suspect that the two companies have entered into agreements which may constitute a dangerous potential infringement of competition;

4. whether it does not deem it appropriate to take action to draw up recommendations to prevent a repetition of such events in future?

Joint answer
to Written Questions P-0027/99, E-0036/99, P-0047/99 and P-0049/99
given by Mr Van Miert on behalf of the Commission

(16 February 1999)

The two GSM operators in Italy have applied identical charges for calls from fixed to mobile telephones since the mobile market was opened up to competition. The tariff structure (two business tariffs and a family tariff, with peak and off-peak rates in each case) was particularly complicated.

The peak-hour rates were among the highest in the Community. In 1998 the Commission launched an investigation into the levels of charges practised in the different Member States for fixed-to-mobile telephone traffic. The investigation concerned TIM and Omnitel among others.

In December 1998 the two operators simultaneously notified the Italian communications authority of a new, simplified tariff structure that included a single charge, instead of four separate charges, for the termination of business calls. Under the new structure, these peak-hour charges were reduced but off-peak charges were increased significantly, particularly for business subscribers. These new tariff bands were introduced simultaneously by both operators at the beginning of 1999. However, this tariff restructuring was heavily criticised. The Italian competition authority launched an investigation under the Competition Law of 10 October 1990, and by 12 January 1999 the two operators had restored their old charges. The Commission is awaiting the results of the investigation and, as a matter of principle, will not intervene in the interim.

The Commission has not started an investigation into the suspended tariff restructuring and is, therefore, unable to say whether the increase in charges results from an agreement between the two competitors on the GSM mobile telecommunications market and whether any such agreement would be in breach of the rules on consumer protection.

As regards publication by TIM of its new charges, the EC Treaty does not empower the Commission to impose penalties for any cases of misleading advertising. Nevertheless, Parliament and Council Directive 98/10/EC of 26 February 1998 on the application of open network provision (ONP) to voice telephony and on universal service for telecommunications in a competitive environment [1] stipulates that the national regulatory authorities are to ensure in particular that tariffs for end-users and the conditions for renewing contracts are presented clearly and accurately.

The Commission will continue to ensure, in close conjunction with the national competition authorities and the national telecommunications regulator, that the competition rules and the relevant Community directives are complied with.

In any event, application by competing mobile operators of identical charges for the termination of fixed-to-mobile telephone traffic reflects the fact that competition is not yet sufficiently developed on the mobile market in Italy. The entry of a third mobile operator will probably increase consumer choice as regards termination charges for calls from fixed to mobile telephones. Authorisation for a fourth operator will add further to the pressure on current call charges.

[1] OJ L 101, 1.4.1998.

(1999/C 207/238) **WRITTEN QUESTION E-0039/99**

by Umberto Bossi (NI), Luigi Moretti (NI), Marco Formentini (NI) and Gipo Farassino (NI) to the Commission

(20 January 1999)

Subject: A racist incident in an Italian school

In the last few days there have been reports in the Italian press, in particular the daily newspapers 'La Repubblica', 'Il Corriere della Sera', 'La Provincia Pavese' and 'La Padana', about a serious violation of the civil rights of a pupil, the eleven-year-old Paolo Buttaboni, at a middle school in Mirandolo Terme (Pavia). His physical education teacher, Anna Conforte, tore off him a T-shirt bearing the name of 'Padania Calcio', a football team which is officially registered with CONI (Italian Olympic Committee) and plays many matches in both the north and the south of Italy. The teacher also threatened to ask relatives of hers from southern Italy to beat up the child and his parents. It should be noted that neither the child nor his parents are political or party activists. The deputy head Giancarla Simonini defended the teacher. The other children were urged to show their contempt for their fellow pupil and to wear their own favourite teams' T-shirts, whilst the pupil himself was forced to write out the words of the Italian national anthem fifty times. This is a serious example of racism, perpetrated moreover by a teacher, which goes against all European laws and regulations on the freedom of the individual and the family.

Is the Commission aware of this racist incident?

Does it intend to express its views on the incident, in view of its commitment to actively combating all examples of racism?

Answer given by Mr Flynn on behalf of the Commission

(2 March 1999)

The Commission attaches a great deal of importance to awareness-raising campaigns in schools and amongst young people to promote tolerance.

However, it does not believe that the case presented by the Honourable Members comes under its jurisdiction. It is up to the Member States themselves to detect and penalise specific cases of discrimination arising in their territory.

(1999/C 207/239) **WRITTEN QUESTION E-0045/99**

by Konstantinos Hatzidakis (PPE) to the Commission

(22 January 1999)

Subject: Telemedicine in the public health sector in Greece

The introduction of data-processing in public health has been long delayed in Greece: so far only 15 general hospitals out of the 143 public hospitals and 173 rural centres in Greece are equipped with computers. These computers were secured under the IMPs, but have not been upgraded since then and are used chiefly as word processors. Another consequence of their non-compatibility with up-to-date telecommunications technologies is the total absence of telemedicine in the Greek public health sector. However, the Operational Programme for Health under the second CSF provides for 24 general hospitals to be equipped with advanced communications systems, with pilot applications in seven regions of the country.

Will the Commission say:

1. How is the programme to install this technology in the seven pilot regions and the other 17 general hospitals included in this programme progressing?

2. Given its involvement in programme funding, how long does it believe it will take to introduce telemedicine applications in Greece?

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

(15 February 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 207/240) **WRITTEN QUESTION E-0063/99**

by Carlos Robles Piquer (PPE) to the Commission

(27 January 1999)

Subject: European holiday resorts

Holiday resorts have features which set them apart, in that they must provide for the upkeep of the infrastructure which they need in periods in which the influx of tourists is high, yet which is superfluous to their everyday requirements for the remainder of the year.

For that reason, national, regional and local authorities alike are introducing provisions recognising the specific nature of holiday resorts into the legislation which regulates the tourist industry.

Will the Commission say to what extent the Community provisions affecting the tourist industry can assimilate the distinction already drawn in national legislation in various Member States, as a means of assisting those municipalities confronted with a large influx of tourists at certain times of the year?

Answer given by Mr Papoutsis on behalf of the Commission

(24 February 1999)

According to the principle of subsidiarity, the Commission does not consider appropriate to harmonise at the Community level the provisions introduced by national, regional and local administrations regulating the activity of tourist resorts.

(1999/C 207/241) **WRITTEN QUESTION P-0089/99**

by Christine Oddy (PSE) to the Commission

(20 January 1999)

Subject: Millennium Access Guide

Is the European Commission aware of the Millennium Access Guide published by the Disabled Peoples' International European Union Committee?

What steps does it propose to take in order that the publication may become more widely known to the organisers of Millennium events, thus enabling them to ensure that people with disabilities enjoy the widest possible access to celebrations marking the start of the next 1 000 years?

Answer given by Mr Flynn on behalf of the Commission

(16 February 1999)

The Commission is aware of the millennium access guide published by the Disabled peoples' international European Union committee, and has helped fund this publication. Copies have been given to the members of the high level group of Member States' representatives on disability with the request that they make it available to appropriate bodies involved in the organisation of millennium celebrations.

(1999/C 207/242) **WRITTEN QUESTION E-0118/99**

by Cristiana Muscardini (NI) to the Commission

(2 February 1999)

Subject: Stakes study on elderly women in Europe

It has been alleged in Belgian press reports that Mrs Hanna-Liisa Liikanen is the director of Stakes (a Finnish welfare and health research and development centre) and, in that capacity, was in overall charge of a study on elderly women in Europe, carried out for Commission DG V.

Have other contracts financed by the Commission been awarded to Mrs Liikanen?

If so, could the Commission supply a full list of the contracts in question, specifying:

1. the names and addresses of the institutes which carried out the research;

2. the activities financed;

3. the total sums obtained; and

4. the expenses reimbursed to Mrs Liikanen?

Answer given by Mrs Gradin on behalf of the Commission

(5 February 1999)

1. In the Commission's reply to the Honourable Member's Written Question E-3829/98 full details are given of Mrs Hanna-Liisa Liikanen's employment status with the Finnish National research and development centre for welfare and health (STAKES) of Siltasaarenkatu 18, PO Box 220, Finland.

Mrs Liikanen has not been a director, or a main responsible for STAKES. In relation to Community projects, her role as a civil servant employed by STAKES has been that of project leader on the 'Situation of elderly women' (SEW) project and one of the contact people on a project concerning best practice day care for the elderly.

No funding has been given under the latter project because of the suspension of the budget line.

Finally, Mrs Liikanen acted as the local representative of STAKES in Brussels from 1 September 1996 until today. Her work for STAKES started on 1 August 1994 in Helsinki.

2. Within the framework of the programme 'Equal opportunities between men and women' the Commission granted a subsidy in 1995 to the organisation 'Women 96 Network' (SOC 95/102814, budget line B3-4012). The network gathered Finnish women active in the 'Women for Europe' association, which has subsequently developed into the Finnish Women's Section of the National Finnish European Movement.

This network was set up in june 1995 and officially registered on 11 October 1996. Mrs Liikanen presided over this network from its creation until 31 October 1996. The network's address is Naiset 96, PO Box 1164, Helsinki.

The project covered an information campaign and training with the object of promoting the equal opportunities dimension in the Finnish debate on European questions (Inter Governmental Conference 1996, Community policy on equal opportunities for men and women). The duration of the projects was 13 months from 1 September 1995-1 October 1996.

The total budget for the measure was 8 850 euro of which 6,000 euro were requested from the Commission. This was to cover seminar expenses meetings, publications and travel. The Commission granted 'Women 96 Network' a subsidy not exceeding 6 000 euro under a contract of 11 December 1995. This contract (No 950804) was signed by Mrs Liikanen on behalf of 'Women 96 Network'. After reception of the final declaration of expenditure for the project, 7,342 euro, the effective amount of subsidy payable was reduced to 4,978 euro.

No element of remuneration was paid to Mrs Liikanen under the terms of this project.

3. It seems appropriate also to mention two specific payments linked to attendance at an expert meeting and to giving a speech:

— a payment of BF 2,600 was made by DG IX.Lux on 26 November 1997, representing a rail journey for Mrs Hanna Liikanen on 11 November 1997 to attend a two-day meeting of the 'Telematics programme committee' organised by DG XIII;

— a payment of BF 6,000 was made by IX.B.4 on 23 April 1998, covering a guest speaker's fee on 19 January 1998 at a conference organised by DG X, on behalf of the 'Finnish Food Writers Association'.

(1999/C 207/243) **WRITTEN QUESTION P-0142/99**

by Yves Verwaerde (PPE) to the Commission

(27 January 1999)

Subject: NGOs subsidised under the EU's external policy

Will the Commission provide a list of the NGOs receiving Community subsidies which have taken part in electoral observation or training missions, in the course of the EU's external policy of encouraging the development of the democratic process?

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

(11 February 1999)

The information requested by the Honourable Member covers a whole range of Community instruments ranging from cooperation with non-member countries to specific headings for human rights and democracy in Chapter B7-70 of the budget. It would therefore take some time and considerable research to obtain this information and more precise details about the financial instruments or geographical area in question would facilitate this task.

(1999/C 207/244) **WRITTEN QUESTION E-0201/99**

by Florus Wijsenbeek (ELDR) to the Commission

(11 February 1999)

Subject: Hijacking in France

Is the Commission aware of an incident which occurred during the night of 18 and 19 January 1999 in Rennes when a Dutch lorry driver was hijacked by French farmers?

Is the Commission also aware that 22 tonnes of pigmeat were rendered unfit for consumption and the lorry destroyed?

Does the Commission not think that a stop must be put to such unacceptable acts and that the French authorities, who are unwilling to prevent hijackings of this nature, should forthwith pay compensation to the haulier, the shipper and the driver?

If not, why not?

Answer given by Mr Fischler on behalf of the Commission

(19 March 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 207/245) **WRITTEN QUESTION P-0258/99**

by Joan Colom i Naval (PSE) to the Commission

(5 February 1999)

Subject: Alleged ESF fraud in Catalonia

The High Court in Catalonia has agreed to hear a lawsuit concerning claims of ongoing corruption stemming from alleged irregularities in the processing of assistance from the European Social Fund in Catalonia.

To what extent is the Commission aware of this situation? Have its services, in particular UCLAF, taken any measures to deal with the alleged fraud?

Answer given by Mr Flynn on behalf of the Commission

(3 March 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 207/246) **WRITTEN QUESTION E-0285/99**

by Laura González Álvarez (GUE/NGL) to the Commission

(17 February 1999)

Subject: Admission of holders of the Spanish 'Ingeniero Técnico' qualification to the European civil service

The documentation attached to the action for annulment brought before the Court of First instance by Mr Vicente Alonso Morales on 1 December 1997 (T-299/97), brought to the attention of the Commission the fact that Mr Roberto Arce Recio, who holds the Spanish 'Ingeniero Técnico' qualification, had been admitted to study for a doctorate at Paul Sabatier University in Toulouse (France) and awarded a doctorate with distinction on 24 June 1998.

Why, then, did Commissioner Liikanen state in his answer of 10 February 1998 to Written Question E-4186/97 ([1]) that the reasons for which the Commission does not admit holders of the Spanish 'Ingeniero Técnico' qualification to category A/LA posts in the European civil service include the fact that holders of the said qualification are not eligible to study for a doctorate?

([1]) OJ C 304, 2.10.1998, p. 15.

Answer given by Mr Liikanen on behalf of the Commission

(3 March 1999)

The Commission would refer the Honourable Member to its answer to Written Question E-2786/98 by Mrs Palacio Vallelersundi ([1])

([1]) OJ C 50, 22.2.1999, p. 150.

(1999/C 207/247) **WRITTEN QUESTION E-0295/99**

by Dagmar Roth-Behrendt (PSE) to the Commission

(17 February 1999)

Subject: EU funding, information on the volume of monies in 1998 flowing to Berlin

Through which projects and Funds, and in what volume, did Community monies in 1998 flow to Berlin:

1. from the European Fund for Regional Development (EFRD),
2. from the European Agricultural Guidance and Guarantee Fund (EAGGF) — Guidance and Guarantee Section,
3. from the European Social Fund (ESF),
4. from the Community's research programmes,
5. from the Community's energy programmes,
6. from the Community's environmental programmes,
7. from the Community's transport programmes,
8. from the Community's education and youth programmes,
9. from the Community's health programmes,
10. from the Community's social programmes,
11. from the programmes for NGOs,
12. from the cultural programmes,
13. from the programmes for cooperation with third countries (CEEC, CIS),
14. from the town-twinning programmes,
15. from other Community programmes?
16. How successful in the view of the EU, have the measures been?

Answer given by Mr Santer on behalf of the Commission

(3 March 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 207/248)

WRITTEN QUESTION E-0316/99

by John McCartin (PPE) to the Commission

(19 February 1999)

Subject: Recipients of investments in the pigmeat sector in Ireland

Given that more than EUR 100 million, mostly EU money, was invested in the Irish pigmeat sector in the last fifteen years, will the Commission give a breakdown of which companies in Ireland received this money?

Answer given by Mr Fischler on behalf of the Commission

(24 March 1999)

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

(1999/C 207/249)

WRITTEN QUESTION E-0340/99

by Peter Skinner (PSE) to the Commission

(23 February 1999)

Subject: Disparities in car pricing in Europe

Given the vast disparity in car pricing between the UK and the rest of Europe by many car manufacturers, as was shown by the Commission report into pre-tax prices, does the Commission intend to put an end to the price fluctuations that exist?

Answer given by Mr Van Miert on behalf of the Commission

(19 March 1999)

The Commission would refer the Honourable Member to its answer to Written Questions E-2577/98 and E-2999/97 by Mrs Pollack ([1]) and Mr Mather ([2]).

([1]) OJ C 31, 5.2.1999, p. 150.
([2]) OJ C 15, 25.5.1998.
