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EN

I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(1999/C 341/001)

WRITTEN QUESTION E-0739/98

by Klaus Lukas (NI) to the Commission

(18 March 1998)

Subject: Discrimination against non-ABTA travel agents

Documents forwarded to me reveal serious discrimination by regional education authorities in the United Kingdom against tour operators who do not belong to the Association of British Travel Agents (ABTA) or do not have their registered offices in the United Kingdom. Teachers are, for example, instructed by these regional education authorities on no account to choose non-British tour operators or firms that are not members of ABTA to arrange a school ski course in Austria. If this instruction is not followed, the course is not approved. This attitude is all the more incomprehensible as it can hardly be argued that ABTA members provide 'better' safeguards for the customer's money since the firm concerned is subject to the Austrian travel agency safeguard regulation (safeguards for customers' money), which is equivalent to the British legislation (Package Travel, Package Holidays and Package Tours Regulations 1992) implementing the same EU directive. To be able to offer to arrange school ski courses, the Austrian firm concerned tried to join ABTA (despite the substantial increase in costs this would have entailed). This proved impossible, however, because ABTA's statutes are so worded as de facto to limit membership to British firms. The attitude of the regional education authorities, especially in conjunction with the approach adopted by ABTA, is now thwarting all the good intentions associated with the establishment of the internal market.

1. Is the Commission aware of these events?

2. What does the Commission think of the attitude taken by the Association of British Travel Agents (ABTA) and the British regional education authorities?

3. What does the Commission intend to do about the attitude taken by the Association of British Travel Agents (ABTA) and the British regional education authorities in this matter?

Supplementary answer
given by Mr Monti on behalf of the Commission

(4 February 1999)

Further to its answer of 8 May 1998 [1], the Commission is now able to give the following information.

The Commission would like to inform the Honourable Member that it is not aware of the situation described.

The attitude taken by both the Association of British Travel Agents (ABTA) and the regional education authorities in Great Britain, as described by the Honourable Member, does seem to be discriminatory. Discriminatory measures can, however, only be recognised as compatible with the principle of freedom of establishment laid down by Article 52 of the EC Treaty if they can be justified on the grounds of public policy, public security or public health referred to in Article 56 of the EC Treaty, and only if this objective cannot be achieved by less restrictive measures.

The Commission will therefore be raising this matter with the UK authorities and, if appropriate, will not hesitate to pursue the matter under the procedure provided for in Article 169 of the EC Treaty.

(1) OJ C 310, 15.12.1998.

(1999/C 341/002) **WRITTEN QUESTION E-3084/98**

by Honório Novo (GUE/NGL) to the Commission

(16 October 1998)

Subject: EIB loan to SONAE Investimentos SGPS SA

The publication EIB Information (1-1998-No 96, ISSN 0258-2147) contains information concerning the loans granted by the European Investment Bank to Portugal during 1997.

On the list of the contracts concluded in that year with Portuguese companies and institutions is a loan of ECU 50,3 million (a little over ESC 10 billion) granted to SONAE Investimentos SGPS SA, one of the economically and financially most powerful groups based in Portugal. According to the information provided by the EIB, the loan in question was intended for the construction of a shopping complex in Oporto.

EIB loans are normally granted at subsidised interest rates, the cost of which is borne by the Community budget (i.e. paid out of the taxpayers' pocket).

The project for which funding has been received lies within one of the EU economies' most profitable sectors and the group to which the loan has been granted is one which cannot by any stretch of the imagination be described as a 'small or medium-sized company'. The EIB's decision was no doubt taken on the grounds that the SONAE project is being supported by the Portuguese Government.

In the light of the above, would the Commission answer the following questions:

1. How is it possible to justify the granting of an EIB loan to a financial and economic group which is fully capable of meeting the normal contractual conditions imposed by a commercial bank?

2. Did SONAE's application for funding in order to build a shopping complex in Oporto receive support of any kind from the Portuguese Government?

3. Does the Commission consider that the project for which the loan was granted can be included amongst the EU objectives which it is the EIB's job to help achieve?

Answer given by Mr de Silguy on behalf of the Commission

(15 January 1999)

The loan was extended according to normal European investment bank (EIB) procedures which include obtaining the opinion of the Member State in which the project will be carried out, and the lending rate was based on the funding cost plus a small margin to cover operating costs. It does not benefit from subsidies or budget resources of the Community.

According to the information made available to the Commission by the EIB, the two shopping centres co-financed with the EIB loan are located in objective 1 regions. Regional development is one of the top priorities of EIB activity (Article 198 E point a of the EC Treaty). In addition, the project has positive direct employment effects (estimated creation of the equivalent of 5 000 full-time jobs in the two shopping centres). The project will contribute to the modernisation of the retail sector in Portugal, which at present lags behind the more mature markets. The new infrastructure will meet the demanding standards which specialist retailers require when entering new markets, thus supporting the policy of the single market. By strengthening competition, shopping centres will facilitate access to internationally available merchandise at competitive prices, thereby providing consumer benefits.

(1999/C 341/003) **WRITTEN QUESTION E-3130/98**

by Graham Watson (ELDR) to the Commission

(16 October 1998)

Subject: Licensing medicines for use in animals

The maximum residue limits introduced by the EU for veterinary medicine in food animals is essential in reducing the risk of residues entering the food chain. However, the regulation is to be applied without consideration of the impact on horses, which are regarded as food producing animals but rarely slaughtered for this purpose in the UK. This has led to fears that the permitted anaesthetic compounds used to anaesthetise animals and control pain will be ineffective, while the effective compounds will no longer be available.

Does the Commission recognise the concerns of the British Veterinary Association regarding the impact of these measures on horses? If so, what steps are planned to rectify this situation?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(6 April 1999)

The Commission would refer the Honourable Member to its answer to Written Question No E-0041/99 by Mr de Coene [1].

[1] OJ C 297, 15.10.1999.

(1999/C 341/004) **WRITTEN QUESTION E-3349/98**

by Gianni Tamino (V) to the Commission

(16 November 1998)

Subject: The drug Viagra

There have been reactions all over Europe to the reports published in the German daily newspaper 'Bild' on 13 October last of experiments carried out with the Pfizer drug Viagra on dogs in Sandwich in Great Britain.

1. Whether or not for the purposes of authorization, has the Commission been informed, via its departments or the EMEA, of experiments on animals using Viagra and, if so, which and how many animals were used?

2. What are its views on killing animals in order to produce this kind of medicinal product, not least in the light of the EU's declared intention to reduce the numbers of this kind of experiment?

Supplementary answer
given by Mr Bangemann on behalf of the Commission

(15 March 1999)

Further to its answer of 21 December 1998 the Commission is now able to pass on the following information.

The information published in the European press, and in particular in the Bild newspaper, relayed an article appearing in the Sunday Mirror which listed experiments carried out on dogs in the laboratory in the Sandwich area of the United Kingdom with a view to marketing the drug Viagra.

In all it is claimed that 13 dogs were used in the animal experiments reported on in that article.

As in the case of all medicines, certain experiments can only be conducted on animals and are essential for further use by human beings without endangering the latter. This is in line with the Annex to Council Directive 75/318/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to analytical, pharmo-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal

products ([1]) which provides for information and documents which must be attached to any request for a permit to market a medicine.

Alternative methods are put forward wherever possible, but certain animal experiments continue to remain essential for the moment.

As provided for by the annex to Directive 75/318/EEC animal experiments are conducted in accordance with Directive 86/609/EEC regarding the protection of animals used for experimental and other scientific purposes ([2]). The Member States required to comply with Directives 75/318/EEC and 86/609/EEC with regard to experiments covered by those Directives are under no legal obligation to consult the Commission.

([1]) OJ L 147, 9.6.1975.
([2]) OJ L 358, 18.12.1986.

(1999/C 341/005)

WRITTEN QUESTION E-3393/98

by Jyrki Otila (PPE) to the Commission

(17 November 1998)

Subject: Working time provisions in the EU road transport sectors

At the beginning of October the Commission published an official communication stating that it would shortly be preparing a proposal for a directive concerning the travelling workforce in the road transport sectors. According to the Commission the proposal for a directive will contain working time provisions for drivers who are employees, drivers with fleets in the private transport sector and owner-drivers (i.e. self-employed drivers) in the EU.

The Commission also states that it will base the directive on the results of the tripartite discussions between European organisations, employers' representatives (the International Road Transport Union, IRU) and workers' representatives (the Transport Unions' Federation, FST).

What kind of plans does the Commission have in connection with this proposal for a directive? Does it intend to take account of the fact that self-employed persons' freedom to work for cannot be restricted by legislation designed for those who are in the position of paid employees? The provisions come nowhere near providing for fair competition in this area, but on the contrary constitute a restriction on competition for self-employed drivers.

Answer given by Mr Kinnock on behalf of the Commission

(4 February 1999)

On 18 November 1998 the Commission adopted a package of proposals ([1]) for those sectors and activities currently excluded from the Working Time Directive 93/104/EC of 23 November 1993 ([2]). For road transport this comprises an extension of the general Working Time Directive to cover non-mobile workers within the road transport sector, with annual leave provisions and night time worker health assessments, adequate rest and maximum annual working time covering all workers and it also includes a proposal for a Directive which will cover all mobile workers performing transport activities, including 'own account' as well as self-employed drivers.

The proposal for a road transport Directive takes full account of points on which the negotiations between the European social partners reached convergence.

Both mobile workers and self-employed drivers operate in a highly competitive industry. The proposal therefore includes self-employed drivers whose working conditions can obviously have a direct impact on road safety. Their inclusion also addresses the need to ensure fair competition and prevent fragmentation of the industry. By including the self-employed, the proposal also reflects the approach taken in Council Regulation (EEC) 3820/85 of 20 December 1985 on the harmonization of certain social legislation relating to road transport ([3]), which applies equally to self-employed drivers and to drivers employed by undertakings performing road transport activities for hire and reward or for own account.

The proposal nevertheless recognises the different circumstances of self-employed drivers and has formulated the definition of working time and the need for record-keeping accordingly.

However, to exclude self-employed drivers from such a sector-specific proposal would create unfair competition.

(1) COM(98) 662 final.
(2) OJ L 307, 13.12.1993.
(3) OJ L 370, 31.12.1985.

(1999/C 341/006) **WRITTEN QUESTION E-3420/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: Cabin crews in civil aviation

With reference to the proposal for a Council Directive on safety requirements and attestation of professional competence for cabin crews in civil aviation (COM(97) 0382 final — 97/0212 SYN) [1], would the Commission provide a more precise definition of the term 'cabin crew' (Article 1(1))? We consider that the 'cabin crew' consists of all the persons employed in providing cabin services on board an aircraft. The directive in question, therefore, should apply without exception to all members of the cabin staff.

(1) OJ C 263, 29.8.1997, p. 5.

(1999/C 341/007) **WRITTEN QUESTION E-3446/98**

by Amedeo Amadeo (NI) to the Commission

(24 November 1998)

Subject: Cabin crews/civil aviation

With reference to the proposal for a Council directive on safety requirements and attestation of professional competence for cabin crews in civil aviation (COM(97) 382 final — 97/0212 SYN) [1], will the Commission set the minimum age for persons who perform an executive or managerial role in the field of air transport at 21 years (Article 4(1)), as is the case in other sectors concerned with the carriage of persons? Cabin crew members with more demanding tasks who are called upon to assume a significant degree of responsibility, particularly in emergency situations, should have acquired reasonable experience of life and also practical knowledge in cabin service.

(1) OJ C 263, 29.8.1997, p. 5.

Joint answer
to Written Questions E-3420/98 and E-3446/98
given by Mr Kinnock on behalf of the Commission

(4 February 1999)

The Commission proposal for a Directive on Safety Requirements and Attestation of Professional Competence for Cabin Crews in civil aviation indeed would only apply to all crew members who perform duties in the passenger compartment of an aircraft with the sole exception of additional on-board staff who are employed solely for non safety duties such as to undertake commercial activities.

The extension of the provisions of this proposal to staff assigned solely to non-safety duties will continue to be a decision that can only be made by national aviation authorities or the airline operators.

The proposal lays down a minimum age of 18 years for this category of personnel and the Commission considers that it is unnecessary to set down further prescriptions of their career structure which should be left to the industrial partners or the commercial practices of the operators. Further prescription would, in the Commission's opinion, be an unnecessary restriction on the labour market.

(1999/C 341/008) **WRITTEN QUESTION E-3472/98**

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

(25 November 1998)

Subject: Demarcation of the outer limit of the Argentinian EEZ

In its answer of 22 April 1998 to Written Question E-0496/98 [1] on the matter in question, the Commission stated its agreement with the view that situations such as those which had led to the seizure of the vessel Arpón 'cause difficulties in interpretation and generate a degree of instability for the ships operating in this region'.

The Commission added that it 'further considers that the coastal state has a clear duty under the terms of Articles 56(2) and 75 of the Convention on the Law of the Sea to provide all the details necessary to define an EEZ and that it is answerable under international law if it fails to do so'. Consequently, 'in order to be able to resolve this situation, the Argentinian authorities are willing to hold a technical meeting with Spain in which the Commission is also willing to participate. If the legal uncertainty continues to persist afterwards, a more formal step may be envisaged'.

In view of the lack of headway made since then towards clarifying the Argentinian EEZ:

1. Will the Commission say what measures it intends to take in order to resolve these problems, which are creating a climate of uncertainty and instability for the Community vessels operating in the zone?

2. What measures does it intend to adopt to ensure that the Republic of Argentina complies with the obligations incumbent upon it under Articles 56(2) and 75 of the United Nations Convention on the Law of the Sea, and how does it intend to make Argentina accountable should compliance not be forthcoming?

3. Will it specify what 'more formal' step it envisages taking if the legal uncertainty persists, as is indeed the case?

(1) OJ C 323, 21.10.1998, p. 41.

Answer given by Mrs Bonino on behalf of the Commission

(9 March 1999)

Since the arrest of the 'Arpon' on 13 May 1997, there have been no further incidents involving Community vessels. Consequently, the aspect of legal insecurity would seem to be no longer an issue and no further action is required. The Commission has not participated in any bilateral discussions between Spain and Argentina on this matter.

(1999/C 341/009) **WRITTEN QUESTION E-3490/98**

by Luigi Moretti (NI) to the Commission

(25 November 1998)

Subject: Presence of uranium in building cement

Recent scientific research has shown that it is possible to find traces of uranium in the cement commonly used in the construction of buildings, including houses, schools and hospitals.

Is the Commission aware of this scientific research?

What does it intend to do in order to ensure that such buildings are safe?

Answer given by Mrs Cresson on behalf of the Commission

(16 February 1999)

All building materials derived from rock and soil, including cement, contain natural radionuclides of uranium (238U), thorium (232Th) and the radioactive isotope of potassium (40K). The worldwide average concentrations of these nuclides in the earth's crust are about 40, 40 and 400 becquerels per kilogramme, respectively. 238U as well as 232Th are the initial radionuclides of a radioactive decay chain forming radionuclides in sequence, including radon, ending finally with stable nuclides of lead.

Council Directive 96/29/EURATOM of 13 May 1996 laying down the basic safety standards for the protection of the health of workers and the general public against the danger arising from ionising radiation ([1]) in its Title VII lays down a framework for controlling exposure during work activities within which the presence of natural radiation sources leads to a significant increase in the exposure of workers or members of the public. The Member States identify work activities which may be of concern and may in particular identify the use of building materials with enhanced levels of natural radioactivity as a work activity in the meaning of Title VII.

Commission Recommendation 90/143/Euratom of 21 February 1990 on the protection of the public against indoor exposure to radon ([2]) introduces a design level for radon exposure in future construction. The design level corresponds to an annual average radon gas concentration of 200 becquerels per cubic metre. The design level is to be used to aid the authorities in establishing regulations, standards or codes of construction practices for circumstances under which the design level might otherwise be exceeded.

Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States related to construction products ([3]) sets down essential requirements for construction work. The construction work must be designed and built in such a way that the emission of dangerous radiation will not be a threat to the health of occupants or neighbours.

The current specific research programme on radiation protection contains seven contracts on radon. They concern assessment of the risk arising from the inhalation of the radon decay products; lung cancer risk and radon exposure in dwellings; radon in construction materials; retrospective estimation of radon concentrations in areas affected by uranium mining activities and intercomparison of passive radon detectors.

([1]) OJ L 159, 29.6.1996.
([2]) OJ L 80, 27.3.1990.
([3]) OJ L 40, 11.2.1989.

(1999/C 341/010) **WRITTEN QUESTION E-3526/98**

by Amedeo Amadeo (NI) to the Commission

(25 November 1998)

Subject: Reform of the common organisation of the market/Common Agricultural Policy (Agenda 2000)

With reference to the proposal for a Council Regulation (EC) 1766/92 on the common organisation of the market in cereals and repealing Regulation (EEC) 2731/75 fixing standard qualities for common wheat, rye, barley, maize and durum wheat and to the proposal for a Council Regulation (EC) establishing a support system for producers of certain arable crops (COM(98) 0158 final — 98/0107 CNS and 98/0108 CNS) ([1]).

In the case of cereals, a 10 % reduction in prices is sufficient instead of the 20 % proposed by the Commission and the proposal relating to maize is unacceptable.

The proposal relating to oil seeds is not well-founded (a 30 % reduction compared with the current aid level) as it would considerably jeopardise the competitiveness of these crops.

The situation would also worsen vis-à-vis the United States since the latter has strengthened its aid system. The sector would probably feel even more strongly the effects of enlargement to the East.

Can the Commission therefore ensure that the EU does not align its aid for oil seeds on the levels laid down with regard to cereals until there has been a transitional period during which a supplement should be granted for oil seeds?

(1) OJ C 170, 4.6.1998, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(28 January 1999)

The Commission has already had the opportunity to explain to Parliament in detail the reasons underlying the Agenda 2000 (1) proposals for agriculture.

With particular regard to oilseeds, bringing aid per hectare into line with that for other crops (including cereals) and voluntary freezing would greatly simplify the scheme and obviate its current specific character.

The Commission has therefore been able to propose that the oilseeds maximum guaranteed area (MGA) scheme should no longer be applied, since — under the Blair House agreement from which the scheme derived — the hectare limit applied to specific payments in respect of oilseeds. It should be borne in mind that the scheme currently in force provides for aid to be adjusted in line with oilseed prices in Europe and for penalties to be imposed if the MGA is exceeded — penalties which can quickly become very substantial, since they are cumulative if the limit is breached more than once.

Gradual adjustment over a transitional period as suggested by the Honourable Member would entail retaining these complex rules, thereby denying producers both the greater simplification and transparency of the scheme proposed from 1 July 2000 and the opportunity to adjust their crop rotations more freely in response to the likely increase in world oilseed prices brought about by the vegetable oil component.

Under the Blair House agreement, these provisions would have to be retained throughout the transitional period in order to cover any divergence between oilseed aid and cereal or freezing aid — thereby making oilseed aid specific in character.

(1) COM(97) 2000 final.

(1999/C 341/011) **WRITTEN QUESTION E-3570/98**

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

(1 December 1998)

Subject: Beating the millennium bug — the nuclear industry

The millennium bug is tightening its grip on Europe. Priority in tackling the problem must be extended to vital sectors, in particular the energy sector. The potential impact of the millennium bug on nuclear installations remains unclear, both in the European Union and outside it. For safety and public-health reasons, it is crucially important for Europe to be fully aware of the approaches to the problem being adopted by the nuclear industry, not only in the EU but also in the countries of Central and Eastern Europe.

1. Has the Commission established an inventory of how the millennium bug is being tackled by nuclear-power stations and regulators in EU Member States?

2. Can the Commission provide a breakdown of the number of nuclear power plants and their locations in Central and Eastern Europe, in particular in Ukraine and Russia, that are receiving technical assistance under EU aid programmes (as a proportion of the total number of nuclear power plants in those countries)?

3. Can the Commission specify the extent to which there is cooperation in the approach to the millennium bug between regulators in Central and Eastern Europe and those in the European Union? Have any agreements been concluded in that connection, and, if so, in what do they consist?

4. What action has the Commission taken or will it take to strengthen awareness of the millennium bug among regulators in Central and Eastern Europe, and is the Commission prepared to allocate additional funding for that purpose?

5. Has the Commission also allocated funding under the TACIS programme for raising millennium-bug awareness and/or tackling the problem in military nuclear installations in Russia and other former Soviet republics?

6. Can the Commission confirm that nuclear power plants in the Ukraine are required to submit an outline of their efforts to tackle the millennium bug to the regulator? Can the Commission state whether nuclear power plants in Russia have also been required to submit such an outline, and if so, with what results?

Answer given by Mrs Bjerregaard on behalf of the Commission

(20 January 1999)

The Commission recognises the importance of the millennium bug, as illustrated in its recent communication [1]. A communication on how the Community is tackling the Year 2000 problem was presented to the European Council in December [2]. This highlights concerns regarding the energy sector, in particular the situation with regard to nuclear power stations in Central and Eastern Europe (CEEC) and the New Independent States (NIS). In general, the Commission does its utmost to promote awareness of the issue, publicising the already available information and stimulating discussion amongst expert peer groups. In addition to the communications, there is an Internet website giving information on the millennium bug.

In response to the specific points raised by the Honourable Member the Commission would like to state the following:

1. The safety of nuclear installations is mainly the Member States' responsibility. Information provided informally via expert groups suggests that Member States have implemented programmes to address the issue. Although each programme differs in detail, it can be said that each requires the licensee to identify systems that might be affected, to rank them by nuclear safety significance, to test each in turn and to modify or replace any that fail. Regulatory authorities are reviewing the content of these programmes and are monitoring their execution. In some Member States, attention is now beginning to turn to areas such as requiring increased operating staff numbers and avoiding maintenance activities over the critical dates.

2. The assistance given to the nuclear power installations in the CEECs and NIS is detailed in a communication [3] to the Council and to the Parliament. The AIEA is the lead international organisation so far as the Year 2000 problem is concerned.

3. The Commission is therefore only promoting dialogue among regulatory organisations to increase awareness of the problem and generate peer pressure for action.

4. The Commission's Concert group, involving senior nuclear regulators of 25 Community, CEEC and NIS countries, discussed the issue at its June 1998 meeting. The issue will be discussed again at the group's meeting in January 1999. Such discussions increase awareness and generate peer pressure to adopt best regulatory practices. Community regulators are in continuous contact with their CEEC and NIS counterparts at working level and are well placed to raise their awareness. As yet, no specific funding needs related to this issue have been identified.

5. The TACIS programme provides for nuclear safety assistance to civil nuclear power plants but not to military installations, and so the Commission has not undertaken any activities in this area.

6. Nuclear safety is a national responsibility and each country must decide what actions are appropriate for it. The national nuclear regulatory authorities are key players in determining the extent of these actions, hence the Commission attributes great importance to the activities described under point 4 above.

(1) COM(98) 102.
(2) COM(98) 593.
(3) COM(98) 134.

(1999/C 341/012) **WRITTEN QUESTION E-3582/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(3 December 1998)

Subject: Ban on the use of antibiotics in animal feed

Scientific findings discussed at a recent international medical congress in Copenhagen suggest that the uncontrolled use of antibiotics to fatten up animals and fish and for medicinal purposes poses a serious threat to the human immune system and human health.

Since consumer health protection is a matter of top priority for the EU, will the Commission say whether it intends to take immediate measures to ban the use of antibiotics in animal feed?

Answer given by Mr Fischler on behalf of the Commission

(4 February 1999)

As the conclusions of the conference of the World Health Organisation in October 1997 in Berlin, of the Economic and Social Committee, of the International Office of Epizootics and of the conference on the microbial threat held in Copenhagen in September 1998 have underlined, resistance to antibiotics has to be regarded as a major, complex problem of international proportions.

For their part, the Council and the Commission declared on 14 December 1998, at the meeting of Agriculture Ministers, that it was essential to prevent the development of resistance to the antibiotics used in human medicine. This statement reinforces the opinion expressed by the Commission and the Council at the meeting of Health Ministers on 12 November 1998.

It is this general concern regarding resistance to antibiotics which led the Council, acting on the precautionary principle, to adopt on 17 December 1998 the proposal ([1]) submitted by the Commission concerning the prohibition of four antibiotics permitted in animal feed in order to confine their use or the use of antibiotics belonging to the same family exclusively to human medicine.

At the request of the Commission, the scientific steering committee is to deliver a general opinion on the question of resistance to antimicrobic agents, taking into account the use of these substances in human and veterinary medicine, in animal feed and in the plant health sector.

([1]) COM(98) 763 final.

(1999/C 341/013) **WRITTEN QUESTION E-3662/98**

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.

Is specific cooperation of any kind under way between the Community administration and the national and local administration in each Member State, with a view to ensuring that the process of adapting systems runs smoothly and encounters no risks?

Answer given by Mr Bangemann on behalf of the Commission

(5 February 1999)

The Commission holds regular meetings with Member State representatives to discuss the millennium bug. Amongst the many issues discussed, Member States share information on the progress and activities of the public sector. Member States also work together with the Commission to solve problems in Community-wide telematic systems such as those financed by the IDA programme.

(1999/C 341/014) **WRITTEN QUESTION E-3764/98**

by Eva Kjer Hansen (ELDR) to the Commission

(11 December 1998)

Subject: Direct payments to farmers

Will the Commission explain what the consequences are, in legal terms, of implementing the proposal for a regulation (COM(98) 0158 — CNS 98/0113 [1]) concerning direct payments to farmers under support schemes forming part of the common agricultural policy, which are paid in full or in part from the EAGGF, Guarantee Section?

Could the Commission provide in its explanation an assessment of the legal position of the individual farmer, particularly in regard to administrative decisions, the reversal of the burden of proof and proportionality in laying down penalties?

Could the Commission also provide an assessment of the discrimination that may arise from countries being able to introduce different rules on compliance with national environmental provisions, including the enforcement of those rules? Will it also assess the problems associated with the overall control of agricultural expenditure and reconciliation of the accounts?

(1) OJ C 170, 4.6.1998, p. 93.

Answer given by Mr Fischler on behalf of the Commission

(27 January 1999)

The proposed Council Regulation in question would set some common rules applying to direct support schemes under the common agricultural policy. The purpose of the rules is better integration of environmental objectives into the CAP, more fairness in its application and greater legitimacy in the eyes of the public. These aims would be achieved through giving Member States wider powers that would leave more responsibility in their hands and facilitate adjustment of the measures laid down to the specific situation in each part of the Community. Since the proposal is at the moment under discussion in Parliament and the Council, the Commission is unable to respond exhaustively to the Honourable Member's questions and will focus on two essential elements of it.

The Commission does not expect the environmental provisions of Article 3 to have any discriminatory impact. In fact it is in the first instance the diversity of environmental conditions in the Member States and the variability of national rules on environmental matters that are liable to affect equality of opportunity for farmers in the Community. The provisions proposed, accompanied as they are by Community application criteria, promise rather to help offset existing inequalities.

Article 8 on payment restriction is a means of confining aid to genuine farmers, i.e. those whose farming is not principally motivated by the existence of direct support schemes. It undoubtedly responds to the public's growing concern that agricultural aids be administered in a rigorously precise and effective way.

Lastly, Article 5 explicitly requires Member States to apply the provisions of Article 3 in such a way as to ensure equal treatment between farmers and avoid market and competition distortions.

(1999/C 341/015) **WRITTEN QUESTION P-3790/98**

by Concepció Ferrer (PPE) to the Commission

(4 December 1998)

Subject: Programmes and projects aimed at SMEs and the tourist sector in Catalonia

In view of the Commission's policy of openness about its own expenditure, can it indicate which of the projects carried out in Catalonia during the period 1994-1999 received all of the different types of aid available for SMEs and the tourist sector?

Furthermore, can it state exactly how much money was finally allocated to each of those projects?

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

(11 May 1999)

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

(1999/C 341/016) **WRITTEN QUESTION E-3812/98**

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of telecommunications, information technologies and the audiovisual media in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of telecommunications, information technology and the audiovisual media for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

(1) See page 12.

(1999/C 341/017) **WRITTEN QUESTION E-3813/98**

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of transport in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of transport for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/018)

WRITTEN QUESTION E-3816/98

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of culture, education and youth in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of culture, education and youth for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/019)

WRITTEN QUESTION E-3817/98

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of industry and energy in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of industry and energy for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/020) **WRITTEN QUESTION E-3818/98**

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of the environment in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of the environment for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/021) **WRITTEN QUESTION E-3820/98**

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Programmes and projects in the field of regional policy in Catalonia

Bearing in mind the policy of transparency pursued by the Commission in relation to its spending, can the Commission say what projects implemented in Catalonia benefitted from each type of aid available in the area of regional policy for the period 1994-99?

Can the Commission further specify what amounts were finally allocated to each of the above projects?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/022) **WRITTEN QUESTION E-3822/98**

by Concepció Ferrer (PPE) to the Commission

(22 December 1998)

Subject: Subsidies for the Indian leather sector

Can the Commission list the projects funded by the Commission to the benefit of the Indian leather sector (leather, footwear, leather goods), specifying the date on which each of the projects in question was approved and its objectives?

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

(12 May 1999)

The Commission would refer the Honourable Member to its answer to her Written Question P-3790/98 [1].

[1] See page 12.

(1999/C 341/023) **WRITTEN QUESTION E-3824/98**

by Outi Ojala (GUE/NGL) to the Commission

(22 December 1998)

Subject: Right of diplomats to purchase duty-free goods

Pursuant to a Commission decision, the sale of duty-free goods will cease on European internal routes from 1 July 1999, but diplomats, and EU Commissioners who are given the same treatment, will continue to be able to purchase duty-free goods thanks to their annual duty-free purchase quota.

1. Does the Commission consider it right that highly-paid diplomats should be the very ones to retain their right to make duty-free purchases when ordinary EU citizens are to lose that right?

2. Does the Commission propose to take any action to rectify this state of affairs and if so, what? If not, why not?

Answer given by Mr Monti on behalf of the Commission

(6 April 1999)

The Commission would refer the Honourable Member to its answer to Written Question E-3878/98 by Mr De Coene [1].

[1] OJ C 325, 12.11.1999, p. 35.

(1999/C 341/024) **WRITTEN QUESTION E-3847/98**

by Manuel Escolá Hernando (ARE) to the Commission

(22 December 1998)

Subject: Inclusion of Zaragoza airport in the Madrid-Zaragoza high-speed rail link

The 14 priority trans-European transport network projects adopted at the Essen European Council include the construction of the southern European high-speed rail link between Madrid, Zaragoza, Barcelona, Perpignan and Montpellier.

The construction of this link will reduce the journey time between Zaragoza and both Madrid and Barcelona from the current three and a half hours to a little over one hour and fifteen minutes, which will have the effect of bringing those cities considerably closer together.

The possibility is currently being discussed of routeing the new rail link via Zaragoza airport, which would strengthen the intermodal aspect of the project. At the same time, more business would be attracted to an under-used airport and some of the pressure on the airspace around Madrid and Barcelona would be relieved.

Does the Commission consider this kind of synergy between a European rail transport network and an airport to be in line with the proposals for strengthening intermodal transport networks which have been advocated by the EU Institutions?

Does it regard the proposal as an interesting one? If so, how could it help to make it a reality? Are there similar projects within the European Union which could serve as a model for the one in Aragon?

Answer given by Mr Kinnock on behalf of the Commission

(26 February 1999)

The Commission gives a high policy priority to furthering transport intermodality. In the context of the availability of financial assistance from the trans-European transport network budget line therefore the connection of airports to the rail network is seen as a desirable objective. However, it is normally felt to be most appropriate as a means of offering passenger choice and alleviating congestion at relatively large airports. Certainly the endorsement of the authorities in the Member State for any such project is legally essential for the Commission to consider an application for support.

That does not mean that the encouragement of such developments at regional and accessibility points such as Zaragoza is ruled out, if they offer an economically and environmentally attractive potential. The Commission has recently commissioned a study of the contribution which regional airports may be able to make to releving congestion at major hubs.

(1999/C 341/025) **WRITTEN QUESTION E-3853/98**

by James Nicholson (PPE) to the Commission

(4 January 1999)

Subject: Abolition of duty-free sales

Has the Commission done any research into the number of jobs which will be lost as a result of the abolition of duty-free sales within the European Union?

Answer given by Mr Monti on behalf of the Commission

(17 March 1999)

The European Council in Vienna asked the Commission and the Ecofin Council to examine by March the problems with regard to employment that could arise with regard to the decision of 1991 to abolish duty-free sales to intra-Community travellers.

In response to this request, the Commission has examined how the decision to abolish intra duty-free sales would impact on employment. It has also looked at possible ways of minimising potential employment problems, including the possibility of a limited extension of the duty-free regime.

The results of this examination are featured in the communication adopted by the Commission on 17 February 1999 ([1]). The Commission's analysis shows that the impact on employment is likely to be limited and specific in terms of localities and sectors affected. It should however be noted that, in the medium term, short-term negative effects on employment could be turned into a net creation of jobs.

The Commission will be sending the communication not only to the Council but also to the Parliament. The Council discussed this issue at its meeting on 15 March 1999.

([1]) Communication from the Commission to the Council concerning the employment aspects of the decision to abolish tax- and duty-free sales for intra-Community travellers (COM(99) 65 final of 17 February 1999).

(1999/C 341/026) **WRITTEN QUESTION E-3861/98**

by Clive Needle (PSE) to the Commission

(4 January 1999)

Subject: Licensed goods vehicles

What records are held by the Commission of the number of licensed goods vehicles and licensed drivers in all the Member States? What are the totals, broken down by Member State, in all the relevant categories?

Answer given by Mr Kinnock on behalf of the Commission

(11 February 1999)

The Commission does not hold records of the numbers of licensed goods vehicles and licensed goods vehicle drivers in all Member States. While statistics available to the Commission on the number of licensed goods vehicle drivers in each Member State are too incomplete to give an overall picture, the position regarding the number of licensed goods vehicles in each Member State is better documented. The following table, based on work carried out under the 4th framework programme, distinguishes between light goods vehicles (up to 3,5 tonnes maximum authorised weight) and heavy goods vehicles (3,5 tonnes maximum authorised weight and over).

(1995)

Member State	Light goods vehicles	Heavy goods vehicles
Belgium	250 000	178 000
Denmark	180 000	140 000
Germany	1 250 000	1 030 000
Greece	710 000	178 000
Spain	2 350 000	458 000
France	3 410 000	665 000
Ireland	60 000	87 000
Italy	1 900 000	1 150 000
Luxembourg	4 000	18 000
Netherlands	350 000	245 000
Austria	90 000	213 000
Portugal	330 000	298 000
Finland	220 000	43 000
Sweden	240 000	84 000
United Kingdom	2 070 000	519 000
EU 15	13 414 000	5 306 000

(1999/C 341/027) **WRITTEN QUESTION E-3872/98**

by John McCartin (PPE) to the Commission

(4 January 1999)

Subject: Ban on antibiotics in animal feed

Can the Commission explain the procedure it is using to seek to ban the use of four antibiotic growth promoters and can it state whether its proposal is based on scientific or political considerations?

Answer given by Mr Fischler on behalf of the Commission

(17 March 1999)

The use of additives in animal feed is regulated by Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs [1].

Prohibition of the four additives to which the Honourable Member refers has been proposed by the Commission since under Article 3a of the Directive it considers that 'for serious reasons concerning human or animal health' their use must 'be restricted to medical or veterinary purposes'.

As the preamble to the Regulation adopted by the Council on 17 December 1998 [2] states, withdrawal of authorisation for bacitracin zinc, spiramycin, virginiamycin and tylosin phosphate is to be perceived as a precautionary measure dictated by the need to preserve the effectiveness of human medicaments and so protect human health.

The decision taken is in line with the recommendations of the World Health Organisation conference of October 1997, the Economic and Social Committee, the International Office of Epizootics and the Copenhagen conference on antibiotic resistance of September 1998.

(1) OJ L 270, 14.12.1970.
(2) COM(98) 763 final.

(1999/C 341/028) **WRITTEN QUESTION E-3898/98**

by Hiltrud Breyer (V) to the Commission

(4 January 1999)

Subject: Ethnic bomb

In the light of recent reports from South Africa and Israel concerning the possible development of biological weapons capable of targeting victims by ethnic or racial origin.

Would the Commission please confirm:

1. that no EU funding is being used either directly or indirectly for any such research?

2. that no such research is being carried out in EU Member States?

Answer given by Mrs Cresson on behalf of the Commission

(10 February 1999)

The Commission can confirm that no Community funding is either directly or indirectly being used for the research mentioned by the Honourable Member.

The Commission is not aware of any such research being carried out in Member States.

(1999/C 341/029) **WRITTEN QUESTION E-3917/98**

by Graham Mather (PPE) to the Commission

(4 January 1999)

Subject: Ecofin Council meeting of 1 December 1998

At this meeting, the Code of Conduct Group asked the Commission to complete as soon as possible two studies: a comparative study of administrative practices, and a cross-country review of the taxation of holding company activities and intra-group activities within Member States.

Can the Commission please tell me:

1. By whom will these studies be conducted?

2. If an external consultant is being employed for this purpose, what is his/her fee?

3. What are the precise terms of reference of these studies?

4. By when is it envisaged that these studies will be completed?

5. Does the Commission plan to make these studies available to MEPs as soon as they are completed?

Answer given by Mr Monti on behalf of the Commission

(10 March 1999)

The Commission has been asked to commission a study on administrative practices by an external consultant who has practical experience with this issue in each of the 15 Member States. This study should also cover a cross-country review of intra-group activities within the Member States. A cross-country review of the taxation of holding company activities will be carried out by the Commission on the basis of publicly available information and that to be supplied by the Member States.

On 8 December 1998, the Commission launched a tender procedure for the study on administrative practices. The procedure has not yet been finalised. Once the study contract has been awarded, the Commission will publish a post-information notice in the Official journal which will provide information about the consultant with whom the contract has been concluded.

The study on administrative practices will examine and describe, on the basis of practical experience with these issues, the scope and degree of administrative discretion with regard to business taxation in each of the 15 Member States and the practical procedures used for determining transfer prices for controlled transactions in relation to intra-group service activities and financial services. For the cross-country review of holding company regimes, being undertaken by the Commission, no further terms of reference have been determined.

The purpose of the studies is to inform the assessment of fiscal measures by the code of conduct group. Once the studies are completed, the Commission will present the results of the studies to the group. They will be made available to the Parliament in due course.

(1999/C 341/030) **WRITTEN QUESTION E-3925/98**

by Nikitas Kaklamanis (UPE) to the Commission

(4 January 1999)

Subject: Statements by Community official concerning accession of Cyprus

Agence Europe's daily bulletin No 7356 of 4 December 1998 (page 12) reported statements made by the head of the Commission's Enlargement Task Force, Mr Klaus van der Pas, concerning the accession of Cyprus.

Mr van der Pas stressed that he shared French concerns about 'bringing into the EU a divided island, in a sort of war zone.' This — to put it charitably — curious view of Mr van der Pas is 'embellished' by his provocative remark that 'these are fears shared by everyone'. Finally, the Community official adds that 'it is the Member States that are conducting the negotiations' and that, therefore, the Commission 'will not make proposals that are not politically reasonable'.

Will the Commission state its official position on these unacceptable views and explain on what authority Mr van der Pas speaks for 'everyone' in expressing provocative views on Cyprus, a country which (in every respect) is far more advanced than any other applicant country?

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

(12 February 1999)

The Commission continues to base itself on the Union position as expressed at the opening of the accession negotiations with Cyprus. As it has done since the start of the negotiating process, the Commission will

contribute actively in order to allow the negotiations with Cyprus to proceed as quickly as possible. It will do so notwithstanding persistent difficulties such as the fact that the Turkish-Cypriot community did not act up to now upon the explicit invitation to participate in the negotiations. The Honourable Member will not have failed to notice that these difficulties have led to various expressions of concern, including on behalf of certain Member States. The Commission fully shares the hope repeatedly expressed by the Union, that the accession negotiations will contribute positively to the search for a political solution to the Cyprus problem through the talks under the aegis of the United Nations which must continue with a view to creating a bi-community, bi-zonal federation.

(1999/C 341/031) **WRITTEN QUESTION E-3926/98**

by Konstantinos Hatzidakis (PPE) to the Commission

(4 January 1999)

Subject: Publicity campaign for Greek Government education policy using European Union funds

The operational programme 'Education and Initial Vocational Training' (Epeaek) forming part of the Community Support Framework (CSF) for Greece — the take-up of appropriations for which is particularly low — also jointly funds the so-called 'reform' of secondary education, which was previously publicised using Epeaek resources. The 'reform', however, has given rise to a storm of protest from teacher and parent organisations as well as from students. The Ministry of Education has responded by launching a new publicity campaign, taking out expensive full-page advertisements in the daily press and advertising slots on radio. Furthermore, it is obvious that the new publicity campaign is not simply trying to inform public opinion but to stem the swelling tide of protest from political parties and the educational community as a whole. Moreover, the press advertisements make no reference to the Community Support Framework, except for a tiny logo as a pretext for covering the expense from Community funds, and nor do the radio slots, whereas both are financed from the Community Support Framework for education.

In the light of this situation, will the Commission say:

1. whether it has been informed about the Ministry of Education's new publicity campaign and, if so, to what extent it is satisfied with the conditions under which it is being conducted and the terms on which the CSF is being presented,

2. what the level of expenditure is for the first and the second Ministry of Education publicity campaign and under which Epeaek subprogramme they are being jointly funded, and

3. what measures it will take to put an end to the financing of government propaganda from Community funds?

Answer given by Mr Flynn on behalf of the Commission

(10 March 1999)

The Commission is not aware of the particular publicity campaign to which the Honourable Member refers. The Commission would like to point out that the national authorities are responsible for the implementation of the actions co-funded by the structural funds, including those for information and publicity.

The Commission, therefore, has no information on the cost of this publicity campaign. However, the overall budget, agreed by the programme's monitoring committee for information and publicity actions on the Epeaek programme, up to the end of the programming period, amounts to 500 million drachma (about €1,5 million. The operation is funded through measure 1 of the sub-programme 4 (technical assistance) of the programme 'Education and initial training'.

The Commission and the Greek Ministry of national economy have recently set up a joint steering committee with the aim of co-ordinating and monitoring the information and publicity activities for the Greek Community support framework.

(1999/C 341/032) **WRITTEN QUESTION E-3929/98**

by Graham Mather (PPE) to the Commission

(4 January 1999)

Subject: Code of Conduct on Business Taxation — Commissioner Monti's statement to the European Parliament on 7 December 1998

At his meeting with the Committee on Economic and Monetary Affairs and Industrial Policy in the European Parliament of 7 December 1998, Commissioner Monti stated that the Code of Conduct on Business Taxation was causing certain Member States to exercise 'self-discipline' in that they had decided not to introduce certain tax measures which might have been in breach of the principles of the Code.

Can the Commissioner please specify to which tax measures in which Member States he was referring?

Answer given by Mr Monti on behalf of the Commission

(24 February 1999)

It is not for the Commission to comment on tax considerations in individual Member States but, to the best of the knowledge of the Commission, since the adoption of the code of conduct for business taxation all Member States have refrained from introducing any new tax measures that are harmful within the meaning of the code.

Several proposed new tax measures have, however, been referred to the code of conduct group for future consideration, although the confidentiality of the group's work prohibits the Commission from specifying which measures they might be.

It should also be noted that proposals have already been made by national governments to withdraw or phase out certain measures that might fall within the scope of the code.

(1999/C 341/033) **WRITTEN QUESTION E-3930/98**

by Graham Mather (PPE) to the Commission

(4 January 1999)

Subject: Emission limit values for motorcycles

The European Motorcycle Manufacturers Association (ACEM) recently submitted to the Commission a research study on motorcycle exhaust gases.

Can the Commission please tell me what consideration this report has received, briefly describe what other evidence has been submitted for consideration in the debate on ELVs for motorcyles and indicate its current thinking on this issue?

Answer given by Mr Bangemann on behalf of the Commission

(26 February 1999)

The European Motorcycle Manufacturers Association (ACEM) submitted the final report on its programme of research into pollution from motorcycles to the Commission on 18 March 1998.

This report, which was drawn up at the Commission's request, indicates the cost and effectiveness of various technologies enabling emissions from motorcycles to be reduced by 2002/2005 with a view to the application of Article 5 of Directive 97/24/EC of 17 June 1997 on certain components and characteristics of two or three-wheel motor vehicles [1].

At the request of the Commission, the ACEM presented the results of its work to a group of experts in May/June 1998, following which the Commission decided to carry out further investigations so as to be able to use the raw data from the programme to develop a number of scenarios for future regulation and compare them under the Auto/Oil II programme with other measures taken to reduce atmospheric pollution from other motor vehicles.

The Commission plans to complete this preliminary work at the beginning of 1999 to enable it to present a proposal in the course of the year.

(1) OJ L 226, 18.8.1997.

(1999/C 341/034) **WRITTEN QUESTION E-3944/98**

by Anita Pollack (PSE) to the Commission

(4 January 1999)

Subject: Local Agenda 21

What steps has the Commission taken to support exchange of information and experience about local Agenda 21 plans?

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 March 1999)

The Commission has actively supported the exchange of information and experience about local Agenda 21 over several years. Activities range from policy development to financial contributions for activities such as studies, projects, conferences and publications.

The communication [1] 'Sustainable urban development in the European Union: a framework for action' reaffirms the Commission's commitment in this area. Actions 19, 20 and 23 are of particular relevance, setting out future priorities in relation to the exchange of experience and Local Agenda 21 activities.

Examples of past Commission activities in this field include the expert group on the urban environment and the sustainable cities project (it produced the sustainable cities report and the good practice guide, which highlight local Agenda 21 and provide practical examples); the European sustainable cities & towns campaign, set up to encourage and support local authorities in working towards sustainability by promoting development towards sustainability at the local level through local Agenda 21; European and regional conferences (including Aalborg 1994, Lisbon 1996, Turku and Sofia 1998, Seville and The Hague 1999); and a database on good practice in urban management and sustainability, focused on disseminating good practice about how cities and towns can be managed in more sustainable ways.

(1) COM(98) 605.

(1999/C 341/035) **WRITTEN QUESTION E-3946/98**

by Anita Pollack (PSE) to the Commission

(4 January 1999)

Subject: Sustainable fishing

Has the Commission undertaken any evaluation of its funding policies for fishing with a view to rewarding environmentally sensitive fishing, for example, to offer incentives for environmental resource management and nature conservation activities, and to penalise commercial over-exploitation of dwindling fish stocks?

Answer given by Mrs Bonino on behalf of the Commission

(7 April 1999)

Under Structural Fund programmes, the Member States and the Commission share responsibility for evaluating the impact of Community financing, the rules on which are adopted by the Council, on the sectors and regions in question, including the fisheries sector. The Commission has also part-financed a number of scientific research projects covering the impact of aid on catch capacity and hence on resources. The projects in question are listed in the FAIR project catalogue [1] and include notably Nos 1454, 3541 and 3936.

The Commission can confirm that aid for modernisation must not run counter to resource conservation targets. Use of more selective gear and fishing methods is one of the essential eligibility criteria for Community aid.

Regulation of resource exploitation by means of TACs and catch quotas or restrictions on individual fishing grounds limits the overexploitation of stocks while favouring responsible fishing. Each Member State remains free moreover to set internal allocation rules and can gear them to maximum respect for resources and the environment.

Any infringement of these provisions of Community law is liable to result in penalisation under Article 169 of the Treaty. The Commission has moreover recently adopted a proposal (2) for a Council Regulation listing types of behaviour, including overfishing, that seriously infringe CFP rules. While this Regulation may not lead to Community-wide harmonisation of penalties imposed, it will result in greater transparency as regards enforcement of CFP rules.

(1) Project synopses. Volume VI: Fisheries & aquaculture (FAIR: 1994-1998).
(2) COM(99) 70 final.

(1999/C 341/036)

WRITTEN QUESTION E-3965/98

by John Iversen (PSE) to the Commission

(4 January 1999)

Subject: Zoonosis directive

In its answer to my Question H-0943/98 (1) on the zoonosis directive, the Commission concedes that the directive has been implemented inadequately in the Member States and that the zoonosis reporting system could be improved significantly.

It is therefore hard to see why the Commission wishes to submit a proposal designed to give it extra time to consider what should be done. That is not reasonable. The Commission has a duty to ensure that EU rules are implemented, and failure on the part of Member States to implement the zoonosis directive properly should immediately result in the Commission taking action against them.

Does the Commission not take the view that public health considerations mean that the zoonosis directive must be implemented without further delay?

(1) Verbatim report of proceedings (November 1998).

Answer given by Mr Fischler on behalf of the Commission

(5 February 1999)

The Honourable Member is referred to the Commission's answers to Written Questions E-3175/98 (1) and E-3865/98 from Mrs Riis Jørgensen (2).

(1) OJ C 325, 12.11.1999, p. 2.
(2) OJ C 297, 15.10.1999.

(1999/C 341/037)

WRITTEN QUESTION E-3976/98

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

(4 January 1999)

Subject: Storage of nuclear waste from the reactor in Petten (Netherlands)

There have been articles in the Dutch press recently (Volkskrant of 3 and 5 December 1998) on the problems with the storage capacity of the high flux reactor in Petten; the articles contain new information on this problem. Since the 1980s the United States have been calling for a switch to low-grade uranium because of the interests expressed by terrorists in high-grade uranium. The Commission has not responded to this hitherto because low-grade uranium does not provide sufficient neutron flux which is needed for the nuclear research

carried out in the reactor. The cost of conversion is also too high, according to the Commission, and no money is available.

1. Fuel type has recently been developed which does produce sufficient neutron flux. Conversion of the Petten reactor would therefore no longer be a technical problem. Has the research into the gradual conversion of the reactor in Petten, carried out by AEA Technology, a research institute from Winfrith (Great Britain), demonstrated that full conversion would be possible in the space of a year? Will the costs of conversion actually be lower than previous estimates, since the reactor could remain operational during the conversion?

2. The United States have given an undertaking that if the reactor is converted they would take the spent fuel rods for central storage in the USA. This might prove a solution to the problem of storage of nuclear waste in Petten. Would it not be sensible for the Commission to decide on a change to low graded uranium?

Answer given by Mrs Cresson on behalf of the Commission

(4 March 1999)

A new high-density fuel which, however, only contains low-grade uranium has been devised. Although the experience accumulated is insufficient one may envisage its use in the high-flux reactor (HFR) by replacing highly-enriched uranium fuel.

Thermo-hydraulic checks are in progress in order to ensure the option of having that reactor operate on this new type of fuel under conditions similar to those currently applying to the production of medical isotopes. A conclusion is expected by February 1999.

The cost of conversion would apparently be high in that conversion should be gradual, in step with the availability of new fuel elements. That conversion could be completed within ten reactor cycles (12 months), but it is at the moment impossible to set its starting date.

The conversion decision could enable the American Department of Energy (DOE) to accept the spent fuel.

That possible means of disposing of irradiated fuel only concerns 25 % of HFR fuel-element use and it is to be considered as an alternative to storage at Habog- the central storage body for radioactive wastes (Covra).

(1999/C 341/038) **WRITTEN QUESTION E-3983/98**

by Jesús Cabezón Alonso (PSE) to the Commission

(4 January 1999)

Subject: Aid to the Sniace company (Spain)

Can the Commission confirm that it has received a complaint from the Austrian undertaking, Lenzing, alleging that the Sniace company of Cantabria, Spain, has been the beneficiary of central and regional government aid?

Has it received the statements from the central and regional governments in Spain, denying that any aid which might lead to unfair competition has been granted?

Is it aware that some of the products manufactured by Lenzing and Sniace compete for the same market?

Is it aware of the potential damage that this complaint may cause to Sniace's financial and social standing?

Answer given by Mr Van Miert on behalf of the Commission

(12 February 1999)

Following a complaint made by Austrian firm Lenzing A.G. about various forms of illegal state aid received over a period of several years by Sniace S.A., a competitor of Lenzing in the area of viscose fibres, and taking

into account the comments made by the Spanish authorities and a number of third parties, including other competitors of Lenzing, during a formal investigation under Article 93(2) of the EC Treaty, the Commission adopted a final partially negative decision on 28 October 1998.

According to the Decision, two of the measures under investigation did constitute aid, namely agreements to defer social security contributions at non-market interest rates and a repayment agreement with the wage guarantee fund, Fogasa, also at non-market interest rates. In line with its practice in previous cases, the Commission rejected the Spanish government's assertion that the measures in question fell outside the scope of the state aid rules on the grounds that they were generally applicable under Spanish law. The Commission held that it was evident that the public authorities were able to exercise discretionary treatment towards the firm in question. Since the aid was not based on any approved scheme and Spain had not attempted to justify the aid on the basis of a valid restructuring plan, the Commission decided that the aid was incompatible with the common market and ordered its recovery. The decision did not quantify the amount of aid but stated that it was at least equivalent to the difference between the interest rates granted in the agreements with the social security treasury and Fogasa and the market rates.

The Commission was unable to establish the existence of aid in any of the other measures under examination, but reserved its position on the question of whether the firm's failure to pay statutory environmental levies might constitute aid.

The Commission is mindful of the potential consequences of its decisions on aid beneficiaries and competitors and therefore endeavours to apply the state aid rules in an objective and impartial manner.

(1999/C 341/039) **WRITTEN QUESTION E-3987/98**

by Raimo Ilaskivi (PPE) to the Commission

(4 January 1999)

Subject: Confidence between the Commission and Parliament

The President of the Commission, Jacques Santer, recently gave Parliament an interesting outline of his views on the development of the Commission. Since I was not accorded the requested opportunity to speak in the ensuing debate, I am tabling my question in writing.

One term which — quite rightly — was repeatedly stressed in Mr Santer's address was 'confidence'. It is also required in relations between the Commission and Parliament. At present, confidence can be measured only by means of Parliament's vote of confidence or no confidence in the Commission in its entirety. However, in instances such as BSE and the recent fraud controversy, responsibility rests with only one or a few Members of the Commission who have failed to act in such a way as to inspire confidence. Yet it is not possible to pass a vote of no confidence in those concerned, an option which would ensure that duties were performed more effectively and emphasise individual responsibility.

What view does the President of the Commission take of the idea of amending the basic rules so as to make it possible to pass a vote of no confidence in a single Member of the Commission who has failed in his duties, which would not damage the confidence existing between Parliament and the rest of the Commission? If the reply is favourable, what will he do to bring about the requisite changes?

Answer given by Mr Santer on behalf of the Commission

(9 March 1999)

Any move to pass a vote of confidence on one Member of the Commission would necessitate, as the Honourable Member points out, an amendment to the Treaties. A significant change in the system whereby the Commission is treated as a single entity, as reaffirmed by the Treaty of Amsterdam, would require an in-depth study of the matter.

(1999/C 341/040) **WRITTEN QUESTION E-4007/98**

by Frank Vanhecke (NI) to the Commission

(5 January 1999)

Subject: Lost customs duties in the port of Antwerp

The customs service in the port of Antwerp is 400 officials short of its intended complement of 1 600. This results in many dues, especially European import duties, not being collected, a situation which has now persisted for several years.

Is the Commission aware of this situation?

Is there an estimate of the amount of customs duties that has been lost?

Answer given by Mr Monti on behalf of the Commission

(11 March 1999)

Customs duties, which are assigned as own resources to the Community budget, are collected by Member States in accordance with national law, adapted if necessary to conform with Community rules. The Member States retain 10 % to cover the cost of collection.

It is therefore up to the Member States themselves to organise their customs departments in such a way that they can carry out this task properly, and to ensure that they are adequately staffed. Member States are also required to inspect and monitor the way the system is working. The Commission, as the body responsible for revenue, also audits own resources, which includes carrying out independent inspections in the Member States.

The Commission has no reason to think that staff shortages in the Port of Antwerp Customs are adversely affecting the collection of own resources, but would ask the Honourable Member to pass on any evidence of such a situation. It will then undertake any investigations that might prove necessary.

(1999/C 341/041) **WRITTEN QUESTION E-4021/98**

by Johanna Boogerd-Quaak (ELDR) to the Commission

(8 January 1999)

Subject: Tax-free purchases by members of the Commission and officials of the Community Institutions

Members of the Commission and officials of the Community Institutions are entitled albeit pursuant to different legal bases and subject to different conditions, to a number of privileges, in respect of indirect taxation.

1. Can the Commission provide an overview of the privileges in respect of indirect taxation enjoyed by the members of the Commission, on the one hand, and officials of the Community institutions, on the other?

2. To what extent does the Commission regard the Council decision to abolish duty-free sales within the European Union with effect from 1 July 1999 as grounds for changing the derogations applying to members of the Commission — even though such derogations are based on international conventions rather than Community law — for example, through a code of conduct?

3. Would it not be better to replace the allowance for removal expenses and for the purchase of furniture and fittings, to which officials of the community institutions are entitled in their first two years of service, with a flat-rate sum?

4. As European integration proceeds and the original idea of privileges for Community officials and exchanges of diplomatic staff and military personnel between the Member States diminishes in importance, to what extent is there still a need to grant diplomatic status within the European Union to employees posted from one Member State to another?

Answer given by Mr Monti on behalf of the Commission

(30 March 1999)

1. When officials recruited from abroad first take up their duties in one the European Community institutions in Belgium, the Belgian Government grants them the privilege of purchasing certain personal consumer goods free of VAT for up to 12 months within a two year period following the date on which they begin work. A list of these goods, together with the conditions governing the purchase thereof, is being sent direct to the Honourable Member.

This privilege is also enjoyed by temporary staff and by other staff covered by the Staff Regulations if they are engaged on contracts for a minimum of 12 successive months.

Luxembourg and Ireland grant similar privileges to officials and other regular staff when they first take up their duties in those two Member States.

On the other hand, Belgium treats Members of the Commission as having diplomatic status. In particular with regard to the purchase of goods for personal consumption, they enjoy the same advantages as Member States' diplomats accredited to Belgium.

2. The Commission considers that the advantages deriving from diplomatic status within the Community are a totally separate issue from that of intra-Community tax-free sales.

3. The conditions and procedures for payment of the installation allowance and for reimbursement of removal costs are laid down in Annex VII to the Staff Regulations.

4. The Commission has already considered the question of whether the diplomatic privileges referred to by the Honourable Member are compatible with the single market. The Honourable Member is referred to the Commission's answer to Written Question E-3878/98 by Mr De Coene (1).

(1) OJ C 325, 12.11.1999, p. 35.

(1999/C 341/042) **WRITTEN QUESTION E-4041/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(13 January 1999)

Subject: Transeuropean transport networks — Egnatia highway — vertical road axes

The Egnatia highway, which is currently under construction as part of the trans-European transport network, will provide an effective and operational link and, at the same time, make an essential contribution to forging closer relations between the regions on either side of the border once the vertical road axes linking it with Greece's neighbouring countries, Albania, FRYOM, Bulgaria and Yugoslavia, have been completed.

What stage has been reached by the various projected sections of the vertical road axes linked to the Egnatia highway, with regard to budgeting and the necessary preparatory works, in each of the third countries concerned?

Answer given by Mr Kinnock on behalf of the Commission

(9 March 1999)

The Commission agrees that the efficiency of the Egnatia motorway, a trans-European network priority project in Greece that is linked to pan-European corridors IV, IX and X, will be improved by the construction and operation of the vertical road axes linking Egnatia to Albania, to the former Yugoslav Republic of Macedonia (FYROM) and to Bulgaria. These axes will also contribute to trans-border co-operation in the area.

The Community support framework 1994-1999 for Greece, the Community initiative Interreg II and the Cohesion fund already co-finance, in Community territory, the construction of the following road axes linking Egnatia with Albania, FYROM and Bulgaria:

- Greek/Albania border: Ioannina-Kakavia and Siatista-Kristallopigi
- Greek/FYROM border: Kozani-Florina-Niki
- Greek/Bulgarian border: Thessaloniki-Serres-Promachon and Alexandroupolis-Ormenio

Work is progressing on all of these axes.

The PHARE programme co-finances the continuation of the axes Ioannina-Kakavia and Siatista-Kristallopigi up to Durres in the Adriatic Sea and the continuation of the axis Thessaloniki-Serres-Promahon up to Sofia.

In Albania, PHARE is financing the road rehabilitation from Kakavia to Gjirokaster with 15 millions euro. The contractor is expected to start the works in May 1999.

In FYROM, PHARE is financing construction on the E75 (4,6 kilometres) at Gevgelija with an amount of 6,2 millions euro. This road connects FYROM with Thessaloniki. Also on the E75, PHARE will finance the section Negotino-Demir Kapija with 30 millions euro. 11 millions euro have already been allocated by the 1997 and 1998 cross border co-operation (CBC) programmes. The balance is to be financed by the 1999 and 20 programmes. Technical design is available.

In Bulgaria, the 1998 PHARE CBC assistance was intended to improve the road between Thessaloniki and Sofia as well as the axis Alexandroupolis-Ormenio up to Haskovo.

Regarding Yugoslavia, appropriate information is not available.

The Community will of course continue its efforts to utilise all possibilities for further co-financing these links within existing and future Community instruments, in the framework of the Agenda 2000 of the period 2000-2006.

(1999/C 341/043) **WRITTEN QUESTION E-4047/98**

by Ian White (PSE) to the Commission

(13 January 1999)

Subject: Misuse in France of Factor VIII blood products

Following the misuse in France of Factor VIII blood products which have resulted in medical patients developing both AIDS and hepatitis.

Is the Commission able to state please:

1. The percentage proportion of haemophiliacs who have developed either AIDS or hepatitis in each Member State?

2. Which Member States have made provision for haemophiliac screening and mandatory compensation schemes for prospective victims?

Answer given by Mr Flynn on behalf of the Commission

(1 April 1999)

Epidemiological surveillance of AIDS in Europe is carried out with financial support from the Commission under the programme of Community action on the prevention of AIDS and certain other communicable diseases (1996-2000) [1]. The European Centre for Epidemiological Monitoring of AIDS (CESES) publishes a detailed quarterly report on the most recent data transmitted by the national monitoring centres. The number of AIDS cases declared is available by Member State, year, sex, age and transmission group. Between the start of the epidemic and June 1998, 195 785 cases of AIDS were declared in the Community, 3 266 (1,67 %) of them involving haemophiliacs. In 1996 and 1997 this percentage was 0,71 %. The Commission will send the most recent CESES report to the Honourable Member and the Parliament's Secretariat.

At the moment, the Commission does not have any data on the percentage of haemophiliacs who have developed hepatitis in each Member State. On 24 September 1998 the Council and Parliament adopted a Decision [2] setting up a network for the epidemiological surveillance and control of communicable diseases in the Community. This network will permit epidemiological surveillance of a number of priority diseases in Europe. It will include an early warning system allowing a rapid and appropriate response at European level in

the event of a recognised threat to public health. Epidemiological surveillance of hepatitis in Europe will be one of the network's priorities.

The organisation of screening for these diseases is the responsibility of the Member States. At the Commission's initiative, a study of the different aspects of screening for the human immuno-deficiency virus (HIV) is being undertaken and will be available during the second quarter of 1999.

As regards compensation, several Member States have specific schemes to help persons who have become infected through transfusion of a defective blood product, responsibility for which lies with the Member States.

(1) Decision 647/96/EC of 29 March 1996, OJ C 95, 16.4.1996.
(2) Decision 2119/98/EC of 24 September 1998, OJ L 268, 3.10.1998.

(1999/C 341/044) **WRITTEN QUESTION E-4049/98**

by Eolo Parodi (PPE) and Guido Viceconte (PPE) to the Commission

(13 January 1999)

Subject: Advertising of olive-oil-based margarines and their composition

Recent advertising campaigns in various European countries have been making claims about the dietary benefits of olive-oil-based hard margarine. In actual fact, according to scientific analyses carried out on behalf of a specialized publication, in view of the low percentage of olive oil in the margarine — which consists mainly of saturated fats — it cannot be considered as a solid substitute for traditional olive oil, as the advertisers would have us believe.

Can the Commission therefore say what measures it intends to take to protect consumers and safeguard extra virgin olive oil, its image and its universally acknowledged dietary properties?

Answer given by Mr Fischler on behalf of the Commission

(18 March 1999)

In the framework of the common agricultural policy (CAP) and on the basis of 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 [1], 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 million 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 accurate 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.

Article 2 of Council Directive 79/112/EEC of 18 December 1978 on approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer [2] requires that labelling must not be such as could mislead purchasers to a material degree by attributing to foodstuffs effects or properties they do not possess. Ensuring respect for this provision is a matter for the Member States.

(1) OJ L 192, 26.7.1980 and OJ L 288, 31.10.1980.
(2) OJ L 33, 8.2.1979.

(1999/C 341/045) **WRITTEN QUESTION E-4051/98**

by Eolo Parodi (PPE) and Guido Viceconte (PPE) to the Commission

(13 January 1999)

Subject: Italian legislation on the taxation of Italian citizens resident abroad

Article 10 of the Italian law on public financing measures for stabilisation and development, passed by the Italian Chamber of Deputies on 20 November last, stipulates that as of 1 January 1999 Italian citizens who are no longer resident in Italy and have emigrated to foreign countries or territories with special tax arrangements are liable to pay income tax in Italy.

Can the Commission shed light on the legal and fiscal compatibility of this double taxation with existing bilateral agreements and European case law on the subject?

Answer given by Mr Monti on behalf of the Commission

(8 March 1999)

According to the Commission's information, the tax legislation in question provides that Italian citizens who have transferred their residence to a foreign country or territory with special tax arrangements must provide the Finance Department with proof that they are no longer resident in Italy for tax purposes.

The new rules reverse the burden of proof; under the previous legislation, the administration had to prove that the taxable person was still resident in Italy.

The Commission views the new Italian legislation as a measure to combat tax evasion and is unable to see, at first sight, how it would infringe Community law. Furthermore, to the best of the Commission's knowledge, the Italian authorities have not yet let it be known what they consider to be a foreign country or territory with special tax arrangements. However, the attitude of the Italian tax authorities hitherto would suggest that they do not mean the Member States. The Commission will keep track of how the authorities in Italy implement this law.

With regard to the second matter raised by the Honourable Members, i.e. the compatibility of the measure with tax agreements, very often there are no agreements with countries with special tax arrangements. However, where such agreements do exist and where a person is deemed to be resident for tax purposes under the laws of both countries, the agreements generally establish residence in one country for tax purposes, so that the agreement can be implemented (see Article 4 of the OECD's model agreement).

(1999/C 341/046) **WRITTEN QUESTION E-4052/98**

by Eolo Parodi (PPE) and Guido Viceconte (PPE) to the Commission

(13 January 1999)

Subject: Community measures for short-haul sea transport

Since there are approximately 35,000 kilometres of coastline and more than 600 ports situated near industrial centres, short-haul sea transport could be a solution to the problem of road congestion in Europe and offers advantages in terms of energy consumption, the environment and economic and social cohesion in the outlying regions of the Union.

Can the Commission say:

1. what follow-up has been given to its Communication of 5 July 1995 (COM(95) 317) on the development of this mode of transport;

2. what practical measures it envisages to develop and encourage short-haul coastal shipping?

Answer given by Mr Kinnock on behalf of the Commission

(9 March 1999)

1. Following the Commission's 1995 Communication on Short Sea Shipping, a first progress report was produced in 1997 [1] and a further report will be published in April 1999 in response to the Council's invitation to produce such reports at two-yearly intervals. It is intended that this new Communication will examine the potential of Short Sea Shipping in the framework of sustainable and safe mobility, the 'image' of this mode of transport, its integration in European logistic transport chains, the progress achieved in promoting Short Sea Shipping during the last few years, and the barriers remaining to the further development of such transport. The new Communication will include recommendations for further action.

2. One of the conclusions of the 1995 Communication was that the main impetus for making Short Sea Shipping a more commercially attractive and viable alternative to transport users has to come from the maritime industries themselves. However, there are certain actions that could be taken at other levels.

The Commission has consequently supported several projects relating to Short Sea Shipping and ports under the Fourth framework programme for research and development. These include a project aiming to co-ordinate all the development work and to make the results of individual projects available to all interested parties.

Short Sea Shipping projects have also been supported under the Community Pilot Actions for Combined Transport (PACT), and port-related projects have been carried out with trans-European network (TEN-T) financing. In addition, the Commission has financed a study on documentary requirements in Short Sea Shipping. In the Mediterranean region, a package of regional maritime projects has qualified for financing under MEDA.

These projects and studies will be examined in the above-mentioned new Communication.

The Commission supports the efforts of the shipping industries, in particular within the structure of the Short Sea Shipping panel of the Maritime Industries Forum (MIF) to develop Short Sea Shipping roundtables as a forum in which practical solutions can be found for problems affecting shipping and port operations. The Commission also supports regional co-operation on matters relating to Short Sea Shipping in Europe, including certain third countries.

(1) SEC(97) 877.

(1999/C 341/047) **WRITTEN QUESTION E-4059/98**

by Anita Pollack (PSE) to the Commission

(13 January 1999)

Subject: Health effects of cramped seating on long-haul flights

Is the Commission aware that serious concerns are being raised about cramped seating on long-haul flights causing thrombosis to some passengers? Has there been any research conducted or gathered by the Commission on this matter?

Answer given by Mr Kinnock on behalf of the Commission

(10 March 1999)

The Commission is aware of concerns expressed about the possible consequences for the health of certain air passengers through the risk of insufficient seat space in economy class. An increasing number of complaints from passengers has been received and several expert studies have been funded by the Commission in response to those concerns. Results received so far do not identify a clear need to impose a wider seat pitch. They do tend to demonstrate, however, that lengthening distance between seats increases the risk of injury in case of accident.

The Commission is conducting an inquiry on this matter within the relevant Joint aviation authorities (JAA) working group and will consider whether the results should lead to further specific initiatives which could ease discomfort whilst maintaining safety.

(1999/C 341/048) **WRITTEN QUESTION E-4060/98**

by Anita Pollack (PSE) to the Commission

(13 January 1999)

Subject: Biotechnology companies

Can the Commission say how many biotechnology firms are registered in each Member State and which are SMEs, which are large firms and which are listed on their stock exchanges?

Is it also possible to say how many biotechnology products each of them has gained a licence for and how many are currently on the market?

Answer given by Mr Bangemann on behalf of the Commission

(26 February 1999)

The most recent data available show that the total number of biotech companies in the Community in 1997 was 942 ([1]). The types of companies included in this number are start-up companies (1 to 49 employees and founded during 1997) small companies (1 to 49 employees and founded prior to 1997) mid-size companies (50 to 149 employees) and large companies (150 to 500 employees).

The breakdown per Member State is the following:

Member State	Total	Start-up, small, medium	Large
Belgium	44	10 + 23 + 6	5
Denmark	45	11 + 27 + 6	1
Germany	172	71 + 85 + 14	2
Spain	20	2 + 13 + 5	0
France	130	24 + 80 + 23	3
Ireland	37	4 + 28 + 4	1
Italy	41	4 + 31 + 6	0
Netherlands	61	8 + 40 + 10	3
Austria	5	0 + 3 + 2	0
Portugal	10	2 + 7 + 1	0
Finland	47	12 + 30 + 3	2
Sweden	83	15 + 50 + 15	3
United	247	65 + 114 + 53	15

As far as small and medium sized entreprises (SMEs) are concerned, the group of small, start-up and medium sized companies shows the dynamism of the biotech industry in the Community.

Currently, 61 European biotech companies are listed on various stock exchanges ([2]) in Europe (London Stock Exchange, Easdaq, Nouveau Marché) and North America (Nasdaq). It is not possible to say for how many biotechnology products each of them has gained a licence and how many are currently on the market.

Nevertheless, the following table shows the number of patents granted to European companies by the European patent office (EPO) in 1997 ([3]).

Member State	Number of patents granted
Belgium	15
Denmark	18
Germany	177
Greece	3
Spain	10
France	214
Ireland	4
Italy	38
Luxembourg	3
Netherlands	30
Austria	9
Portugal	1
Finland	10
Sweden	21
United Kingdom	128

The total number of patents granted to European companies in 1997 was 681, compared with 728 in 1996, 673 in 1995 and 726 in 1994.

Another indicator consists of the number of products put on the market within the framework of the European legislation. In 1997, the European medicines evaluation agency (EMEA) approved 22 products, of which 11 can be considered as pure biotech products. None of them, however, was developed by European entrepreneurial companies ([4]). Under Directive 90/220/EEC on the contained use of genetically modified micro-organisms ([5]), 16 out of 18 approved products were provided by European companies (as of November 9, 1998). Under the Novel Foods Regulation, 5 out of 8 products were notified by European companies pursuant to Article 5 of Regulation (EC) 258/97 ([6]).

(1) Ernst & Young, 1998: European Life Sciences 98: Continental Shift, p. 3. Data for Greece and Luxembourg were not included.
(2) Ernst & Young, 1998: European Life Sciences 98: Continental Shift, p. 11.
(3) Source: European patent office, Jan. 99. Type of patents included in the figures: A0IG (horticulture), A01H (new plants), A61K (preparations for medical, dental or toilet purposes), C12N (micro-organisms or enzymes), C12P (fermentation or enzyme-using processes), C12Q (measuring or testing processes involving enzymes or micro-organisms).
(4) Source: Ernst & Young, 1998: European Life Sciences 98: Continental Shift.
(5) OJ L 117, 8.5.1990.
(6) OJ L 43, 14.2.1997.

(1999/C 341/049)

WRITTEN QUESTION E-4062/98

by Graham Mather (PPE) to the Commission

(13 January 1999)

Subject: 1992 Habitats Directive — designation of Special Areas of Conservation (SACs)

Under the 1992 Habitats Directive ([1]), the Member States were obliged to propose a certain number of sites to be designated as SACs by 1992. The United Kingdom has failed to meet all of its obligations in this regard.

What action does the Commission propose to take to ensure that the United Kingdom does now meet these obligations?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(12 March 1999)

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora requires each Member State to propose a list of sites to the Commission within three years of the notification of this Directive. Such lists should therefore have been received by June 1995.

The United Kingdom has now proposed 333 sites, covering 16,885 km^2. It has informed the Commission that its list is largely complete and that a small number of remaining sites will be proposed by the spring of 1999.

With a view to establishing a list of sites of Community importance to be designated as special areas of conservation (SACs) under the Directive the Commission will evaluate with the Member States the different proposed national lists. This will be done within the framework of each of the different biogeographic regions covered by the Directive.

The United Kingdom is located entirely within the Atlantic biogeographic region. A seminar is foreseen for autumn 1999 to evaluate the proposed national lists for this region. The sufficiency of the British proposal, with a view to the objectives of the directive, will be examined in this context and will form the basis for any further bilateral discussions between the Commission and the United Kingdom on this subject.

(1999/C 341/050) **WRITTEN QUESTION E-4063/98**

by Jaime Valdivielso de Cué (PPE) to the Commission

(13 January 1999)

Subject: Communications

On 26 November 1998 the Commission announced that it would not proceed further with its investigations into three mobile phone service providers, including the Spanish national telephone company Telefónica, after they had cut their connection charges for calls from fixed to mobile telephones.

Could the Commission say when the reductions will take effect as far as Spanish users are concerned?

Answer given by Mr Van Miert on behalf of the Commission

(16 February 1999)

In 1998, the Commission initiated an in-depth investigation on the possible abusive level or discriminatory nature of certain interconnection rates applied by telecommunications operators in the Community. In this framework, the Commission opened two files involving the company Telefonica de España. The first concerned the prices charged by Telefonica to Airtel for terminating the mobile calls of the latter in its fixed network. The Commission found that those prices could be excessive or discriminatory. The second concerned the revenues retained by Telefonica in the case of calls from its fixed network to a mobile network. The results of the Commission inquiry indicated that the retention applied by Telefonica was in excess of a best practice benchmark established by the Commission.

In November 1998, after having examined the relevant data provided by Telefonica, the Commission decided to close the first file. The Commission inquiry related to interconnection charges between operators and not to the charges applied to final consumers. How the cost saving resulting from the new termination charges will be passed by the relevant mobile operators to the user is a matter for their commercial strategy. The entry into operation of the third mobile telephony operator in Spain will in any case put both incumbent mobile operators under pressure to improve their current offer to their consumers.

Furthermore, the reference interconnection offer of Telefonica recently approved by the Spanish government determines that the same termination charges for calls originating from fixed network operators will apply also for calls originating from mobile network operators, which should reduce significantly the charges applied to the latter. However, the Commission cannot anticipate to what extent or when those reductions of the prices for final consumers would take place, as those depend on the competitive pressure in the market and are decided by the companies offering those services.

(1999/C 341/051) **WRITTEN QUESTION E-4075/98**

by Werner Langen (PPE) to the Commission

(14 January 1999)

Subject: EU aid to Rheinland-Pfalz from 1994 to 1998

Will the Commission state the amounts of aid from the EU budget to Rheinland-Pfalz in the period between 1994 and 1998, its recipients and the number of jobs created thereby, and in what areas?

In particular, what funds were paid out under the programmes in the following fields:

- KONVER,
- agriculture,
- EAGGF,
- education,
- youth,
- culture,
- research and technology,
- higher education,
- industry,
- regional development/Structural Funds and
- the social sector?

Supplementary answer
given by Mr Santer on behalf of the Commission

(16 April 1999)

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

(1999/C 341/052) **WRITTEN QUESTION E-4098/98**

by John McCartin (PPE) to the Commission

(14 January 1999)

Subject: National concessions on taxation

Given that regional economic disparities in most Member States lie at a ratio of about 2:1, can the Commission confirm that national concessions on taxation, made as a regional policy incentive, are still acceptable within the single market?

Answer given by Mr Monti on behalf of the Commission

(10 March 1999)

Tax incentives for regional development must be appreciated from the double point of view of the legislation on State aid. The criteria for applying the rules on State aid as regards business taxation were recently set out in greater detail in a Commission communication published in the Official Journal ([1]). For the Commission to consider it compatible with the single market, State aid in the form of tax concessions for the economic development of certain regions must be in proportion to and targeted at the aims sought. These criteria are designed to contribute to a consistent approach as regards Community law and the single market.

Regional development tax incentives may also fall within the scope of the Code of Conduct adopted on 1 December 1997 to combat harmful tax competition within the Community. When assessing whether any particular measures are harmful, the Code of Conduct group set up within the Council must also consider whether the measures are in proportion to and targeted at the aims sought, as stipulated in paragraph G of the code.

([1]) OJ C 384, 10.2.1998.

(1999/C 341/053) **WRITTEN QUESTION E-4108/98**

by Alexandros Alavanos (GUE/NGL) to the Commission

(14 January 1999)

Subject: Measures under the operational programme for railways in Greece

Although sub-programmes 1 and 3 of the operational programme for railways in Greece refer to work on the Athens-Thessaloniki line and improvements to the Peloponnese network, the plans to modernise the railways in Greece proposed in the recent operational programme adopted by the OSE (Greek Railways Organisation) contain no reference to any measures concerning the Lianokladi-Domokos section of the Athens-Thessaloniki line or the modernisation of the Peloponnese network.

1. Given that the Commission has decided in favour of regenerating the railways, is it satisfied with the above discrepancies?

2. If there is a proposal to renew and modernise the Paliofarsala-Kalambaka line, does the Commission agree to Community funding?

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

(3 March 1999)

The 1994-99 Community support framework (CSF) for Greece states that: 'The significant effort required to improve rail transport will be reflected in drawing up a business plan which will cover both investment and the modernization of the Greek Railways Company (OSE) and its operation. As regards investment during the period covered by the CSF, priority will be given to the Patras-Athens-Thessaloniki link, which is part of the rail Trans-European Networks (TENs). Funding from both the Structural Funds and the Cohesion Fund will make it possible to move towards completion of the infrastructure of the Athens-Thessaloniki line (civil engineering, signalling, telecommunications, electrification) with a view to guaranteeing in the long term a travelling speed of 200 km/h. By 2000 the Athens-Thessaloniki line will be twin track along 88 % of its length (60 km between Lianokladi and Domokos, which would be particularly difficult and costly to convert, will remain as single track) and the journey time will be 4 hours 20 minutes, as compared to 5 hours 50 minutes in 1994 and 6 hours 15 minutes in 1993'.

OSE's business plan has been prepared in the context of the railways operational programme (OP) and approved by the Greek Government. Its implementation is being part-financed by the same OP and an international consultant is being recruited to help OSE by means of participation in a special task force. As far

as the Athens-Thessaloniki line is concerned, doubling of the Tithorea-Lianokladi line, including the Kallidromo tunnel, is also part of the railways OP. For the particularly costly and difficult section of Lianokladi-Domokos, alternative possible solutions for the doubling of the line are now under examination, before taking any final decision, in view of the next programming period.

The Commission has not received an application for the Lianokladi-Domokos project to be part-financed under the Cohesion Fund. However, along the trunk route in question the Cohesion Fund is part-financing the electrification of the Piraeus-Athens-Thessaloniki line, the works on the Thessaloniki-Alexandroupolis line, the works on the Evangelismos-Leptokarya Thriassio-Corinth line, the Thriassio Pedio marshalling yard complex, a study on linking Thriassio to the port of Piraeus and the works on the Paleofarsala-Kalambaka line. The total cost of these projects is EUR 898 million, of which the Cohesion Fund is contributing EUR 560 million. The total cost of the works on the Paleofarsala-Kalambaka line is EUR 34 million, of which the Community is contributing EUR 29 million. Any applications submitted by Greece for new projects or for changes to the projects mentioned above would be appraised in accordance with the priority criteria laid down and the financing available under the Cohesion Fund.

The Trans-European Network (TEN) budget heading is part-financing the studies for the Lianokladi-Domokos section (support totalling EUR 1,5 million was approved in 1994). The same budget heading is also part-financing the works to widen the Paleofarsala-Kalambaka line (support totalling EUR 7 million was approved in 1993).

(1999/C 341/054)

WRITTEN QUESTION E-0031/99

by Nikitas Kaklamanis (UPE) to the Commission

(20 January 1999)

Subject: Special US Government aid for American farmers

The American Government is supporting US farmers by granting them ‘special aid’ to cushion them from the fall in the prices of agricultural products on the world market.

The EU, on the other hand, is engaged in an unprecedented attempt to cut agricultural spending in the Community budget, mainly by cutting subsidies for EU farmers, thereby condemning low-income farmers in southern Europe in particular to enormous losses of income.

Does the Commission consider that the provision of ‘special aid’ by the US Government to American farmers is compatible with the rules of the World Trade Organization, and how does it intend to react to prevent a further erosion of the competitiveness and incomes of European farmers?

Answer given by Mr Fischler on behalf of the Commission

(10 March 1999)

Members of the World trade organisation (WTO) have undertaken to reduce domestic support in accordance with quantified commitments. However, subsidies complying with specific criteria laid down in the Agreement on agriculture (so-called ‘green’ and ‘blue’ box measures) are not subject to this reduction commitment. The United States measures cited by the Honourable Member need to be notified to the World trade organisation, which will ensure a thorough examination in the light of their nature and the United States support reduction commitment.

In the Community, the present agricultural market organisations offer reasonable opportunities to react to developments in the world market. For the future, the Agenda 2000 proposal constitutes a comprehensive approach in order to increase competitiveness internally and externally in order to ensure that Community producers take full advantage of market developments.

(1999/C 341/055) **WRITTEN QUESTION E-0037/99**

by Cristiana Muscardini (NI) to the Commission

(20 January 1999)

Subject: Cat skins used for 'educational purposes'

In Italy a catalogue advertising teaching aids for middle schools contains an advertisement for cat skins to be used for physics experiments. This has caused outrage among Italian animal-protection organizations.

Teachers themselves say that the experiments can be carried out perfectly well using a woollen cloth instead of an animal skin. How 'educational' is it to give children who are still growing the skin of a species of animal which, in many cases, is waiting at home to play with them? According to the publisher of the catalogue — one of the most trustworthy in Italy — the cat skins are imported from Germany and presumably Germany supplies them not only for Italy.

Does the Commission consider:

1. that it should sanction Germany for carrying out this cruel trade;
2. that it should warn Italy and the other Member States against purchasing equipment that is evidence of cruelty against animals and, even worse, animals kept as pets;
3. that it should remind Italy and the other countries of the Union that laws have existed for some time to protect animals and prevent them from being mistreated and killed?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 March 1999)

The Commission would like to inform the Honourable Member that the trade of cat skin for experimental or other purposes is not covered by any Community legislation.

In the absence of Community competence applicable to this area, the Commission is unable to take any action.

(1999/C 341/056) **WRITTEN QUESTION P-0051/99**

by Ursula Stenzel (PPE) to the Commission

(15 January 1999)

Subject: Leonardo — Cresson

The Leonardo programme is one of the EU's most successful programmes and enables thousands of young people to gain personal experience of Europe.

This programme is implicated in the recent events, with very unfortunate consequences for the EU's credibility.

The committee responsible has decided to hand over the documents to the public prosecutor's office, with a request for an investigation into possible fraud and mismanagement.

It has been alleged in this committee that the Commissioner responsible, Mrs Cresson, has prevented a revised version of the financial audit being submitted to it. Is this allegation correct, and can the Commission provide information on what this financial report contains?

Answer given by Mrs Cresson on behalf of the Commission

(9 April 1999)

The Commission shares the Honourable Member's positive assessment of the Leonardo da Vinci programme and its importance for young people in Europe.

The office providing the Commission with technical assistance in implementing the programme has, indeed, been audited by the Commission's financial control service. As with any audit, the report drawn up by this service was subject to a contradictory consultation procedure enabling the directorate-general responsible for managing the programme to comment on, and answer questions raised by, the report.

The draft report prepared by the financial control service underwent this consultation procedure. Finalising the service's conclusions and the replies of the Directorate-General for Education, Training and Youth required a number of meetings and exchanges to ensure accuracy and transparency. At no time did the Commission try to prevent the audit report being sent to the Parliament. On 9 December 1998, DG XX's report was sent to the Parliament accompanied by the preliminary replies of the directorate-general concerned.

On 5 January 1999, the Commission gave the Chairman of the Parliament's Committee on Employment and Social Affairs the final report of the financial control service and the final replies from the Directorate-General. In addition, the Commission met with the Committee for a second time at a special meeting held on 12 January 1999.

(1999/C 341/057) **WRITTEN QUESTION E-0054/99**

by Barbara Weiler (PSE) to the Commission

(22 January 1999)

Subject: EU Innovation Relay Centres

1. When and where have IRCs been set up with EU assistance?

2. With what objectives were IRCs set up?

3. Since then, what funds have been paid out for IRCs, broken down according to budget year and location? How much have German Länder and local authorities contributed?

4. When has there been an evaluation of IRCs? What were the results? Is there a league table? What were the criteria for evaluation?

5. What measures have been adopted to boost IRCs which were performing less well?

6. Which IRCs have been advised by which Institutions?

7. Which IRCs have been or are threatened with closure?

Answer given by Mrs Cresson on behalf of the Commission

(25 March 1999)

The network of 53 innovation relay centres (IRCs) was established in Autumn 1995 in the 15 Member States, Norway, Iceland and, from 1 January 1998, Israel, following a call for proposals within the framework of the Innovation programme (fourth homework programme). The objectives of the IRC network are to provide assistance to local small and medium sized enterprises (SMEs) for the promotion of transnational technology transfer, as well as information for participation in Community research and technological development (RTD) programmes.

The overall Community contribution has been about €53 million over 4,5 years (1 October 1995-31 March 2000), broken down annually as follows (in millions euro) between 1995: 5,5, 1996: 6,5, 1997: 13, 1998: 7, 1999 (up to now): 5, and per country as follows (in millions Euro): Belgium 2, Denmark 1, Germany 8, Greece 2,4, Spain 6, France 6,7, Ireland 1, Italy 7,3, Luxembourg 0,7, Netherlands 2,2, Austria 1,6, Portugal 2,

Finland 1,3, Sweden 2, United Kingdom 7, Iceland 0,5, Israel 0,4 and Norway 0,9. German Länder are not involved as IRC partners and therefore did not contribute to their financing.

Proposals were initially evaluated by independent experts following an open call for proposals. After 16 months of operations and in view of the renewal of contracts for a second phase, a mid-term evaluation was carried out by eight external experts during spring 1997. This was based on the performance during the past operations, the plans for the second phase, a self-evaluation appraisal and the opinion of a sample of IRC clients. Its results showed that most IRCs were considered able to continue their activities, with over 50 % doing a good or very good job. However the evaluation process, classified seven IRCs (Aquitaine/Poitou-Charentes, Alsace/Lorraine, Hessen-Rheinland-Pfalz, Lombardy, Luxembourg/Trier/Saarland, Gallicia and South England) as 'poor' and in need of drastic adjustments in terms of their structure, resources and the content of their activities (objectives, methodology), if they were to continue in their role. Specific initiatives have been undertaken. First of all, major structural changes have been made with the substitution of co-ordinators, the replacement of partners, and a reduction of the dimension of the consortia. Training sessions have been organised, in order to enhance their competence, and better focus the objectives of the project and the methodology to follow.

Additionally, as is normal practice in research programmes, the IRC, like the other actions of the Innovation programme, has been reviewed annually in the framework of an annual monitoring exercise.

A new open call will be published in the forthcoming months for the setting up of a new IRC network within the recently adopted 'Innovation and SMEs participation' programme (fifth framework programme), from 2000 to 2004 with the initial contract running for two years. This means that all the present IRCs have to go through a new selection process and compete with other organisations, in order to continue their activity with Community contribution during the next phase. The call for proposals is expected to be launched in June.

(1999/C 341/058) **WRITTEN QUESTION E-0057/99**

by Luciano Vecchi (PSE) to the Commission

(22 January 1999)

Subject: Allocation of block grants in 1999 to NGOs working in the development field

According to recent statements attributed to the Commission's joint external cooperation instrument management service, block grants will not be allocated in 1999 to European NGOs working in the development field since this would produce an excessive workload which the joint management service would be unable to cope with.

Would the Commission say:

1. whether these are the Commission's actual intentions;

2. whether it is aware of the damage which would be caused by the loss of such an important resource as block grants, which have enabled thousands of small but hugely effective cooperation initiatives to be carried out;

3. why, as a consequence of the re-organisation of the external cooperation departments, it will no longer be possible to engage in activities and conduct procedures which, until a few months ago, did not create excessive administrative problems;

4. whether it is aware of the fact that block grants are an integral part (from the 'political' point of view as well) of the activities to be funded by means of budget heading B7-6000 and that the possible suspension thereof would be likely to distort the entire co-financing of activities promoted by NGOs and supported by the European Union?

Answer given by Mr Pinheiro on behalf of the Commission

(12 April 1999)

1. In view of the staffing situation in certain departments the Commission has initiated an interdepartmental coordination procedure to enable it to continue allocating block grants for 1999 while cutting down the workload involved for itself and for the NGOs.

2. The Commission has no intention of discontinuing block grants, but believes the instrument must be modified to allow greater management efficiency while still meeting the needs of the ultimate beneficiaries.

3. Some of the general conditions of contract are out of date and are being reviewed to enable the Commission to cope with the obligations entailed by this instrument and foster its relationship with NGOs who represent European civil society and speak for the poor in the developing world.

4. The Commission is aware of the value of block grants to NGOs in connection with operations cofinanced under budget heading B7-6000. Its aim is therefore to improve the facility in order to provide NGOs with more effective support in their development work.

(1999/C 341/059) **WRITTEN QUESTION E-0058/99**

by Lucio Manisco (GUE/NGL) to the Commission

(27 January 1999)

Subject: Disciplinary measures

With reference to Mr Van Buitenen, the Commission has demonstrated that the Staff Regulations, in this specific case, have been used solely to punish a staff member severely and deny him any possibility of an appeal.

Would the Commission say:

1. as regards Mr Van Buitenen:
   - how many days were required for the decision to be taken and the penalties imposed;
   - exactly what penalties have been inflicted and what reasons have been given for them;
   - what opportunities the official in question has had to defend himself;
   - whether or not it considers a literal, bureaucratic application of the Staff Regulations in a case of such significance to be intended as an act of retaliation against Mr Van Buitenen and as a deterrent against other officials who might be tempted to report similar irregularities;

2. in general:
   - how many officials have been punished in a similar way to Mr Van Buitenen over the last three years, and for what reasons;
   - when the Commission's security services' and the ECHO humanitarian office's inquiries into the embezzlements (the so-called 'management problems') began and how long they lasted?

Answer given by Mr Liikanen on behalf of the Commission

(31 March 1999)

In the case referred to by the Honourable Member, the Commission would emphasise that so far no disciplinary action has been taken against Mr Van Buitenen. The decision to suspend Mr Van Buitenen is an administrative precautionary measure provided for by Article 88 of the Staff Regulations where serious misconduct is alleged, which the Commission believed to be the case here. Disciplinary action is currently being taken against Mr Van Buitenen. His suspension is a not a unique case. The Commission has had recourse to suspension in other cases of a different nature in recent years (6 cases in 1997 and 5 in 1998).

The Commission would also like to stress that disciplinary measures are not being taken because the official in question reported cases of fraud.

They are being taken because, without authorisation, and contrary to the Staff Regulations, he transmitted the following documents among others to third parties:

- documents sub judice in a case initiated by the Commission, thereby jeopardising the investigations;
- provisional audit documents not yet subject to the adversary procedure with the body audited;
- documents containing unfounded allegations against his colleagues.

The disciplinary procedure is strictly an adversary procedure and that the person in question is entitled to be defended by a legal representative of his choice.

In August 1997, the Financial Controller and UCLAF launched an investigation into Group 4/Securitas. Following the submission of UCLAF's report, the Commission requested the Royal Prosecutor for Brussels to commence a judicial investigation and launched an internal administrative investigation, which lead to disciplinary proceedings against four officials in July 1998. These proceedings are currently in motion.

In October 1997, UCLAF launched an investigation into four contracts signed by ECHO. UCLAF reported on the findings on 18 May 1998. The conclusions drawn from the on-the-spot inspections of the firms in question were incorporated into a final report on 10 July and immediately transmitted to the judicial authorities on the same day. The administrative investigation following the UCLAF report of 18 May 1998 and the comments made by the people responsible were recorded in a report dated 9 November 1998. Here, the Commission has commenced disciplinary proceedings in three cases.

(1999/C 341/060) **WRITTEN QUESTION E-0060/99**

by Paul Rübig (PPE) to the Commission

(27 January 1999)

Subject: Traditional units of measurement for beverages

The SLIM initiative is now entering its fourth phase, when the areas of company law, dangerous substances and legislation on prepackaging are to be assessed. The prepackaging category also includes units of measurement for food and drink. In Austria and in other Member States, 0,3 and 0,5 l units are customarily used for beverages. This is part of a long-standing tradition which has become part of the culture and identity of the population. In the light of subsidiarity, it must remain possible for such units of measurement to be established in the Member States.

In what way will the Commission take adequate account of these elements of traditional values in the current assessment process?

Answer given by Mr Bangemann on behalf of the Commission

(25 February 1999)

The Commission will take care to inform the SLIM team of the points raised by the Honourable Member's question.

The conclusions of the work of the team should be made available, together with the Commission comments, to the Parliament and the Council, on the occasion of the Internal Market Council meeting of 21 June 1999.

(1999/C 341/061) **WRITTEN QUESTION E-0065/99**

by Carlos Robles Piquer (PPE) to the Commission

(27 January 1999)

Subject: Elections in the Central African Republic

On 22 November and 13 December 1998, general elections were held in the Central African Republic.

Can the Commission enlarge on the scant information which has so far been released concerning these elections, and, at the same time, explain the state of relations between that country and the EU, especially in the context of cooperation and under the current Lomé Convention?

Answer given by Mr Pinheiro on behalf of the Commission

(8 March 1999)

Voters in two rounds of parliamentary elections on 22 November and 13 December 1998 elected a total of 109 representatives, with the opposition gaining an overall majority. Opposition parties won 55 of the seats, against the 51 taken by the presidential movement (MPLC, PLD and UPR).

The election passed off peacefully, with backing from the international community. The Commission contributed a total of €520 000 to finance the electoral process, some €120 000 of which was used to pay for a team of observers selected and recruited by the Commission. The work of the international observers was coordinated by the UN Mission in the Central African Republic, Minurca, and the three teams (from the UN, the Community and the French-speaking countries) agreed that the small number of irregularities detected during polling were not serious enough to invalidate the results.

As presidential elections are due to take place by December this year the government has asked the UN to extend Minurca's mandate till then in order to minimise the risk of further armed conflict and get the international community's sanction for this further electoral process.

The Community's cooperation with the Central African Republic dates back to the beginning of its development activities and has continued under a series of conventions. The focus has been on the classic areas of rural development, the improvement of local living standards and the development of economic and social infrastructure. The Community is currently the country's major donor.

The €75 million National Indicative Programme (NIP) budget under the seventh European Development Fund (EDF) is fully committed and 90 % paid out, mainly for transport and health projects and measures to back up or extend programmes financed under the sixth EDF.

Under the second financial protocol to the fourth Lomé convention the Central African Republic was allocated €102 million for its NIP and a decision was taken to concentrate some 80 % of the money on the transport sector. The remainder of the available resources will go to the health sector.

(1999/C 341/062) **WRITTEN QUESTION E-0066/99**

by Carlos Robles Piquer (PPE) to the Commission

(27 January 1999)

Subject: The European railway corridors project

In 1995 the Commission submitted a European railway corridors project establishing a range of cross-border railtracks with the purpose of creating harmonised transport conditions able to cope with any type of European train.

One of those tracks was to link Valencia and Rotterdam via Barcelona, Lyon and Metz.

The absence of a legal basis meant that lengthy negotiations were inevitable. What stage has now been reached? Has the Commission decided to push ahead with the project on an appropriate legal basis, or is it trying some other approach? What is the forecast for the project's implementation?

Answer given by Mr Kinnock on behalf of the Commission

(16 March 1999)

In the 1996 White Paper [1] on the revitalisation of Europe's railways the Commission proposed that international rail freight services could be enhanced through the establishment of a number of trans-European Rail Freight Freeways. The concept was developed in a later Communication [2] and a number of voluntary projects have subsequently been put forward and implemented in 1998.

The Commission's proposal was based on the view that enhanced voluntary cooperation between infrastructure managers on capacity allocation and charging for international train paths could produce more efficient and commercially attractive international freight train services and also offer the prospect of opening up these Freeways for all licensed railway undertakings.

No specific routes were proposed by the Commission, although a number of potential routes were shown in the White Paper and Communication in order to illustrate where it might be attractive to develop Freeways. The proposed Freeways would not overcome interoperability problems and would remain subject to the national regulations in force on each part of the route. Freeways have been developed by the infrastructure managers concerned between Muizen (Belgium), through France and Luxembourg to Gioao Tauro (Italy) and Barcelona (Spain), and between Scandinavia, the Netherlands and Germany, via Austria and Switzerland to Italy (Milano, Gioao Tuaro and Brindisi). These Freeways are now operational and are starting to be used by a number of services.

The experience that the Commission has gained in this exercise is reflected in its proposal to amend Council Directive 95/19/EC of 19 June 1995 on the allocation of railway infrastructure capacity and the charging of infrastructure fees [3]. The proposal is currently being discussed by Council and Parliament [4]. In addition, in a separate initiative, the Commission has proposed that rail freight services be gradually liberalised. This proposal is still pending. The Commission will address interoperability and other infrastructure problems for rail freight in a report on the revisions of the trans European networks and a report on the interoperability of conventional rail, later this year.

(1) COM(96) 421.
(2) COM(97) 242.
(3) OJ L 143, 27.6.1995.
(4) COM(98) 480.

(1999/C 341/063) **WRITTEN QUESTION E-0067/99**

by Esko Seppänen (GUE/NGL) to the Commission

(27 January 1999)

Subject: EU Directive on working hours

According to information available in Finland, the EU has adopted a Directive on working hours which permits drivers of emergency vehicles to work for an uninterrupted period of more than ten hours. As the Directive evidently excludes drivers of such vehicles from the scope of industrial safety provisions, does the Commission intend to draft provisions to protect them from having to work excessively long hours?

Answer given by Mr Kinnock on behalf of the Commission

(9 April 1999)

Council Directive 93/104/EC of 23 November 1996 [1] lays down minimum safety and health requirements for the organisation of working time. This Directive applies to workers using emergency vehicles, such as fire appliances and ambulances, to the extent that characteristics peculiar to their activities do not inevitably

conflict with the legislation. Article 6 of the Directive stipulates that the average working time for each seven-day period, including overtime should not exceed 48 hours. Article 3 sets a minimum daily rest period of 11 hours. It is, therefore, possible within the Directive to work more than 10 hours per day, provided the average weekly working time remains 48 hours in total. Article 4 of the Directive states that every worker is entitled to a rest break where the working day is longer than six hours.

There is additional flexibility in Article 17 (2)(1)(c)(iii) which allows derogations from these minimum standards for the ambulance, fire and civil protection services by means of national legislation, collective agreements,or agreements between both sides of the industry provided that the workers concerned are afforded periods of equivalent compensatory rest. There is consequently, flexibility within the Directive, but on the basis of an established framework of social protection.

(1) OJ L 307, 13.12.1993.

(1999/C 341/064) **WRITTEN QUESTION E-0070/99**

by Roberta Angelilli (NI) to the Commission

(27 January 1999)

Subject: Discrimination between Union citizens engaging in research in the United Kingdom

The British government body responsible for awarding grants for scientific research at university level (EPSRC) has rejected an application submitted in due form by an Italian citizen on the grounds that he is not a British citizen. As an Italian citizen, apparently, he would have been entitled to the admission fees for the post-graduate course, but not to a maintenance grant (roughly £6400).

Does the Commission agree that this could be regarded as discrimination between European Union citizens, not least in view of the fact that British citizens have full access to the corresponding funds for research in Italy?

Answer given by Mrs Cresson on behalf of the Commission

(6 April 1999)

To answer the question raised by the Honourable Member, it should be noted that the Community rules as interpreted by the Court of Justice guarantee on the one hand the equal treatment of Community students and national students as regards access to education and training (Article 6, 126 and 127 of the EC Treaty) and, on the other hand, the equal treatment of Community workers and their children. The latter right is more comprehensive and is notably enshrined in Council Regulation (EEC) 1612/68 of 15 October 1968 on freedom of movement for workers within the Community (1), and also includes the right, under certain conditions, to draw social benefits reserved for nationals in this area.

Students who are not workers (or members of a worker's family) are entitled to be treated on a par with students of the host Member State, pursuant to the EC Treaty, as regards any aid to cover enrolment and tuition fees. Hence, as regards access to education, the principle of equal treatment means in practice that all educational establishments must accept students from other Member States under the same conditions as national students. Therefore no additional charges may be required on the basis of nationality.

However, students who are nationals of another Member State and who are not workers (or members of a worker's family) are not entitled to aid to cover subsistence costs or so-called maintenance grants intended to help students to live in the locality. The Commission considers that the question raised is a matter for the national authorities.

(1) OJ L 257, 19.10.1968.

(1999/C 341/065) **WRITTEN QUESTION E-0071/99**

by Roberta Angelilli (NI) to the Commission

(27 January 1999)

Subject: Organisations in arrears and EU grants

It has been reported in the press that certain tenants of properties belonging to the IACP in Rome are seriously behind with their rent payments. The tenants include a number of party and association headquarters. Amongst those most in arrears are the occupants of huge premises located at piazza S. Maria Liberatrice 45, scale e/f, namely the Stadion cooperative and the Kemir association.

In some quarters it is thought that the cultural activities promoted by those bodies do not actually take place.

In view of the above, would the Commission say:

1. whether the above organisations receive grants from the European Union;

2. what bodies or offices are responsible for monitoring any funding provided by the EU to those organisations;

3. whether the organisations in question have received grants in the past and, if so, on what scale;

4. whether or not late payment of rent can be reconciled with the receipt of a grant from the EU;

5. what its general view of the matter is?

Answer given by Mr Liikanen on behalf of the Commission

(14 April 1999)

Neither the Stadion cooperative nor the Kemir association, located at the address given, are known to the Commission's accounting departments. It should be pointed out that Rome is not on the list of areas eligible to benefit from the Community's Structural Funds.

(1999/C 341/066) **WRITTEN QUESTION E-0078/99**

by Graham Mather (PPE) to the Commission

(27 January 1999)

Subject: Directive 95/29/EC on the protection of animals during transport

1. Is the Commission fully satisfied with the transposition, implementation and enforcement of Directive 95/29/EC [1] on the protection of animals during transport?

2. Has it received any formal complaints related to the failure of any Member State to meet their obligations under this Directive?

3. With respect to Questions 1 and 2 above, can it provide details of which provisions of the Directive and which Member States are concerned?

[1] OJ L 148, 30.6.1995, p. 52.

Answer given by Mr Fischler on behalf of the Commission

(19 March 1999)

1. Most Member States have correctly implemented Council Directive 95/29/EC. Infringement proceedings are still being pursued against two Member States because certain requirements of the Directive were omitted from their national measures. The implementation and enforcement of the Community requirements in the field of animal welfare during transport has been the subject of a series of Commission veterinary inspection missions to the Member States. These missions have reported inadequate implementation or enforcement in several Member States.

2. The Commission receives a lot of correspondence on animal welfare including a number of complaints about failure of Member States to enforce Council Directive 95/29/EC and also complaints against one Member State alleged to be in breach by imposing rules on journey times which are more stringent than those contained in the Directive and another for alleged over-strict rules on sea-going vessels used for animal transport.

3. The complaints have alleged excessive journey times, failure adequately to water, feed, unload and rest animals, overloaded and inadequate means of transport, unnecessary suffering of transported livestock and failure to accompany animals with required documentation. Complaints have involved, at one time or another, all Member States except Finland, Sweden and Denmark, and have concentrated on the areas of high volume traffic such as the transport of porcines between Northern and Southern Europe, the road transport of bovines, ovines and equines from Eastern Europe to the Community and the transport of bovines from the Community to Middle Eastern and North African destinations.

Evidence of inadequacies in the implementation and enforcement by Member States of their obligations under the Directive has also been obtained as a result of veterinary inspections carried out by the Commission. Non-compliance was established in several areas, such as poor means of transport by road and sea, transport of animals not fit for transport, ill treatment of animals, incomplete supervision by the authorities, and non-respect of the requirements to unload and rest animals on long-distance transport.

The Commission has started to make the mission reports publicly available on its internet site at http://europa.eu.int/comm/dg24/.

(1999/C 341/067)

WRITTEN QUESTION E-0080/99

by Susan Waddington (PSE) to the Commission

(27 January 1999)

Subject: Regulation of adult entertainment telephone services

It has been brought to my attention that premium-rate adult telephone services subject to regulation in the United Kingdom are being advertised by satellite television companies on unencrypted broadcasts that can be received in the UK and other Member States. As a direct result of these advertisements, some telephone account holders are receiving irregularly high telephone bills, usually because family members have been calling the aforementioned services without the account holder's knowledge or permission. Subsequently, when account holders cannot pay what are often substantial demands because of the number of premium-rate international calls made, their telephone services is withdrawn.

Is the unencrypted advertisement of such services across borders legal? If so, would the Commission consider bringing forward proposals to regulate such advertisements across the single market so as to ensure they reach only the adult audience for which they are intended?

Answer given by Mr Oreja on behalf of the Commission

(20 April 1999)

The television without frontiers Directive (Council Directive 89/552/EEC as amended by Directive 97/36/EC of the Parliament and of the Council of 30 June 1997 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities ([1])) provides the legal framework for television broadcasting within the Community.

The Commission is aware of the possible effects that pornographic material may have on minors. As regards the distribution by television of audiovisual material, the Directive establishes a common minimum standard for the protection of minors (Article 22).

As far as the prohibition of the production, distribution and possession of this material is concerned, Member States remain free, under the EC Treaty rules on free movement on goods and services, to apply internal legislation on grounds, where appropriate according respectively to Articles 36 and 56, of public morality, public policy or public health, as long as such prohibitions do not constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.

Measures at Community level could only be considered if the establishment and functioning of the internal market called for the approximation of the provisions currently applied by the Member States in this field. The Commission is not aware of any circumstances calling for such action but would be interested in any further information that could be supplied.

(1) OJ L 202, 30.7.1997.

(1999/C 341/068) **WRITTEN QUESTION E-0085/99**

by Anita Pollack (PSE) to the Commission

(27 January 1999)

Subject: Packaging Directive

Is there to be any review or evaluation of the effectiveness of the Packaging Directive (i.e. achievement of targets, etc.) and, if so, when?

Will the Commission publish such a review?

Answer given by Mrs Bjerregaard on behalf of the Commission

(9 March 1999)

The implementation by Member States of Directive 94/62/EC on packaging and packaging waste (1), foreseen for 30 June 1996, has been delayed for more than a year on average. This means that at present an assessment of the practical situation in Member States would in general be done at a preliminary stage and not with all the packaging waste management systems in full operation.

The Commission adopted Decision 97/138/EC for the provision of data on packaging and packaging waste (2) on 3 February 1997. The formats should be completed on an annual basis, starting with the data for the year 1997 and should be provided to the Commission within 18 months of the end of the relevant year. The Commission has adopted Decision 97/622/EC concerning questionnaires in the waste sector (3), which includes one relative to the Packaging Directive. The first report will cover the period 1998 to 2000 inclusive.

A study on 'European packaging waste management systems', is to be initiated in April 1999 and the final report should be ready by May 1999. Another study on the 'Costs, benefits and cost-effectiveness of financial pool systems' is expected to start in March 1999 and the final version should be available by December 1999. Both studies are intended to be available for general distribution.

On the basis of the above, the Commission intends to prepare by July 1999 a report on the practical experience gained by Member States in the pursuance of the targets and the findings of scientific research and evaluation techniques such as eco-balances.

(1) OJ L 365, 31.12.1994.
(2) OJ L 52, 22.2.1997.
(3) OJ L 256, 19.9.1997.

(1999/C 341/069) **WRITTEN QUESTION E-0099/99**

by Honório Novo (GUE/NGL) to the Commission

(27 January 1999)

Subject: Exports of Norwegian cod — issuing of EUR 1 certificates

Cod exports from Norway to the EC are covered by a zero-tariff quota. Proof of origin is provided through the issuing of EUR 1 certificates stamped by the respective authorities, which should first certify the origin of the fish, a procedure which is repeatedly omitted. As a result, significant quantities of cod enter the EU — possibly

originating elsewhere but appearing to be of Norwegian origin — incompletely and inadequately authenticated with EUR 1 certificates.

It is standard practice for checks on origin to be made only a posteriori, and it is only then that the Norwegian authorities inform the EC of the cod's actual origin. The EC then charges duty to the Community importers for cod imported with EUR 1 certificates and in the meantime already sold to the consumer. These circumstances and the irregular procedure followed by the Norwegian authorities date back to the 1980s, and the EC has restricted itself to collecting unpaid duty. This situation represents systematic and deliberate dumping on the part of Norwegian cod exporters, carried out with the apparent complacency of the authorities in that country and funded, in the end, by Community importers.

In view of the above situation and bearing in mind a complaint recently lodged with the European Ombudsman by Portuguese importers, can the Commission say:

1. Whether or not it can confirm the systematic practice of issuing EUR 1 certificates for exports of cod in Norway without any prior indication of the exact origin of the product being exported?

2. What action it will take to put an end to this situation?

Answer given by Mr Monti on behalf of the Commission

(25 March 1999)

The Commission is unaware of any recent cases of the type of which the Honourable Member complains.

Under Protocol No 4 to the Agreement on the European Economic Area ([1]), which deals with the definition of originating products and methods of administrative cooperation, responsibility for issuing EUR. 1 movement certificates rests entirely with the Norwegian authorities. They may not issue such a certificate without first satisfying themselves that the origin of the products to be exported is correct.

It is then up to the Member States' customs authorities to check the goods and accompanying certificate on import. If they suspect a certificate may be invalid they can contact the Norwegian authorities under the administrative cooperation procedure.

The Commission can also make representations to the Norwegian authorities, and indeed in March 1993 it organised a mission to Norway to look at Norwegian imports of fish from Russia, following which the Norwegian authorities initiated their own investigation. The findings were forwarded to the Commission and recovery proceedings were set in train in a number of Member States including Portugal.

The Commission has not to date seen any firm evidence to substantiate allegations that the system is being wrongly operated, but if the Honourable Member wishes to pass on the information in his possession it will undertake the necessary enquiries with the Norwegian and Community authorities to establish the facts of the situation and take any necessary action.

The Commission will report back to the Honourable Member in due course on the action it has taken and any measures put in hand.

([1]) OJ L 1, 3.1.1994.

(1999/C 341/070) **WRITTEN QUESTION P-0100/99**

by Nikitas Kaklamanis (UPE) to the Commission

(20 January 1999)

Subject: Recruitment of officials to the ETF in Turin

On 5 January 1999, Commissioner Cresson replied to my question No E-3361/98 ([1]) in which I raised the issue of the flagrantly biased recruitment policy of the European Training Foundation (ETF) in Turin, which ignores applicants from Greece, Portugal and Spain. Mrs Cresson attempts to justify the situation by referring

to the 'independence of the ETF', stressing that 'the Director is responsible for all matters pertaining to personnel', while adding the unfortunate phrase that 'selection is made exclusively on the basis of the qualifications and skills required', clearly implying that Greek, Portuguese and Spanish applicants for positions at the ETF are less qualified and skilled than applicants from other countries, dozens of whom are employed at the ETF. The Commissioner maintains that the ETF is an 'independent' body, though it is the Commission which persistently puts requests before Parliament for ETF funding and argues in favour of increasing its budget. Moreover, the Commissioner is well aware of how many substantiated and serious allegations have been made inside and outside the Community Institutions concerning irregularities in recruitment and lack of transparency, which has undermined the Commission's credibility, as was apparent to everyone during the recent motion of censure against the Commission in Parliament during the week of 11-15 January 1999.

How will the Commission ensure that the flagrant bias in recruitment to the ETF is eliminated and what measures will it take immediately (given that time and the patience of the other Community Institutions seems to be running out) to ensure that the departments and decentralised agencies that it supervises operate in a manner which is beyond reproach?

(1) OJ C 182, 28.6.1999, p. 70.

Answer given by Mrs Cresson on behalf of the Commission

(9 April 1999)

The Commission wishes to point out that in its answer to Written Question E-3361/98 the Commission described the legal and regulatory framework governing personnel management at the European Training Foundation in Turin, as well as the criteria governing its personnel selection procedures.

Since the latest written question does not contain any new information over and above the Honourable Member's previous Written Question, the Commission can only confirm what it said in its answer to that question.

If the Honourable Member can furnish additional particulars explaining his criticisms of the substance of the Foundation's personnel selection procedure, the Commission will of course examine them with all due attention.

(1999/C 341/071) **WRITTEN QUESTION E-0102/99**

by Robin Teverson (ELDR) to the Commission

(27 January 1999)

Subject: Fifth Framework Programme and geothermal energy

Previous EU research and development programmes have specifically mentioned geothermal energy, but the upcoming programme does not. Although the European Parliament adopted an amendment to rectify this omission and include geothermal energy under the renewable energy section in Annex II(a)(v), the Commission did not accept the amendment, and the Council has not included it either.

Will the Commission confirm that, despite this omission, this will not jeopardise future funding in this area and that projects relating to geothermal energy will continue to receive their entitled share of funding, in particular as Mrs Cresson has stated that the EU's objective is to increase the percentage of renewable energy use from 6-12 %?

Answer given by Mrs Cresson on behalf of the Commission

(25 March 1999)

The Community's stated objective of increasing the percentage of renewable energy from 6 % to 12 % is one of the driving forces behind the energy component of the fifth framework programme (1). It is also true that the use of geothermal resources can contribute significantly towards meeting this target, particularly if the

Community-supported European hot dry project at Soultz-sous-Forêts, France, continues to live up to the promise which it has shown.

Many aspects of geothermal technology are already mature and so would not be considered as high priority issues for research funding. The hot dry rockwork, however, does still require research and, as such, could be eligible for future support.

The approach of the fifth framework programme, however, is to focus on problems, not technologies. If research and demonstration projects on geothermal energy can contribute to solving the problems identified in the programme, are appropriate for European rather than purely national funding and can meet the targets suggested in the work programme for renewable energy sources, then they will be treated on an equal footing with other renewable energy projects.

(1) OJ C 137, 7.6.1997.

(1999/C 341/072) **WRITTEN QUESTION E-0106/99**

by Sirkka-Liisa Anttila (ELDR) to the Commission

(2 February 1999)

Subject: Extension of EU animal welfare requirements to imports from third countries

Council Directive 91/630/EEC laying down minimum standards for the protection of pigs (1) and Council Directive 91/629/EEC laying down minimum standards for the protection of calves (2) contain an 'Article 8' which has remained a dead letter because of its provisions concerning third countries. Article 15 of Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing (3) is a similar article concerning third countries and imports from them.

According to these articles, when animals (or meat) are imported into Community territory from third countries, they must be accompanied by a certificate issued by the authorities testifying that, in the third country, the animals have been kept and treated at least as well as the relevant Community provisions require.

When Council Directive 98/58/EC concerning the protection of animals kept for farming purposes (4) was under consideration, the third-country issue became a major problem. Under the WTO Agreement, the imposition of such a requirement on third countries could have been regarded as discriminatory, as an illegal barrier to trade and competition and hence as violating the Agreement.

Many EU Member States took the view that it was necessary by one means or another to secure guarantees that the welfare of farm animals in third countries was equivalent to that in the EU. In connection with the adoption of the farm animals welfare Directive, moreover, it was stated that it must be possible to influence international requirements concerning the welfare of farm animals through international organisations and agreements, i.e. in other ways than by creating barriers to imports.

What will the Commission do to resolve the third-country issue and bring animal welfare requirements up to EU standards?

(1) OJ L 340, 11.12.1991, p. 33.
(2) OJ L 340, 11.12.1991, p. 28.
(3) OJ L 340, 31.12.1993, p. 21.
(4) OJ L 221, 8.8.1998, p. 23.

Answer given by Mr Fischler on behalf of the Commission

(19 March 1999)

As the Commission has stated previously, the possibility of amending World trade organisation (WTO) rules in order to take account of welfare concerns will be addressed in the context of the determination of the Community negotiating objectives for the next stage of the WTO negotiations.

In addition, the Commission has initiated the procedure set out in Article 8 of Council Directive of 20 July 1998 concerning the protection of animals kept for farming purposes [1], by requesting all countries which export animals or animal products to the Community to communicate any legislation or other provisions which they apply concerning the welfare of animals kept on farms, during transport and at the time of slaughter.

Once this information has been received, it will be assessed in the light of both Article 8 of Directive 98/58/EC and WTO obligations.

[1] OJ L 221, 8.8.1998.

(1999/C 341/073)

WRITTEN QUESTION E-0108/99

by Cristiana Muscardini (NI) to the Commission

(2 February 1999)

Subject: Widespread killing of animals with poisoned bait

The phenomenon of the poisoning of animals is taking on worrying proportions in Italy.

Even the situation in cities is no better than elsewhere. Dogs and cats kept as pets are dying as a result of the illegal use of poisoned bait.

Although no precise data are available on the real extent of the phenomenon, considerable damage is clearly being done to the environment and wildlife.

The use of poisoned bait is illegal and in Italy the law specifically prohibits the use of such methods and provides for sanctions under criminal law.

Can the Commission set up a network to check and monitor the measures taken to protect animals and the environment?

Can the Commission call on all the Member States to tackle the problem by urging their citizens to report offences committed by private individuals or companies, perhaps by setting up a special free telephone service, as this would make it possible to set up a security network to protect animals and the environment?

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 March 1999)

The Community competence is restricted only to cases related to species of wild fauna and flora of Community importance listed in the Annexes to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds [1] and 92/43/EEC of 21 May 1992 on the Conservation of natural habitat and of wild fauna and flora [2]. Thus, domestic animals such as cats and dogs are not included.

The Commission is aware that the use of poisoned bait may cause accidental deaths of species of Community importance. Only for those species, the Commission, in strict collaboration with national authorities, may intervene when a specific case is brought to its knowledge.

For those species, the Commission also supports a preventive approach financing various nature conservation projects under Life-Nature [3] that include actions targeting the control of illegal activities, (through wardening and awareness raising campaigns, ...).

The proposed network to monitor and control the use of poisoned bait does not fall under Community competence.

[1] OJ L 103, 25.4.1979, modified by OJ L 59, 8.3.1996.
[2] OJ L 206, 22.7.1992, modified by OJ L 31, 6.2.1998.
[3] OJ L 181, 20.7.1996.

(1999/C 341/074) **WRITTEN QUESTION E-0110/99**

by Florus Wijsenbeek (ELDR) to the Commission

(2 February 1999)

Subject: Discrimination in France against road transport operators of other nationalities

1. Can the Commission state when the investigation, announced in answer to Written Questions E-2607/97 and E-2930/97 on 17 October 1997 ([1]), into discriminatory provisions in national legislation in respect of checks on foreign transport operators will be complete, and when the outcome will be made known?

2. Is the Commission aware that in France when checks are carried out on drivers sums of FRF 20 000 to FRF 24 000 have to be paid on the spot and, if drivers refuse, the vehicles are towed away?

3. Does the Commission agree that Article 26 of the French Highway Code, on the basis of which these amounts are levied, is exactly the same as the Belgian legal provision which the Court of Justice regards as discriminatory? Quite apart from the investigation, would it not be advisable to suggest to France that it modify its rules?

([1]) OJ C 117, 16.4.1998, p. 28.

Answer given by Mr Kinnock on behalf of the Commission

(25 March 1999)

1. The Commission is preparing a report to the Council on the effectiveness and uniformity of checks organised by the Member States to implement Council Directive 88/599/EEC of 23 November 1988 on standard checking procedures for the implementation of Regulation (EEC) 3820/85 on the harmonisation of certain social legislation relating to road transport and Regulation (EEC) 3821/85 on recording equipment in road transport ([1]). Part of this report will consider the penalties involved. There is still a number of outstanding contributions to be received from Member States to allow the Commission to undertake this exercise and a further reminder has been issued. In the interim the Commission is examining returns in preparation for the 1995-1996 report on the implementation of Regulation (EEC) 3820/85 ([2]) in relation to evidence of possible discriminatory practices.

2. The Commission understands that under French law in cases of serious infringements, such as falsification of documents and major tachograph offences, fines of up to FRF 200 000 may be imposed, with non-payment resulting in immobilisation of the vehicle. Since the fines relate to very serious offences, they would correspond to the Community policy that penalties should be effective, proportionate, and dissuasive.

3. Article 26 of the French law no 95-96 of February 1995 is completely different to the Belgian provision in the Royal Decree of 12 July 1989 on the levying and lodging by way of deposit of a sum of money upon detection of certain road transport offences, mentioned by the Honourable Member. The French provision relates to the obligation on drivers to carry with them a 'document de suivi', an obligation which the French are currently not applying to international transport.

([1]) OJ L 325, 29.11.1988.
([2]) OJ L 370, 31.12.1985.

(1999/C 341/075) **WRITTEN QUESTION E-0114/99**

by Gerhard Schmid (PSE) to the Commission

(2 February 1999)

Subject: Figures for in-patient hospital beds needed for children

In all EU Member States there are formulae to calculate the need for hospital beds, but in Germany there are no figures indicating the need for in-patient beds for children.

Does the Commission have figures for the existing number of paediatric beds in each EU country and the formula used for calculating the need in each case?

Answer given by Mr Flynn on behalf of the Commission

(4 March 1999)

The Commission regrets to inform the Honourable Member that it has no information on the number of paediatric beds in the Member States.

Community statistics on hospital beds, prepared on the basis of data supplied annually by the Member States, concern the number of non-psychiatric beds and the number of psychiatric beds, bearing in mind that there are major differences in the definitions of the different types of beds. The trend in the number of beds is downwards in all the Member States. More precise information will be available on completion of a project funded under the health monitoring programme Eucomp, whose objective is to describe the organisation of the health systems and hospitals in the Member States.

(1999/C 341/076) **WRITTEN QUESTION P-0115/99**

by Robert Evans (PSE) to the Commission

(22 January 1999)

Subject: Pensions

Would the Commission kindly indicate the action it is taking in order to simplify the process whereby European citizens may obtain pension payments from Member States other than the one in which they are currently residing?

Furthermore, what action is the Commission taking to ensure that European citizens are aware of their rights and entitlements in this regard?

Several of my constituents have experienced problems in this regard: one in particular has had to negotiate a bureaucratic minefield in order to claim pension payments she earned during a period spent living and working in France some years ago.

Answer given by Mr Flynn on behalf of the Commission

(26 February 1999)

The report of the high-level panel on free movement of persons included a series of recommendations about how to simplify the rules governing the coordination of social security systems. There was also a special report on safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community. Following these reports, the Commission undertook — in the action plan for free movement of workers ([1]) and the Social action programme 1998-2000 ([2]) — to present, by the end of 1998, a proposal on the revision and simplification of Regulation (EEC) 1408/71 ([3]), as part of the third phase of the SLIM initiative, which proposal was adopted on 21 December 1998 ([4]). On the basis of a Commission proposal ([5]), the Council adopted Directive 98/49/EC ([6]) on 29 June 1998, to remove the obstacles associated with supplementary pensions now standing in the way of the free movement of workers. It will ensure the preservation of vested pension rights, facilitate cross-border payments and enable contributions to continue to be made to a supplementary scheme in the Member State of origin during short-term postings. Under paragraph 2 of Article 10, it must have been incorporated in the provisions of national law adopted by the Member States by 25 January 2002 at the latest.

Improving information for citizens about their rights under Community legislation is still one of the Commission's priorities. In addition to publications and information on the Internet (http://europa.eu.int), guides and brochures, the Commission also supported the training seminars held in 1998 in all the Member States.

The Commission is concerned about any administrative practice which fails to do its duty in an area which affects the European citizen so immediately. It encourages the national authorities to improve cooperation through the programme Telematics in social security (TESS), which is designed to simplify and speed up the

administrative procedures involved in the acquisition of rights and the award and payment of social security benefits. To this end, the Commission continues to encourage social security institutions to use the telematic services to exchange information.

(1) COM(97) 586 final. See also communication on follow-up to the recommendations of the High-Level Panel on Free Movement of Persons COM(98) 403).
(2) COM(98) 259 final.
(3) An updated version has been published in OJ L 28, 30.1.1997.
(4) COM(98) 779 final.
(5) OJ C 5, 9.1.1998.
(6) OJ L 209, 25.7.1998.

(1999/C 341/077) **WRITTEN QUESTION E-0121/99**

by Patricia McKenna (V) to the Commission

(2 February 1999)

Subject: Combating the problem

Is the Commission not aware of the urgent need in the European Union for measures to be taken to combat the ever increasing problem of waste disposal?

Why has the Commission not yet come forward with a proposal for a directive on this subject, especially in regard to composting, biomethanization, electrical and electronic waste, and PVC?

Should not the 'precautionary principle' and the ideas of 'polluter pays' and 'preventive action', as enshrined in Article 130r of the European Community Treaty, also be used to the fullest possible extent?

Answer given by Mrs Bjerregaard on behalf of the Commission

(25 March 1999)

The Commission agrees with the Honourable Member that waste prevention is of paramount importance in any waste management system as well as for waste legislation. The Commission tries to promote the principle of producer responsibility for waste management issues, which can be considered as a concrete way of supporting the polluter-pays principle.

The Commission is considering an initiative on composting as a logical follow-up to the Community discussion on landfills, where the proposed directive [1] seeks to reduce significantly the landfilling of biodegradable municipal waste in the years to come. Such waste could very usefully go to composting or to biomethanisation.

The Commission announced in its proposal on end-of-life vehicles [2] that it would look into the issue of polyvinyl chloride (PVC) in general and an examination is at present under way.

The Commission programme for 1998 announced a proposal for a directive on electrical and electronic waste. Work on this subject has been slightly delayed.

(1) COM(98) 189 final.
(2) OJ C 337, 7.1.1997.

(1999/C 341/078) **WRITTEN QUESTION E-0122/99**

by Patricia McKenna (V) to the Commission

(2 February 1999)

Subject: Reduction of the use of pesticides and biocides in the European Union

When does the Commission intend to introduce proposals to reduce the use of pesticides and biocides as it promised to do in the Fifth Environmental Action Programme of 1992?

Will the Commission take steps to ban the most dangerous pesticides and biocides and to increase the speed with which it assesses chemicals currently available for sale in the European Union?

Answer given by Mrs Bjerregaard on behalf of the Commission

(23 March 1999)

After adoption of the fifth environment action programme [1] the Commission launched a project called 'Sustainable use of plant protection products'. The aim was to investigate the current use patterns of plant protection products (agricultural pesticides), the problems associated with their use, and to prepare possible future initiatives. This project came to an end in May 1998 when a workshop, including all concerned, discussed the outcome of the project reports and adopted conclusions. The full study reports can be obtained directly through the Commission's pages on the Internet http://europa.eu.int/comm/dg11/ppps/home.htm. As a follow up, the Commission is currently preparing a communication on the sustainable use of plant protection products, which is included in the Commission's work programme for 1999.

The project focused on the agricultural use of pesticides, but parts of it also covered biocidal uses and will be used in the future for assessing the need to take further steps for reduction of the use of biocides as a complement to the implementation of European Council and Parliament Directive 98/8/EC of 16 February 1998, concerning placing of biocidal products on the market [2].

Pesticides which do not satisfy the human health and environmental safety requirements laid down in Article 5 of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [3] or Article 5 of the above-mentioned biocides Directive 98/8/EEC are withdrawn from the market without prejudice to steps taken to ban these chemicals under Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances [4] or Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use certain dangerous substances and preparations [5]. Ninety active substances are currently under examination under Commission Regulation (EEC) 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8 (2) of Council products on the market [6]. Several of these have been withdrawn and other assessments still require final decision. New steps will be taken in the near future to increase the pace for assessments under Directive 91/414/EEC, while preparations are under way to start the evaluations of biocidal products as soon as Directive 98/8/EC is implemented by Member States, which is foreseen by 13 May 2000 at the latest.

Industrial chemicals are divided into 'existing' and 'new' chemicals. 'Existing' chemicals are those which were on the Community market before 18 September 1981. Data provided by European industry shows that there are approximately 2 500 'existing' chemicals on the Community market in quantities greater than 1 000 tonnes, representing some 90 % of the chemicals traded. These chemicals are prioritised for an assessment of their risks to human health and the environment, with the most dangerous being assessed first.

All 'new' chemicals are assessed for their risks to human health and the environment before they are placed on the Community market. Since 1993, some 600 new chemicals have been assessed.

The Commission has commenced stock-taking of the main Community legislation on industrial chemicals, to see what improvements are necessary. A communication on this matter setting out an integrated strategy for the regulation of industrial chemicals in the Community, is foreseen in the Commission work programme for 1999.

(1) OJ L 275, 10.10.1998.
(2) OJ L 123, 24.4.1998.
(3) OJ L 230, 19.8.1991.
(4) OJ L 33, 8.2.1979.
(5) OJ L 262, 27.9.1976.
(6) OJ L 366, 15.12.1992.

(1999/C 341/079) **WRITTEN QUESTION E-0133/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(2 February 1999)

Subject: Implementation of rules on fishing in the Mediterranean by third countries

The EU has adopted certain technical measures (Regulation 1626/94) [1] for the conservation of fishery resources in the Mediterranean, including a ban on the use of inappropriate fishing gear and stipulation of the distance from the shore at which fishing is allowed, etc. These measures do not apply to fishing carried out in third countries with shorelines in the Mediterranean, such as Turkey, which produces a situation in which fishery resources are not effectively protected and competition is distorted by fishery products entering the market from that country.

In the light of the customs union agreement between the EU and Turkey, does the Commission consider that fishery products from Turkey may be made freely available on the EU market without that country complying with the rules applicable to Member States' fishermen? What measures will the Commission take in regard to Turkey and the other Mediterranean countries to persuade them to implement the technical measures laid down by Regulation 1626/94 so as to ensure effective conservation of Mediterranean fishery resources?

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

Answer given by Mrs Bonino on behalf of the Commission

(12 April 1999)

The Community legislation in question is applicable to the vessels of countries bordering the Mediterranean, such as Turkey, only when they are operating in waters under the sovereignty or the jurisdiction of a Member State. Turkey applies its own rules on the conservation of fish stocks, which do not necessarily coincide with the Community legislation.

That said, there is no legal obstacle to the movement of fishery products of Turkish origin, provided they comply with the Community legislation on markets, including the health rules.

The Commission cannot oblige a third country to incorporate a Community regulation in its national legislation. What would be desirable is a certain degree of harmonisation between the legislation of the various Mediterranean countries, laying down minimum rules, but also leaving them the possibility of refining those provisions by adapting them to their regional circumstances. This process can take place only within the framework of the General Fisheries Council for the Mediterranean (GFCM), and it is within this framework that the Commission has initiated the necessary proceedings.

(1999/C 341/080) **WRITTEN QUESTION E-0138/99**

by Antoinette Spaak (ELDR) to the Commission

(11 February 1999)

Subject: Free movement of persons — burial

Does the principle of the free movement of persons entail the right of European citizens to be buried or cremated in the Member State of their choice?

Is there any harmonisation at European level of the laws governing cremation?

Answer given by Mr Monti on behalf of the Commission

(18 March 1999)

The Commission would, first of all, like to inform the Honourable Member that there are no harmonisation measures at Community level concerning cremation.

However, the absence of such measures does not preclude the possibility of citizens making use of the principle of the free movement of persons in order to be buried in a Member State other than that in which they have died, whether this be of their own will or the will of their next-of-kin.

In this context, the application of this principle arises within the framework of national regulations which must reconcile the principle of free movement with grounds for protecting the general interest (such as public health), which may be invoked with regard to burial.

(1999/C 341/081) **WRITTEN QUESTION P-0153/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(27 January 1999)

Subject: Establishment and operation of National Blood-Donation Centre in Greece

Measure 1.5 of the 'Health and Welfare' operational programme — part of the sub-programme for health under the second Community Support Framework for Greece — is entitled 'Blood-donation facilities and equipment for the establishment and operation of a National Blood-Donation Centre', one of the aims of which is to improve the testing of blood to prevent infection. After the recent revelations concerning a baby who was infected with AIDS following a blood transfusion, it is vitally important that such a centre be set up.

In view of the fact that there is a timetable, which runs from 1994, for implementing this particular measure of the sub-programme, will the Commission say:

1. what progress has been made and how much funding has been taken up for this measure,

2. whether there are delays in using the funds and, if so, what the reasons are for the delays, and

3. what measures it intends to take to get the centre operating more quickly on the basis of the Council's resolution concerning the safety of transfusions and the self-sufficiency of the Community in blood?

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

(31 March 1999)

According to information communicated by the Greek authorities with regard to the project for the establishment and operation of a National Blood Donation Centre, the situation is as follows:

1. The project was accepted for part-financing under the 'Health and Welfare' operational programme at the Fourth meeting of the Monitoring Committee held on 10 July 1997. The notice of invitation to tender for the works was published on 15 December 1997. In January 1999, after assessment of the tenders received, a contract was signed by the agency in charge of implementing the project (Depanom) and by the contractor chosen (the company INSO-Verdot) for the sum of €9 590 000.

2. The time required for the preparation of the tendering procedure and the signing of the contract is due to the fact that it is a high-tech project requiring technological and scientific expertise and the assistance of scientific advisers for the assessment of the tenders received.

3. Under the contract, 24 months are required for the completion of the centre (January 2001). The Commission will see to it that the project under consideration is completed by the deadline stated.

(1999/C 341/082) **WRITTEN QUESTION E-0155/99**

by Caroline Jackson (PPE) to the Commission

(11 February 1999)

Subject: Red squirrels and Warfarin

Can the Commission indicate whether it has any intention of banning the use of the substance marketed as 'Warfarin'? This has proved to be one of the most effective instruments in reducing the number of grey squirrels within the United Kingdom and may therefore prove to be a useful means of conserving the dwindling red squirrel population. As there may well be no satisfactory poison of a similar potency available, a ban would have serious consequences.

Answer given by Mrs Bjerregaard on behalf of the Commission

(16 March 1999)

As pesticide used to protect plants and plant products, the active substance warfarin is currently under evaluation as an active substance used in rodenticides in the framework of Council Directive 91/414/EEC of 15 July 1991 concerning the placing on the market of plant protection products [1].

One of the uses for which warfarin is authorised is to control the grey squirrel population in order to protect trees. This use aspect has been taken into account during the evaluation and decision making on warfarin. A final decision is expected before summer 1999.

[1] OJ L 230, 19.8.1991.

(1999/C 341/083) **WRITTEN QUESTION E-0161/99**

by Antonios Trakatellis (PPE) to the Commission

(11 February 1999)

Subject: Illegal practices of the Agricultural Bank of Greece

The Agricultural Bank of Greece (ATE) whose sole shareholder is the Greek state lends money to farmers at exorbitant interest rates of 16-17 %. As a result they become overindebted and are forced to abandon farming. It should also be pointed out that the ATE does not operate according to the principles of a private investor in a market economy, since its decisions are influenced by the policy of the Greek Government which even appoints its Board of Directors.

1. What view does the Commission take of the policy of exorbitant interest rates practised today by the ATE in the agricultural sector which practically prevents investments which are so important for the necessary restructuring of the Greek agricultural sector?

2. Are the operating methods of the ATE legal under the competition law and the secondary banking law practised in the Community, and what measures does the Commission intend to take if this law is being violated?

3. What view does the Commission take of the discriminatory behaviour of the ATE towards farmers in Greece, as mentioned in the communication [1], and what measures does it intend to take to put an end to the violation of the rules on equality of treatment?

[1] OJ C 376, 4.12.1998, p. 2.

Answer given by Mr Van Miert on behalf of the Commission

(24 March 1999)

1. Excessive pricing — including high interest rates charged by a bank — can be an infringement of Article 86 of the EC Treaty, if the undertaking which practises such prices holds a dominant position on a particular market, and the excessive prices represent an abuse of that dominant position.

However, the Honourable Member does not give the necessary information for the Commission to form an opinion as to whether the Agricultural Bank of Greece holds a dominant position on any market or whether the interest rates in question represent an abuse of any possible dominant position.

2. The Commission does not have the information necessary to determine whether these operating practices represent an abuse of a dominant position, or violate any other Community legislation.

3. The Honourable Member refers to a communication concerning a Commission decision to start an Article 93(2) EC Treaty procedure in respect of certain state aids granted by the Greek state in the agricultural sector. However, the Commission was unable to identify any violation of equality of treatment on the part of the Agricultural Bank of Greece in the granting of state aids which is the subject of the communication.

(1999/C 341/084) **WRITTEN QUESTION E-0169/99**

by Jaime Valdivielso de Cué (PPE) to the Commission

(11 February 1999)

Subject: Trade

On 14 January 1999 the Commission asked the Council for authorisation to negotiate a dual system of customs controls on footwear from Vietnam with the Vietnamese authorities, since it suspected that Vietnam was being used by China, Thailand and Indonesia to evade anti-dumping measures imposed by the EU on their exports of such products.

Can the Commission say when that system will be put in place?

In what way will undertakings in this sector, which is of great social and economic importance in the European Union in general and Spain in particular, be compensated for the damage caused by the above-mentioned exports?

Answer given by Sir Leon Brittan on behalf of the Commission

(18 March 1999)

On 22 February 1999, the Council has formally approved the negotiation mandate for an agreement establishing a double-checking control on the importation of certain footwear products from Vietnam. The Commission will shortly initiate negotiations with the Vietnamese authorities, with a view to reaching an agreement by the month of April 1999.

The Council would then put the double-checking system in place on a provisional basis, pending the completion of the procedures for the formal conclusion of the agreement. Whilst the latter can take a considerable amount of time, the parties can agree by exchange of diplomatic notes on the provisional application of the agreement. This is expected to happen within one or two months from the initialling of the agreement, i.e. in May-June 1999.

No system of compensation of competing industries can be applied in this kind of cases, as there is no relevant Community legislation.

(1999/C 341/085) **WRITTEN QUESTION E-0173/99**

by Roberta Angelilli (NI) to the Commission

(11 February 1999)

Subject: Delays in aid to undertakings in deprived areas

With reference to the previous Written Question P-3945/97 (1) of 4 December 1997 'State aids to undertakings in deprived urban areas' it is important to draw attention to the Law of 7 August 1997 No 266 'Urgent measures for the economy', which authorised (under Article 14(3)) expenditure of 46 billion lire in 1997 on business activities in suburban areas in accordance with the provisions of the regulation 'Guidelines on State aid for undertakings in deprived urban areas' (Official Journal of the European Communities of 14 May 1997) (2). Approximately a year passed between the issuing of this law and the promulgation, in July 1998, of the corresponding implementing decree which actually gave effect to the law. The implementing decree required the local authorities concerned to issue a decision implementing the law at a practical level. Despite this fact, the city of Rome has not yet drawn up such a decision, even though the decree fixed the administrative deadline for 29 November 1998.

1. In view of the above, can the Commission say: whether the continuing delays in application undermine the objectives of the regulation issued by the EU aimed at providing aid to undertakings in deprived areas?

2. Whether the application of the national law referred to above in a number of urban areas and not in Rome may cause potentially harmful distortions of competition?

3. Whether it is able to give its overall view of the matter?

(1) OJ C 187, 16.6.1998, p. 99.
(2) OJ C 146, 14.5.1997, p. 6.

Answer given by Mr Van Miert on behalf on the Commission

(22 March 1999)

The Commission can only refer to the answers given to the Honourable Member's Written Questions P-2628/97 (1) and P-3945/97 (2).

The purpose of the guidelines on state aid for enterprises in deprived urban areas is to set out the criteria used by the Commission to assess the compatibility of state aid for deprived urban areas with the common market (3). They are clarifications for the Member States, not an invitation to grant aid. It is for the Member States to take the relevant decisions; if they do so, they are required to submit their projects for approval by the Commission.

(1) OJ C 82, 17.3.1998.
(2) OJ C 18, 16.6.1998.
(3) OJ C 146, 14.5.1997.

(1999/C 341/086) **WRITTEN QUESTION E-0176/99**

by José Torres Couto (PSE) to the Commission

(11 February 1999)

Subject: Attacks on press freedom directed against Portuguese journalists in Angola

The Angolan Government has issued an expulsion order against one Portuguese journalist and banned another from entering the country. The Angolan authorities have taken these steps because the journalists, both of whom were working for the newspaper Diário de Notícias, wrote a report published in that newspaper which displeased the Luanda authorities.

What steps will the Commission take, within the framework of the cooperation agreements with Angola, with a view to countering this attack on the freedom to provide information?

Answer given by Mr Pinheiro on behalf of the Commission

(23 March 1999)

The Commission is extremely concerned about the deteriorating situation in Angola, where despite international representations up to the level of the UN Security Council war has broken out again, bringing with it appalling suffering and dire consequences for human rights.

Reflecting this concern, the Presidency issued a declaration on 28 December 1998 on behalf of the EU urging the Angolan government and,in particular, UNITA to respect human rights.

As regards press freedom specifically, the Commission would point out that it finances a human rights monitoring programme for Reporters sans frontières (RSF), which reacted promptly to these violations and wrote a letter of protest to the Angolan authorities.

(1999/C 341/087) **WRITTEN QUESTION E-0181/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(11 February 1999)

Subject: Suspension of funding for Mount Athos

Despite the Commission's decision to provide funding under the Raphael programme (Action 1) for important monuments, such as the monasteries on Mount Athos, the Acropolis and Santiago de Compostela, Mount Athos was excluded from funding under DG X's 1998 programmes.

Will the Commission say:

1. On the basis of which criteria was Mount Athos excluded from funding for 1998, given that the 1998 budget contains a specific reference to the continuation of funding for Mount Athos based on a EP resolution on this matter?

2. Which projects were funded in 1998 under the Raphael programme?

3. As regards the Acropolis, will funding be maintained over the next few years to continue the projects which — according to the opinions of international experts and a 1992 report of experts drawn up at the Commission's behest which expresses the view that funding should continue until work is completed — are progressing satisfactorily?

Answer given by Mr Oreja on behalf of the Commission

(23 March 1999)

The Commission had the intention of supporting important monuments such as the monasteries of Mount Athos, the Acropolis of Athens and the monuments of Santiago de Compostelle in the framework of Action 1 of the Raphael programme for 1998, particularly in the context of its commitment to 'European heritage laboratories'.

According to the procedure envisaged for this action, projects were submitted by the national authorities of Member States eligible for participation in the Raphael programme. In this context, the Commission received 12 projects emanating from ten national authorities (one from Belgium, two from Greece (Acropolis and Mount Athos), one from Spain, one from France, two from Ireland, one from Italy one from Finland, one from Sweden, one from the United Kingdom, and one from Norway).

In the light of the interest expressed in all of the submissions as well as the very limited budgetary resources allocated for this action, the Commission, having taken the advice of a group of independent experts, could propose the selection of only one project from each country. This proposal was accepted and approved by the Raphael committee, which consists of official representatives of the countries eligible for participation in the Raphael programme. The ten projects are: Belgium — the site of the battle of Waterloo, Greece — the Acropolis of Athens, Spain — the Camino de Santiago, France — 'AREA': Safeguard of archives in European archaeology, Ireland — an archeological park in Boyne Valley, Italy — the tower of Pisa, Finland — the development of long-term durability of marble coated facades, Sweden — 'Tanum' a site with prehistoric engravings, United Kingdom — the proactive earthwork management of Hadrian's Wall, and Norway — Nidaros Cathedral.

Given their religious and cultural importance, the Commission will certainly carefully consider the prospect of support for the monasteries of Mount Athos, provided that the Greek authorities submit them in the framework of Raphael 1999 and under the 'European heritage laboratories' action.

Regarding the conservation and restoration project of the Acropolis monuments, the Commission would like to inform the Honourable Member that, its support for this year can be only envisaged within the framework of the European heritage laboratories of the Raphael programme for 1999, provided it is submitted by the Greek authorities. As for the Commission's continued support for the Acropolis after 1999, this will depend upon the rules and conditions of the Culture 2000 framework programme, which is still under consideration for adoption by the European Parliament and Council.

(1999/C 341/088) **WRITTEN QUESTION E-0182/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(11 February 1999)

Subject: Continuing violation of the Seveso Directive and Directive 91/271 in the Thriasian Plain

Despite the commitments undertaken by the Greek authorities during a visit made by Members of the European Parliament to the Thriasian Plain in October 1995 that compliance with the Seveso directive would finally be monitored, the emergency plan has not yet been completed, nor have local inhabitants been

informed. Directive 91/271 [1] is also still being violated, since toxic waste is still being buried without any protective measures being taken, the tanneries dump their waste untreated and, despite the fact that the water of the Gulf of Elefsina is affected by eutrophication, private undertakings use dispersal agents to dissolve oil slicks.

Will the Commission say whether, as a follow-up to the examination of Petitions 413/92 (Directive 91/271) and 411/89 (Seveso Directive) which were discussed at many meetings of the European Parliament's Committee on Petitions in the official presence of the Commission, it is aware of continuing failure to implement Community legislation in the environmentally-polluted region of the Thriasian Plain, and what measures it intends to take in order fully to implement the Community directives that have been violated?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(29 March 1999)

While examining petitions Nos 413/92 (pollution on the Thriassian plain) and 411/89 (accident taking place within the Petrola company) the Commission contacted the Greek authorities on 12 October 1998 and asked for information on the updating of the emergency plan adopted by Petrola in 1995, in accordance with Articles 5(3) and 8 of Council Directive 82/501/EEC of 24 June 1982 on the major accident hazards of certain industrial activities [1] (Seveso).

In reply to that letter the Greek authorities informed the Commission (by means of a letter of 8 February 1999) of the approval, in the spring of 1998, of a new report concerning safety conditions within the Petrola company. They also stressed the success of the one-day public awareness campaign conducted by the company in July 1998. The new brochure prepared on this matter was appended to the notification.

Moreover, the Greek authorities have announced the implementation, in January 1999, of an emergency plan for the entire Thriassian-plain region. That plan provides for the setting up of an operational centre to manage accidents in the region, which apparently also began to operate in January 1999. According to the information received two major exercises will take place in the spring of 1999 in order to check the effectiveness of the new system and the extent of public information.

In view of the importance of introducing an effective, full emergency plan the Commission will again contact the Greek authorities in order to receive more information on the functioning of the new plan.

Article 13 of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment [2] contains provisions concerning discharges into recipient waters solely of biodegradable industrial waste waters produced by the agri-foodstuffs industry. The nature and type of treatment of these biodegradable wastes are indeed close to those for urban waste waters, which explains why such wastes are governed by this Directive. However, the Directive makes no provision for the discharge of other industrial wastes into the recipient waters, such as the tannery wastes referred to by the Honourable Member.

Article 11 of the Directive also covers discharges of industrial waste waters into the collection systems and reclamation works for residual waste water. It stipulates, in particular, that such waste must be covered by prior regulations or specific authorisations by the competent authorities or appropriate bodies. Those regulations or authorisations must, in particular, ensure that the industrial discharges in question receive the prior treatment required in order to protect the health of the staff working within urban systems, to avoid damaging the collection networks and any impairment of the operation of the urban water reclamation works and of the quality of the effluent-treatment sludges, and finally in order to protect the waters receiving the outfall from urban water reclamation works.

The Commission will ask the authorities for information concerning (a) the prior treatment of waste waters from companies in the Thrias region and (b) any authorisations granted to these in accordance with Article 11 of Directive 91/271/EEC.

(1) OJ L 230, 5.8.1982.
(2) OJ L 135, 30.5.1991.

(1999/C 341/089) **WRITTEN QUESTION E-0185/99**

by Carlos Carnero González (PSE) to the Commission

(11 February 1999)

Subject: Inquiry into the Agreement on Stability and Quality in Employment which was concluded in 1997 by the Madrid Regional Government and the CCOO and UGT trade unions

A few days ago it was reported in the Spanish media that, in response to an initiative launched by a number of business organisations, the Commission had opened an inquiry into the Agreement on Stability and Quality in Employment which was concluded in 1997 by the Madrid Regional Government and the Comisiones Obreras and Unión General de Trabajadores trade unions. At the time the agreement was welcomed by the main political parties and most sections of the general public.

Can the Commission confirm that such an inquiry has been opened?

If so, does the Commission believe that the agreement could be contrary to some of the principles on which the functioning of the single market is based and, if such is the case, for what reasons?

Is the Commission aware that, at the appropriate time, the agreement was approved by the Spanish Council of State?

Does the Commission not consider that, as a general rule but especially in countries such as Spain and regions such as Madrid where unemployment rates are high, the fight against unemployment should be one of the tasks of all governments and, of course, of the social partners?

Does the Commission agree with the view that one of the European Union's objectives should be to create proper permanent jobs?

Does the Commission also consider it to be incumbent on the public authorities to promote the integration, into society and the working environment, of disadvantaged groups such as people with physical or mental disabilities?

Does the Commission not consider the agreement signed in 1997 between the Madrid Regional Government and the trade unions to be in line with the points made in the preceding three paragraphs and also to contribute towards the establishment of the social Europe which is such a necessity?

Answer given by Mr Flynn on behalf of the Commission

(9 April 1999)

After receiving a complaint, the Commission contacted the Spanish authorities to obtain information on the draft decree by means of which the Autonomous Community of Madrid was intending to implement the 'Framework Agreement on Stability and Quality in Employment' and on a number of invitations to tender issued by the same Autonomous Community. The Commission's letter alerted the Spanish authorities to the problems which adopting the decree might give rise to, with regard to Community law. It also referred to the provisions of the Directives on the coordination of public contract procedures, especially contract award criteria.

The draft decree in question (subsequently adopted as Decree 213/1998 of 17 December) obliges the Madrid administration and the bodies answerable to it to take account of the creation or safeguarding of permanent jobs as a criterion for the awarding of public contracts. This criterion will in all cases carry a weighted value of 20 %. In the context of completion of the single market, the aims of Community directives on public contracts include ensuring compliance with the principles of non-discrimination and equal treatment, as well as achieving sounder management of public resources by a better quality-price relationship in public purchasing. To this end, the directives provide for contract award criteria which take account of the features of specific bids; price may be the sole criterion, or there may be a combination of criteria which varies depending on the contract in question. In these circumstances it is difficult to accept award criteria based on the structure of the undertaking rather than the quality of the bid. Nevertheless, there is nothing to prevent inclusion in the contract specifications of performance conditions relating to respect for social obligations, provided such conditions do not discriminate against tenderers from other Member States. The directives also allow applicants who do not comply with social legislation to be excluded.

The Commission does indeed feel that an agreement of this nature could be contrary to the principles associated with the internal market.

The conclusions of the Presidency of the Vienna European Council of 11-12 December 1998 reconfirm that 'employment is the top priority of the European Union'.

Subsequently, the 1999 employment guidelines have been formally adopted by a Council resolution of 22 February 1999. In paragraph 16 of these employment guidelines, the Council invites the social partners to negotiate at all appropriate levels agreements to modernise the organisation of work, including flexible working arrangements, with the aim of making undertakings productive and competitive and achieving the required balance between flexibility and security.

Paragraph 9 of the 1999 employment guidelines states that each Member State will give special attention to the needs of the disabled, ethnic minorities and other groups and individuals who may be disadvantaged, and develop appropriate forms of preventive and active policies to promote their integration into the labour market. From an employment perspective those aspects of the agreement which promote employment creation should, therefore, be welcomed.

(1999/C 341/090) **WRITTEN QUESTION E-0189/99**

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

(11 February 1999)

Subject: Serious damage resulting from the storm which occurred in the Canary Islands

During the first week of January 1999 a violent storm struck the Canary Islands and seriously damaged infrastructure installations which are essential to the functioning of the islands.

The damage caused by the storm has particularly affected the farms on the islands, port facilities and the road system.

The Canary Islands Government has set up a special committee to record the damage suffered and the value of the losses has been estimated at 16 500 million pesetas.

Is the Commission aware of the extent of the damage?

Is the Commission thinking of providing anything in the way of financial assistance in order to pay for the repair of the damaged infrastructure installations?

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

(16 March 1999)

The Spanish authorities have not yet sent the Commission any communication concerning the damage caused by the storm which struck the Canary Islands during the first week of January 1999.

At the next meeting of the Monitoring Committees for structural assistance on the Canary Islands, the Commission will propose that the national and regional authorities should look, in partnership, at the possible scope for reprogramming and whether existing resources could be allocated to implementing measures to rebuild the damaged infrastructure.

(1999/C 341/091) **WRITTEN QUESTION E-0191/99**

by Irene Soltwedel-Schäfer (V) to the Commission

(11 February 1999)

Subject: Fatalities caused by the new variant of Creutzfeld-Jacob disease (nvCJD) and the number of cases of nvCJD currently diagnosed in Great Britain

1. How many deaths were caused by nvCJD in Great Britain in 1996?

2. How many deaths were caused by nvCJD in Great Britain in 1997?

3. How many deaths were caused by nvCJD in Great Britain in 1998?

4. How many deaths were caused by nvCJD in Great Britain in 1999?

5. How many cases of nvCJD have currently been diagnosed in Great Britain?

Answer given by Mr Flynn on behalf of the Commission

(31 March 1999)

As appears from the press release of the British authorities (Department of health) issued on 1st March 1999 there were 3 deaths in the United Kingdom caused by Creutzfeld-Jacob disease (nvCJD) in 1995, 10 in 1996, 10 in 1997, 15 in 1998 and 1 in 1999. These official figures include deaths due to definite and probable cases. The attribution of a 'definite' diagnosis refers to pathological confirmation, in most cases by post mortem examination of brain tissue. The attribution of a 'probable' case is based on clinical diagnostic criteria but without pathological confirmation. However, to provide as complete data as possible on deaths due to nvCJD, 'probable' cases are included.

As with any disease surveillance system, there are a number of living 'suspect' cases of nvCJD under investigation at any time. They are not included in the official statistics since their number exceeds the number of subsequently 'confirmed' cases by a ratio of about 4:1, and this ratio varies from month to month. Clinical diagnostic criteria have already been developed for the classification of suspect cases as 'probable', 'possible' or 'unlikely to be nvCJD', but these criteria are not yet validated. If the criteria are accepted by the scientific community as providing reasonable diagnostic accuracy, it may be possible in the near future to provide meaningful information on the numbers of 'probable' cases that are living.

(1999/C 341/092) **WRITTEN QUESTION E-0194/99**

by Freddy Blak (PSE) to the Commission

(11 February 1999)

Subject: Corruption and the Olympic Games

Following recent revelations concerning the dubious methods used to secure the Winter Olympics for Salt Lake City, with inducements including free sex, scholarships, travel and favourable property deals for IOC members, will the Commission say how much money the EU gives to support the Olympic Games generally and whether adequate checks are made to ensure that such money is used as intended?

Answer given by Mr Oreja on behalf of the Commission

(24 March 1999)

The Commission has never granted a financial contribution to the International Olympic Committee.

In 1992, the Commission made two direct contributions to the committees organising the Olympic Games in Barcelona (EUR 6 million) and Albertville (EUR 4 million) in order to give a Community dimension to the opening ceremonies. The Commission thus responded to an invitation from Parliament, among others. It should be recalled that the decision to hold the Games in the two Community cities was taken in 1987.

The Community's involvement in the 1992 Olympic Games was the subject of a Communication [1] to Parliament and the Council.

(1) COM(92) 575 final.

(1999/C 341/093)

WRITTEN QUESTION E-0195/99

by Christof Tannert (PSE) to the Commission

(11 February 1999)

Subject: EU programmes in Namibia

Can the Commission state when, with what funding, on what scale, in what region and with what partners the following programmes have been, or are being, implemented in Namibia:

(a) the Animal Disease Control Programme, and

(b) the Livestock Marketing Project which is supported by the Commission?

Answer given by Mr Pinheiro on behalf of the Commission

(18 March 1999)

Support for livestock farming in Namibia forms part of a sectoral policy defined and carried out by the country itself. Its main features are sustainable development, long-term investment, securing of funding and eventual transfer of operations to the national budget, and vesting of responsibility in the national veterinary services. The aim is to boost the income of small farmers, improve protection against endemic livestock diseases and build up the meat export sector.

Namibia has received over €1,4 million under the SADC regional animal disease control programme, which is now nearing completion. Implemented by the national veterinary services, its aim is essentially to protect Namibia's cattle population against contagious bovine pleuropneumonia (CBPP) and foot-and-mouth disease. Its main targets are small farmers on communal lands north of the cordon sanitaire. Most of the money has been spent on vaccines, but studies have been put in hand into the livestock market and the development of stockfarming on communal lands in northern districts. The programme has also provided a platform for discussions on national direct or indirect funding for vaccination schemes via a slaughter tax.

Namibia was not initially involved in the regional tsetse and trypanosomiasis programme but an indicative sum of €200 000 was set aside to enable it participate. This programme too has been carried out by national veterinary services and the country financed the bulk of its own equipment and staffing requirements. The project accounts are now being wound up and financial responsibility for subsequent operations passes to the national exchequer.

At the purely national level a financing agreement worth €3,75 million was signed on 20 December 1995 for a livestock marketing project being carried out on communal lands north of the cordon sanitaire. The project aims to bring about real increases in small farmers' earnings from the sale of their cattle by upgrading or establishing seven quarantine holdings run by the national veterinary services, running from Kunen in the west to Caprivi in the east along the line of the cordon sanitaire, improving their infrastructure, including living and office accommodation, securing water supplies and providing the necessary equipment. It is consistent with Namibia's overall livestock farming development policy and meshes with other Community-backed operations, in that it (a) helps improve the lot of peasant farmers in the north of the country, underpinning rural development programmes (extension services, cooperatives, micro-projects) and ensuring their sustainability; (b) helps prevent the spread of livestock diseases endemic south of the line, thus contributing to regional disease control campaigns; and (c) ensures that Namibia can continue to earn foreign exchange by exporting meat from commercial holdings both to the Community, under a special protocol to the Lomé Convention, and to South Africa.

(1999/C 341/094) **WRITTEN QUESTION E-0208/99**

by Armelle Guinebertière (UPE) to the Commission

(12 February 1999)

Subject: Aid for sheep-breeding

The level of income of sheep-breeders is among the lowest in the farming sector. Given that sheepmeat prices fell by 50 % between 1997 and 1998 a decision must be taken to support this sector.

In the first place it seems that the budgetary stabiliser mechanism set up in 1988 for calculating Community premiums for sheep serves no purpose. The marked increase in sheep stocks in Europe has stopped since the introduction of entitlements to premiums following the 1992 reform. However, the rural society premium remains as important as ever.

Secondly, there is a risk of an imbalance occurring: the introduction of the extensification premium provided for under the COM for beef means that in many regions mixed breeders (both sheep and cattle) may be drawn towards cattle production. An equivalent measure as part of the draft regulation on rural development consisting of introducing an extensification premium for the sheep sector would be welcome.

Does the Commission not believe that solutions — which would, of course, be linked to a system based on Community compensation — are needed, in order to reduce and avert the problems facing this sector?

Answer given by Mr Fischler on behalf of the Commission

(12 March 1999)

It is true that 1998 has been a very difficult year for many meat sectors and sheep is no exception. However, prices decreased relatively less than in other meat sectors and were fully compensated by the ewe premium, which increased by 50,3 % when compared to one year earlier. Lamb prices decreased by 13,3 % in 1998 when compared to the average for the previous year.

Whilst sheep producers may have incomes which are lower than many other agricultural sectors, the sheepmeat sector enjoys a relatively high level of support. Its share of expenditure in the European agriculture guidance and guarantee fund (EAGGF) Guarantee budget (7-8 %) is more than four times its contribution to final agricultural production.

The Commission does not intend to propose that the basic price be increased by removing the stabilizer. The flat rate of 7 %, which was introduced at the time of the 1992 reform, was compensated by the introduction of the 'rural world' premium for producers in less-favoured areas. As they are linked in this way the suppression of the stabilizer would put into question the payment of the 'rural world' premium. Furthermore, removal of the stabilizer would increase budgetary expenditure resulting in spending on the 1998 ewe premium being increased by about 25 % (or 365 million euro) for example.

Similarly, there is no intention to propose an extensification premium in the sheep sector. It is true that the number of ewes declared for the premium is taken into account in the calculation of the stocking density in the beef sector in order to avoid any discrimination between mixed sheep and beef producers and beef only producers. However, to introduce a similar system for sheep would prejudice producers in certain regions of the Community who have no land as such which they could declare in an area aid application to support a claim for an extensification premium. Furthermore, an extensification premium has been operational in the beef sector since 1993 without having an effect on the sheep sector.

(1999/C 341/095) **WRITTEN QUESTION E-0216/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 February 1999)

Subject: Disposal of waste in the Thriassian Plain — infringement of Directive 91/156 and 75/442

A site has been chosen, by Ministerial decision, in the Thriassian Plain — where 5 % of the population of the Athens region lives — for the disposal of all the solid household waste in the Athens region (3 500 tonnes per day), the incineration of all contaminated hospital waste from the same area (30 tonnes per day), the disposal of sludge from primary biological treatment of urban sewage (150 tonnes per day) and toxic industrial waste with no safeguards or deactivating measures taken (150 tonnes per day).

This decision — which in fact is contrary to the position of the Provincial Council of Western Attica in terms of the quantities and categories of waste — is in breach of Directives 91/156 ([1]) and 75/442 ([2]) concerning the disposal of solid wastein that the site has been selected without reference to planning and environmental criteria and studies of at least two sites should have been carried out. The decision is also in breach of Directives 84/360 ([3]) and 85/337 ([4]) in that no land-use report or environmental impact assessment have been carried out beforehand.

How will the Commission intervene to enforce proper and full implementation of Community legislation, especially in the case of a region such as the Thriassian Plain which is particularly polluted?

([1]) OJ L 78, 26.3.1991, p. 32.
([2]) OJ L 194, 25.7.1975, p. 39.
([3]) OJ L 188, 16.7.1984, p. 20.
([4]) OJ L 175, 5.7.1985, p. 40.

Answer given by Mrs Bjerregaard on behalf of the Commission

(31 March 1999)

According to the information in the Commission's possession, the following projects in the Thriassian plain region, which are intended to improve waste management in Attica, have been scheduled and are currently being implemented by the Greek authorities, namely: a new tip at Ano-Liossia and the building of a hospital-waste incinerator.

These projects are jointly financed by the European Regional Development Fund (ERDF) under the operational multi-fund programme for Attica and the operational multi-fund programme for the environment. According to the information supplied by the Member State in question, the impact of these projects on the environment has been assessed in accordance with Greek legislation, which transposes Council Directive 85/337/EEC of 27 June 1985 on the assessment of the impact of certain public and private projects on the environment, Council Directive 84/360/EEC of 28 June 1984 on the fight against atmospheric pollution by industrial installations; Council Directive 75/442/EEC of 15 July 1975 on waste; while Council Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC does not apply here.

According to the same information, hazardous waste will not be accepted at the facilities referred to above, whereas disposing of sewage-treatment sludge by means of dumping is acceptable under environment law.

In addition the Cohesion Fund is financing the reclamation projects relating to the former tips at Schistos and Ano Liossia as part of the same improvements to waste management in Attica.

The Greek authorities have included other projects (including, in particular, new tips) in a waste management plan for Attica put to the Commission earlier. This would also apparently be implemented in other parts of Attica once the administrative and legal procedures have been completed.

(1999/C 341/096) **WRITTEN QUESTION E-0235/99**

by Antonio Tajani (PPE) to the Commission

(12 February 1999)

Subject: Contracts at Leonardo da Vinci airport, Rome

On 21 September 1998 the Aeroporti di Roma company awarded the contract for cleaning and maintenance services at Leonardo da Vinci — Fiumicino airport, divided into three separate lots, to the following companies:

— Linda srl;

— SNAM Lazio Sud srl;

— Bona Dea srl.

Given the airport's importance as an international stop-over, can the Commission state whether the European rules on competition for public contracts have been complied with in this case?

Supplementary answer
given by Mr Monti on behalf of the Commission

(27 April 1999)

Firstly, the Commission would like to point out that no complaint has been made about the matter raised by the Honourable Member. However, the Commission will contact the Italian authorities to check whether Community rules on competition for public contracts have been complied with in the award of the contract for cleaning and maintenance services at Leonardo da Vinci airport to the companies mentioned.

(1999/C 341/097) **WRITTEN QUESTION E-0242/99**

by Ulf Holm (V) to the Commission

(12 February 1999)

Subject: Consumers misled by the CE mark

The CE mark is used on products such as toys, safety helmets and electronic equipment and signifies that the manufacturer certifies that the product concerned conforms to EU safety standards. Checks on whether products actually conform to such standards, however, are not made in the factories but are carried out by inspectors in shops where the goods are sold. Experts at Sweden's National Board for Consumer Policies have estimated that about 30 % of toys sold with the CE mark are wrongly marked. There is thus widespread misuse of the mark, which means that consumers are being lulled into a false sense of security.

What steps is the Commission planning to take in order to ensure that the CE conformity marking system really does provide security for consumers?

Answer given by Mr Bangemann on behalf of the Commission

(25 March 1999)

Products falling within the scope of the technical harmonisation directives drawn up on the basis of the new approach and the global approach (Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards ([1])), such as toys and electrical domestic appliances, cannot be put on the market unless they comply with the essential, particularly safety, requirements of the pertinent directives. Conformity assessment of new approach products is the responsibility of the manufacturer or the importer in accordance with the procedures laid down in the directives, which may include assistance from notified bodies (independent third parties). The affixing of the 'EC mark' is confirmation that this process has been completed.

The Commission believes that the problems of non-compliance and misuse of the EC mark can be dealt with by improving information for manufacturers and importers on their obligations and by better supervision of the market.

Market supervision may be carried out in different ways and in different places. It is not restricted to the final sales point. Council Directive 88/378/EEC of 3 May 1998 on the approximation of the laws of the Member States concerning the safety of toys ([2]) provides in its Article 12 for the authority responsible for inspection to obtain access to the place of manufacture or storage.

The requirements contained in the Directives, including a clarification of obligations with regard to market inspection, are explained in a guide to the new approach which should be published shortly. Supervision of the market is the responsibility of the Member States, which must have the necessary powers to guarantee that Community law is respected, including that on consumer safety, whether by checks carried out at the place of manufacture or at sales points. The Commission has committed itself to launching initiatives to improve market supervision for products in accordance with the action plan in favour of the single market ([3]). One of these initiatives is the programme of joint reciprocal inspections between the inspection authorities of the national markets ([4]) which is currently under way. It is aimed at identifying any weaknesses and at promoting improvements to the national market inspection systems.

([1]) OJ C 136, 4.6.1985.
([2]) OJ L 187, 16.7.1988.
([3]) Communication from the Commission to the European Council, doc. ESC(97)1 final;.
([4]) Programme in the area of toys, individual protection equipment, machinery, low-voltage equipment and electro-magnetic compatibility.

(1999/C 341/098) **WRITTEN QUESTION E-0243/99**

by Ulf Holm (V) to the Commission

(12 February 1999)

Subject: The fight against HIV/Aids

What is the EU doing to support action to stop the spread of HIV/Aids in EU Member States?

To whom is such support given?

Has an evaluation of such support been carried out? If so, what were the results?

Answer given by Mr Flynn on behalf of the Commission

(25 March 1999)

Community measures to combat AIDS are implemented in the context of the Community action programme on the prevention of AIDS and certain other communicable diseases (1996-2000) adopted by Decision 647/96/EC of the European Parliament and of the Council on 29 March 1996 ([1]).

This programme provides for a raft of actions under four main rubrics:

(a) surveillance and monitoring of the Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Syndrome (AIDS) and other communicable diseases;

(b) combating transmission of the virus;

(c) information, education and training;

(d) support for persons affected and combating discrimination.

Community assistance under this programme is granted on the basis of calls for proposals published in the Official Journal and in accordance with the procedure and arrangements provided for in Article 5 of Decision 647/96/EC, open to Non-Governmental Organisations, university research centres and public institutions active in preventing AIDS. Each year the Commission transmits to the Parliament the list of subsidies granted in the context of the programme (amount, duration and beneficiary).

Article 7 of the Decision provides for an evaluation halfway through the programme and on completion of the programme. The interim report, which is currently being prepared, will be transmitted to the European Parliament and Council during the second quarter of 1999.

Ever since 1983, only two years after the first case of AIDS was diagnosed, research on AIDS has been a high priority within the medical research programmes of the Commission. Within the fourth framework programme (1994-1998) and more specifically the Biomed 2 programme, a total of 32 projects directly related to HIV/AIDS are presently supported (at a total budget of 16 millions euro) addressing a broad range of objectives, such as HIV vaccine development or new approaches in AIDS therapy, taking account of drug resistance issues. Key players in these projects are research institutions, hospitals and industry.

The policy to bring forward HIV vaccine research is further pursued by the launching of the fifth framework programme (1998-2002), in particular key action 2 'control of infectious diseases'. A total amount of 300 million euro has been set aside for research on infectious diseases in humans and animals. In order to place the European research efforts at the service of the citizen, the fifth framework programme is designed to implement a new approach to research organised to respond to the major socio-economic challenges that the European society faces today. In the future, European research into infectious diseases will be even more targeted to vaccine development and to new strategies for the diagnosis, treatment and control of infectious diseases.

(1) OJ L 95, 16.4.1996.

(1999/C 341/099) **WRITTEN QUESTION E-0252/99**

by Laura González Álvarez (GUE/NGL) to the Commission

(12 February 1999)

Subject: Slate dumps in San Pedro de Trones (Castilla y León, Spain)

The area of San Pedro de Trones (León) is being threatened by the effects of a large number of slate dumps. Some are as high as 100 metres and contain many cracks, causing fears that they may fall on the village.

This situation has led to serious environmental damage preventing the areas concerned from developing any profitable economic activity such as tourism.

Is the Commission aware of this situation?

Does the Commission know whether this slate-mining activity is in breach of any of the following directives:

(a) Directive 92/43/EEC (1) on the conservation of natural habitats and on wild fauna and flora;

(b) Directive 85/337/EEC (2) on the assessment of the effects of certain public and private projects on the environment;

(c) Directive 87/216/EEC (3) on the major accident hazards of certain industrial activities?

Does the Commission not consider that there is an urgent need for the competent authorities to set reasonable limits on the volume and size of these dumps? Have limits of this kind been laid down in any directive?

Will the Commission urge the competent authorities to draw up a technical study as a matter of urgency on each of the dumps existing in the neighbourhood of San Pedro de Trones, so that a specific plan can be drawn up for each of them, taking steps to stabilise and subsequently make safe any which pose a serious risk to the area?

(1) OJ L 206, 22.7.1992, p. 7.
(2) OJ L 175, 5.7.1985, p. 40.
(3) OJ L 85, 28.3.1987, p. 36.

Answer given by Mrs Bjerregaard on behalf of the Commission

(18 March 1999)

The Commission had not been informed of the situation referred to by the Honourable Member. The question does not state the origin of the slate dumps, and the Commission will obtain details of this problem from the Spanish authorities.

At first sight Council Directive 85/337/EEC of 27 June 1985 on the assessment of the impact of certain public and private projects on the environment does not seem to apply. Likewise Council Directive 96/82/EC of 9 December 1996 on the control of major accident hazards involving dangerous substances (1), which replaced other earlier sets of rules, seems not to apply in that the dumps do not appear to have been produced by a specific industrial activity. Nor does the Honourable Member mention the existence of a natural habitat close to this area. This would mean that Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora of 21 May 1992 could not apply.

Under Council Directive 75/442/EEC of 15 July 1995 on waste (2), Member States shall prohibit the unauthorised dumping of waste. Moreover, they must take any action needed in order to ensure that waste is processed and disposed of without any risk to both human beings and the environment.

(1) OJ L 10, 14.1.1997.
(2) OJ L 194, 25.7.1975.

(1999/C 341/100) **WRITTEN QUESTION E-0253/99**

by Riccardo Nencini (PSE) to the Commission

(12 February 1999)

Subject: Redundancies at the Nuovo Pignone company (Florence)

The Nuovo Pignone company which is based in Florence and is controlled by the General Electric company has stated its intention of making 400 of its 3 100 staff redundant on the basis of the special 'mobilità' procedure.

The company has had a profit margin of between 14 % and 20 % over the past few years (ITL 800 billion over a four-year period) and the orders it has taken recently will enable it to maintain a dominant position in large sectors of the market.

Florence City Council made an extremely substantial contribution — in the region of several billion lire — towards the training centre set up for the company's staff.

Furthermore, Nuovo Pignone has also received various Community grants for staff training.

Given the above, does the Commission intend to take action to prevent Nuovo Pignone's management from making such a large number of the company's staff redundant?

Answer given by Mr Flynn on behalf of the Commission

(6 April 1999)

Decisions to lay off staff must comply with the provisions of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies (1).

The main purpose of the Community instrument is to reinforce the protection of workers in the event of collective redundancies, by seeking to reduce the existing differences between national legislations as regards the 'practical arrangements and procedures' and through measures designed to alleviate the consequences of these redundancies for the workers.

Hence, Article 2 of the Directive provides that employers contemplating collective redundancies must begin consultations with the workers' representatives in good time with a view to reaching an agreement. These consultations must cover ways and means of avoiding collecting redundancies or reducing the number of

workers affected and of mitigating the consequences by recourse to accompanying social measures aimed, inter alia, at aid for redeploying or retraining workers made redundant.

There is nothing to indicate that the Community provisions and the associated national rules have been infringed. At any rate, it is primarily for the national courts and administration to address the legal consequences arising from this case.

(1) OJ L 225, 12.8.1998.

(1999/C 341/101)

WRITTEN QUESTION P-0256/99

by Manuel Porto (PPE) to the Commission

(5 February 1999)

Subject: Breach of competition law with regard to co-incineration in Portugal

Through a protocol of May 1987 the Portuguese Government granted the private Scoreco consortium a de facto monopoly on the transport, storage, co-incineration, export and landfill of hazardous industrial waste, without conducting an open tender procedure.

That decision predated the publication of the Resolution of the Portuguese Council of Ministers on policy in this area, thereby damaging the prospects of other firms with a potential interest.

The Chairman of the above undertaking is also a member of the executive board of the EGF, a public-sector undertaking with a dominant position in the Portuguese waste management market which enjoys privileged access to all the relevant information on the subject.

These circumstances, together with other equally striking details such as the fact that the application for a licence for co-incineration units was submitted before the decree-law regulating such activities was published and before the end of the public debate on an environmental impact assessment, which is mandatory under European law, raise the question of whether European law on competition policy has been breached.

Can the Commission answer the following:

1. Do the provisions of European law on competition policy apply to the industrial waste treatment sector?

2. If so, has the Portuguese Government complied with this legislation, particularly as regards ensuring equal opportunities for all potentially interested parties submitting business-based solutions to this serious environmental problem?

Answer given by Mr Van Miert on behalf of the Commission

(15 March 1999)

There should be no doubt concerning the applicability of the Community competition rules (Articles 85 to 94 of the EC Treaty) in the sector of treatment of industrial waste. Indeed, the offer of services, for payment, is, as a rule, an economic activity under these provisions and thus the undertakings as well as the public authorities must respect the rules intended to ensure that competition within the common market is not prevented, restricted or distorted.

These rules prohibit anti-competitive agreements between undertakings and abusive exploitation of market power where such an agreement or behaviour could have appreciable effects on trade between Member States. They also ban state regulation if the state thereby makes undertakings adopt anti-competitive practices that would affect trade between Member States or reinforce the effects of such practices.

The information contained in the Honourable Member's question does not reveal, however, the existence of any such anti-competitive practices by the Scoreco consortium which allegedly has a de facto monopoly in the treatment of hazardous industrial waste in Portugal. The information available is not sufficient for the Commission to conclude whether or not the Community competition rules have been breached.

The Commission is not aware of any irregularities in the tendering procedure to which the Honourable Member refers. It is impossible to judge this matter on the basis of the data supplied by the Honourable Member.

The Commission will take the necessary steps to determine whether this contract was awarded in conformity with Community law on public procurement. In this connection it will also examine any additional information the Honourable Member may provide.

(1999/C 341/102)

WRITTEN QUESTION P-0260/99

by Maartje van Putten (PSE) to the Commission

(5 February 1999)

Subject: Implementation of the CITES rules in Greece

In September 1998 the CITES Secretariat issued a 'notification' requesting all parties to CITES to suspend trade with Greece because it had not made sufficient effort to transpose CITES and the corresponding EU legislation into national law.

Can the Commission say what action it intends to take in the near future to persuade Greece to introduce national legislation on CITES, and does it plan to help Greece to do so?

Answer given by Mrs Bjerregaard on behalf of the Commission

(12 March 1999)

Having noted that Greece had not taken the action needed in order to implement Regulation (EC) 338/97 on the protection of species of wild fauna and flora by regulating trade therein ([1]), the Commission decided, on the basis of Article 169 of the EC Treaty, to lay the matter before the Court of Justice in October 1998.

In the meantime the Greek authorities have informed the Commission of the wording of Law 2637/98, adopted on 27 August 1998, which sets up a new regulatory framework, in Greece, on the protection of species of wild fauna and flora by regulating trade therein, in accordance with the CITES Regulation ([2]). The compliance of that wording is currently being analysed.

([1]) OJ L 61, 3.3.1997.
([2]) OJ L 384, 31.12.1982.

(1999/C 341/103)

WRITTEN QUESTION P-0261/99

by Luciano Vecchi (PSE) to the Commission

(5 February 1999)

Subject: Publicising national indicative programmes and calls for tender under the Lomé Convention

The management of some aspects of the European Development Fund has to date been lacking in transparency and potential participants have experienced difficulties in obtaining the necessary information in time to enable them to take part on an equal footing in calls for tender for the implementation of projects provided for in the national indicative programmes.

This problem could easily be resolved through the use of modern information technologies, for instance by publishing the texts of the national indicative programmes, the calls for tender and the final outcome of the tender procedure on the Commission's Internet sites.

The Commission:

1. Will it say if and when it intends to publicise properly all the information on national indicative programmes and calls for tender for projects funded from the EDF?

2. What obstacles (within the Commission and/or Council) have so far prevented this elementary step from being taken?

3. What possible legal obstacles might arise requiring express authorisation to be obtained from ACP countries in order to publish information relating to the EDF?

Answer given by M. Pinheiro on behalf of the Commission

(10 March 1999)

1. The Commission publishes calls for tender for projects funded by the European Development Fund (EDF) both in the Official Journal and on the Internet site. Calls for tender for works of more than 5 million euros and for supplies of more than 100 000 euros, and prequalification notices for service contracts of more than 2 million euros are published in the 'S' series of the Official Journal. They are also available on-line via the 'DET' (daily electronic tenders) database and on the Web site of the Directorate General for Development. Calls for tender for works and supplies of less than these amounts are published in the Official Journal or in the local press of the beneficiary country.

Furthermore, a Web site grouping together calls for tender for all aid programmes to third countries is being prepared and will soon be available on the Joint Relex Service (SCR) Internet site. The SCR has also begun work on harmonising the procedures for service, supply and works contracts concluded in the context of Community aid to non-member countries.

The list of tenderers is not published. Regarding the results of calls for tender the Commission publishes an annual report which, for each call for tender, indicates the number of tenderers, their nationality and who the successful tenderer is.

2. There are no obstacles within the Commission or the Council preventing the publication of contracts. International invitations to tender have been publicised via Community channels since the EDF began.

3. In the interests of transparency the Commission has decided to put all the necessary documentation on national indicative programmes on the Internet, subject to agreement with the authorities of the African, Caribbean and Pacific (ACP) countries.

(1999/C 341/104) **WRITTEN QUESTION E-0264/99**

by Jesús Cabezón Alonso (PSE) to the Commission

(17 February 1999)

Subject: State aid for Spanish electricity companies

According to the calculations of the Spanish Government, the deregulation of the electrical energy market will imply extra costs for the Spanish electricity sector. In order to limit these costs, the Spanish Government has asked the Commission to agree to the allocation of 1.37 billion pesetas to the sector by way of compensation for opening up the Spanish electricity market to competition.

Is this aid compatible with the legal framework of the European Union on free competition?

Will the Commission initiate a procedure or investigation to ensure that this action does not imply a distortion of competition?

Answer given by Mr Van Miert on behalf of the Commission

(18 March 1999)

On 18 February the Spanish authorities notified the Commission of their transitional regime for the electricity market in accordance with Article 24(2) of Parliament and Council Directive 96/92/EC of 19 December 1996 concerning common rules for the internal market in electricity [1], and on 29 January 1999 they made the notification required by Article 93(3) of the EC Treaty.

The Commission is currently examining these notifications; it is therefore too early to arrive at any conclusions regarding the nature of the measure and its compatibility with the Community competition rules or the need for Article 93(2) proceedings.

[1] OJ L 27, 30.1.1997.

(1999/C 341/105) **WRITTEN QUESTION E-0265/99**

by Jesús Cabezón Alonso (PSE) to the Commission

(17 February 1999)

Subject: Aid for shipyards

Why is it that the Commission is initiating proceedings against Spain on the subject of public aid for shipyards at the same time as favouring unfair competition from South Korea in the naval sector, for which aid from the International Monetary Fund is being used?

How, in these conditions, can European shipyards possibly stand up to competition from Korean shipyards?

What does the Commission think about this unfair competition from South Korea?

Answer given by Sir Leon Brittan on behalf of the Commission

(18 March 1999)

It is true that the Commission has initiated an investigation into the €111 million special tax credit (ESP 18 451 million) granted last year by Spain to its public-sector shipyards, which it believes may be incompatible with its 1997 decision exceptionally authorising aid, which would otherwise breach the Community rules forbidding state aid for shipbuilding, to be given for restructuring. This might constitute distortion of competition within the Community.

The IMF loans are intended to stabilise the reserves of South Korea's central bank. It is up to the IMF to see that the international aid is used properly and ensure that Korea complies with the conditions for release of successive tranches

Together with the Member States, who are members of the IMF, the Commission keeps a watchful eye on the way South Korea uses the aid it receives from international institutions. In particular, it checks that loans are not used for illegal subsidies to shipyards and that Korea continues to abide by its international obligations. If it receives evidence of unfair practices it is prepared to take action using the available commercial policy instruments. In this connection, implementation of the OECD agreement would clearly have given the Commission extra leverage against such practices

Despite the devaluation of the Korean currency and extremely aggressive pricing by Korean shipyards following the financial crisis in Asia, Community shipyards managed to perform well on the world market last year, taking 29 % of new orders (compensated tonnage)as against South Korea's 22 % (January-September 1998).

(1999/C 341/106) **WRITTEN QUESTION E-0270/99**

by Nikitas Kaklamanis (UPE) to the Commission

(17 February 1999)

Subject: Lack of transparency at Cedefop

Replying on 22 January 1999 to my question E-3391/98 [1] on the operation of Cedefop, Commissioner Liikanen states that 'he has nothing to add to his previous answer to Question E-2549/98' [2].

I have repeatedly drawn the Commission's attention to the unprecedented methods of recruitment used at the above Centre which are undermining its image and denigrating its host country (for no reason).

Allegations in the Greek newspapers and magazines are growing in number, applicants for posts advertised at Cedefop are protesting at the lack of transparency that prevails, but the Commission states that 'it has nothing to add' to the answers it gives, so covering up the underlying intrigue.

When will the Commission decide to take a serious look at the recruitment of staff to Cedefop (and other decentralised EU agencies), the lack of transparency in which is an affront and further tarnishes its image?

Does the Commission not think it should intervene immediately and effectively to investigate the allegations of lack of transparency in these agencies in order to stop it being openly accused of complicity, which will inevitably result in more motions of censure against it, with serious charges against people who have political and professional responsibilities within the Commission?

(1) OJ C 207, 21.7.1999, p. 63.
(2) OJ C 118, 29.4.1999, p. 92.

Answer given by Mr Liikanen on behalf of the Commission

(31 March 1999)

The Commission has nothing to add to its previous answers to Written Questions E-2549/98 and 3391/98.

(1999/C 341/107) **WRITTEN QUESTION E-0271/99**

by Manuel Escolá Hernando (ARE) to the Commission

(17 February 1999)

Subject: Transfer of resources and the Cohesion Fund

The Office for Official Publications of the European Communities has recently issued a publication on hydrological assessment in Spain and Portugal.

In the said publication, the Montgomery Watson consultancy firm (MWL) proposes conducting a number of studies, one of which would deal with transfers between catchment areas in Spain, whilst another would analyse funding for hydraulic works and the establishment of guidelines enabling the EU to support multi-purpose hydraulic development. Likewise, immediate action should apparently include establishing the infrastructure to connect catchment areas.

Bearing in mind the aforementioned facts, has the Commission conducted or commissioned any of the studies proposed by MWL?

Does it believe it necessary to conduct studies on the feasibility of connecting the Ebro catchment area to other catchment areas?

(1999/C 341/108) **WRITTEN QUESTION E-0272/99**

by Manuel Escolá Hernando (ARE) to the Commission

(17 February 1999)

Subject: Transfer of resources and the Cohesion Fund

The publication on hydrological assessment in Spain and Portugal issued recently by the Office for Official Publications of the European Communities mentions, on page 11, various remarks by the Spanish authorities in a letter of 8 November 1995 on the report by the MWL consultancy firm contained in the said publication. The said remarks refer to the transfer from one catchment area to another of the resources necessary to tackle the serious structural problems affecting a number of regions in Spain.

Does the Commission agree with this approach? In its view, are other options available whereby works which will encounter stiff opposition from political and social groups can be avoided?

(1999/C 341/109) **WRITTEN QUESTION E-0273/99**

by Manuel Escolá Hernando (ARE) to the Commission

(17 February 1999)

Subject: Transfers from the River Ebro and the Cohesion Fund

The MWL consultancy firm, hired within the framework of the Cohesion Fund to draw up a report on the hydrological situation in Spain and Portugal, states on page 13 of the Spanish version of the publication issued by the Office for Official Publications of the European Communities, that in order to correct the shortages amongst catchment areas caused by the irregular seasonal and spatial distribution of water in Spain, transfers between catchment areas should be considered the most stable and suitable solution. Likewise, according to the main findings on page 15, the research points to the feasibility of building up resources through increased regulation of the flow of water in rivers and the transfer of excess water from northern Spain to the south and east of the country.

To cite the last of many possible examples, the section dealing with potential improvements on page 19 puts forward two main courses of action to correct the shortages in some catchment areas, including redistributing water between them by means of transfers, and goes on to say that the only real feasible means of resolving the problems affecting those catchment areas in which water is in short supply is to carry out works designed to transfer resources. The said transfers would affect the Norte-Duero and Ebro rivers, and in the latter instance would involve the transfer of 1 855 hm^3.

The documentation used by MWL and contained in the aforementioned publication was produced by the then socialist government. However, since 1996 another party has been in power in Spain.

Bearing this in mind:

— does the Commission agree with the statements made by MWL in the publication on the need to transfer water from the Ebro catchment area? If so, does it believe that the Cohesion Fund would serve as a suitable financial instrument for that purpose?

— has the current Spanish Government made the Commission aware of its views on the statements and proposals contained in the MWL report on the feasibility of transfers from the River Ebro to other catchment areas and on possible financing arrangements?

Joint answer
to Written Questions E-0271/99, E-0272/99 and E-0273/99
given by Mrs Wulf-Mathies on behalf of the Commission

(25 March 1999)

The Montgomery Watson report financed by the Cohesion Fund is a factual and analytical presentation of the water resources of the Iberian Peninsula and sets out various approaches to its water supply problems, in particular for the most extreme situations and circumstances. It is in this context that transfers between basins were mooted as an alternative or complement to other solutions.

The Commission considers the report an apposite survey that by its range of proposals serves to advance discussion. It is a study by consultants and not a document expressing the Commission's position in an area where choices are a matter for the Member States.

The Commission has neither commissioned further studies nor received any application from the Spanish authorities for Cohesion Fund support for water transfer from the Ebro basin. If an application is made it will consider which of the instruments available to it would provide the best-geared timely assistance. A condition for Community financing of any project is compatibility with legal requirements and Community policy, including environmental law and policy.

The Commission will support all efforts towards more rational use of water resources. It will take due account of socio-economic considerations and favour more efficient use of existing infrastructure (maintenance and improvement of networks, elimination of losses) rather than encourage creation of new infrastructure the cost of which would be unjustified or uneconomic. This is in line with the thrust of its proposal for a framework Directive on water ([1]).

Approval in 1998 of the Portuguese and Spanish operational programmes on combating aridity submitted under the Interreg II C Community Initiative provided resources for determining and implementing the best solutions available within individual basins.

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

(1999/C 341/110) **WRITTEN QUESTION E-0275/99**

by Riccardo Nencini (PSE) to the Commission

(17 February 1999)

Subject: Situation of women with children in Italian prisons

At present 52 children below the age of three are being kept in Italian prisons while their mothers serve sentences of varying lengths.

Being kept in prison will have far-reaching adverse effects on their upbringing and education.

In view of the relatively small numbers concerned, steps could be taken to allow their mothers to serve their sentence in a different way.

The practice of keeping children of a very young age in prison is clearly at odds with the human and civil rights guidelines adopted by the European Parliament.

Will the Commission make approaches to the Italian Government as a matter of urgency to persuade it to allow the mothers held in prison to look after and bring up their children outside a prison environment invoking the fundamental principles underlying European guidelines on freedom and respect for human and civil rights?

Answer given by Mrs Gradin on behalf of the Commission

(31 March 1999)

The Commission underlines the need to respect human rights. In particular, the Commission supports the improvement of prison conditions in the Community in compliance with the European Convention for the protection of human rights, the prison standard rules for treatment of prisoners adopted by the Council of Europe in 1973.

However, prison conditions in the Member States fall under the responsibility of national authorities. This situation could change to some extent with the entry into force of the Amsterdam Treaty. New Article 31 of the Treaty on European Union provides for an approximation, where necessary, of rules relating not only to the constituent elements of criminal acts but also to penalties and for co-operation regarding proceedings, and especially in relation to the enforcement of decisions. Such measures are part of the instruments for the achievement of an area of freedom, security and justice and should aim at a high level of safety by means of preventing and combating crime.

(1999/C 341/111) **WRITTEN QUESTION E-0278/99**

by Riccardo Nencini (PSE) to the Commission

(17 February 1999)

Subject: Aid for wine growers affected by severe hail storms in Massa, Carrara and Montignoso (Tuscany)

On 10 April 1998, vineyards and olive groves in the areas of Massa, Carrara and Montignoso (Tuscany) were hit by severe hail storms.

It is estimated that between 45 and 60 % of the 1998 crop has been damaged.

Wine production is crucial to the prosperity of the whole region.

The vines themselves have also suffered severe damage.

Will the Commission provide help for the abovementioned wine growers in the form of special funds, as it has done in similar cases in the past?

Answer given by Mr Fischler on behalf of the Commission

(1 April 1999)

The common organisation of the market in wine does not make general provision for granting aid in the event of bad weather. Nor do the regulations governing the market organisation provide for either production-based or area-based aid.

The only reference to natural disasters is in Article 78 of Council Regulation (EEC) 822/87 of 16 March 1987 on the common organisation of the market in wine ([1]), under which exemption may be granted from such requirements as compulsory distillation — which is not relevant in this case.

It should moreover be recalled that damage to the crop as a result of hail is normally covered by agricultural insurance.

The Community legislation currently in force provides for two ways in which, at the Member State's instigation, aid can be granted with Community financing to help wine-growers replant vineyards damaged by hail. The first is national investment aid for planting vineyards in accordance with Commission Regulation (EEC) 2741/89 of 11 September 1989 laying down criteria to apply under Article 14 of Council Regulation (EEC) 822/87 on national aid for the planting of wine-growing areas ([2]) (the Commission must receive prior notification of such aid). The second involves aid funded jointly by the Community under the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) for areas eligible under Objectives 1 and 5(b); here, the relevant procedure laid down in the Community Support Framework must be complied with, possibly with changes to the operational programme under Council Regulation (EEC) 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ([3]). These aids may be granted under the single programming document, implemented by the Member State and the region concerned. However, the municipalities indicated by the Honourable Member are not eligible under Objective 5(b).

([1]) OJ L 84, 27.3.1987.
([2]) OJ L 264, 12.9.1989.
([3]) OJ L 185, 15.7.1988.

(1999/C 341/112) **WRITTEN QUESTION E-0279/99**

by Riccardo Nencini (PSE) to the Commission

(17 February 1999)

Subject: Administrative penalties in matters relating to taxation

Legislative Decree No 472/97 lays down provisions governing administrative penalties in matters relating to taxation.

Some of these provisions stipulate that a natural person can be held liable for the payment of penalties incurred for violations connected with the activity of a legal person.

Under the new system of penalties in force since 1 April 1998, penalties are imposed on a natural person involved in committing a tax violation regardless of the fact that he may have been acting in his capacity as an administrator or company employee.

The principle that administrators and/or employees should be held liable in such matters is not applied in any other EU Member State.

Will the Commission examine whether this procedure is in compliance with the European legislation in force in this area?

Answer given by Mr Monti on behalf of the Commission

(1 April 1999)

Owing to the lack of Community-level harmonisation of tax penalties, Member States are free to lay down the arrangements for imposing such penalties on taxpayers, provided that the general principles enshrined in the EC Treaty, and in particular the principle of non-discrimination, are complied with.

Since Articles 5 and 11 of Legislative Decree No 472/97 of 18 December 1997 do not seem to contain any discriminatory measures, they may, under Community law, make provision for tax penalties to be imposed on the administrators or employees of legal persons by virtue of the activities in which they engage on behalf of the legal person concerned.

The Commission has no plans to present a proposal for harmonising tax penalties within the Community.

(1999/C 341/113) **WRITTEN QUESTION E-0280/99**

by Riccardo Nencini (PSE) to the Commission

(17 February 1999)

Subject: Ponte Vecchio (Florence)

The Ponte Vecchio and surrounding areas in the historical centre of Florence have been designated a world heritage site by Unesco.

Over the years, the various heads of the Department of Culture and Environmental Assets have repeatedly drawn the attention of local and national bodies to the need to conserve and enhance this heritage, by protecting it from the danger of excessive tourist numbers and preventing the impoverishment of the site caused by the presence of hawkers and the growth in petty crime.

The measures so far taken have not proved satisfactory either in restricting vandalism or ensuring the protection of the artistic heritage and the craft shops and other businesses present. The Ponte Vecchio and surrounding areas are therefore at risk every day.

In the light of the above considerations, will the Commission urge the competent bodies in Florence and Italy to ensure the conservation and enhancement of this priceless artistic and historical heritage which Unesco has designated a world heritage site?

Answer given by Mr Oreja on behalf of the Commission

(23 March 1999)

Although fully understanding the worries expressed by the Honourable Member, the Commission would inform him that, on the basis of Article 128 and the principle of subsidiarity enshrined in the EC Treaty, any measures for the protection of cultural heritage are the exclusive responsibility of the national or regional authorities.

(1999/C 341/114) **WRITTEN QUESTION E-0282/99**

by Riccardo Nencini (PSE) to the Commission

(17 February 1999)

Subject: Poor environmental and health conditions in the 'Tamburi' district (Taranto)

For some time the city of Taranto, particularly the 'Tamburi' district close to the ILVA steel plant and the Shell refinery, has been plagued by terrible environment and health conditions. The incidence of cancers recorded in 1997 provides irrefutable evidence that Taranto now rates as one of the most polluted cities in the world.

According to analyses conducted by the Taranto ASL, approximately 90 % of the materials used by the ILVA steel plant contain asbestos, increasing the incidence of serious diseases caused by this substance.

Is the Commission aware of the situation and will it take steps to deal with it?

Answer given by Mrs Bjerregaard on behalf of the Commission

(31 March 1999)

The Commission is so far not aware of the situation as described by the Honourable Member.

Insofar as the prevention or reduction of air pollution is concerned, it can be assumed that Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants ([1]) applies to the metal works and the refinery mentioned by the Honourable Member. Under this Directive, Member States have to take the necessary measures to ensure that the operation of such plants requires prior authorisation by the authorities. An authorisation may be issued only when all appropriate preventive measures against air pollution have been taken, including the application of the best available technology, provided that the application of such measures does not entail excessive cost. The authorities must also be satisfied that the use of the plant will not cause significant air pollution. Member States shall also implement policies and strategies, including appropriate measures, for the adaptation of existing plants to the best available technology.

Oil refineries and plants for the production and processing of metals are explicitly listed in Annex I of the Directive. Asbestos is included in Annex II, the list of most important polluting substances.

The Directive, however, does not fix emission limit values for polluting substances.

On the basis of the elements given by the Honourable Member, it is not possible to conclude that there has been a breach of Community legislation.

([1]) OJ L 188, 16.7.1984.

(1999/C 341/115) **WRITTEN QUESTION E-0284/99**

by Irini Lambraki (PSE) to the Commission

(17 February 1999)

Subject: Quotas for the Katerini variety of tobacco

The Commission's recent proposal for the guarantee thresholds for tobacco per Member State for the 1999-2001 harvests provides, for the first time, for a quota of the Katerini variety in Italy. The Commission's representative explained to Parliament's Committee on Agriculture that this was in response to a request from a private processing company which was conducting experiments in Italy with that particular variety.

Leaving aside the surprise at the Commission's immediate response to this request, will the Commission provide details about the above private processing company and its activities and all the data (location, duration, results) relating to its experimental crop-growing?

Answer given by Mr Fischler on behalf of the Commission

(17 March 1999)

In its report to the Council and Parliament on the common organisation of the market in raw tobacco ([1]), the Commission has stressed the need to boost the quotas for the best varieties to the detriment of those varieties that are hard to dispose of and have unacceptably low market prices. The third paragraph of point b4 of section V.A.3 of the Report proposes a reduction in the quota for group V (sun-cured tobacco) and transfer of the quantities thus released to other groups such as VI and VII, subject to observance of budget neutrality.

The Commission is able to inform the Honourable Member that the proposal for a Council Regulation amending Regulation (EEC) 2075/92 and fixing the premiums and guarantee thresholds for leaf tobacco by variety group and Member State for the 1999, 2000 and 2001 harvests ([2]) applies this facet of the reform by transferring group V quota to group VII in Italy. Introductory trials of group VII varieties started in the Apulia production zone in 1997 and the results are being administered by the national bodies.

([1]) COM(96) 554 final.
([2]) OJ C 361, 24.11.1998.

(1999/C 341/116) **WRITTEN QUESTION E-0296/99**

by Mihail Papayannakis (GUE/NGL) to the Commission

(17 February 1999)

Subject: Processed cereal-based foods, and baby foods

Has Greece notified the Commission of the necessary legislative, regulatory and administrative provisions it has adopted to comply with Commission Directives 96/4 and 96/5/EC of 16 February 1996 and, if so, when? What measures will the Commission take, should it find that those provisions have not been duly implemented?

(1999/C 341/117) **WRITTEN QUESTION E-0297/99**

by Mihail Papayannakis (GUE/NGL) to the Commission

(17 February 1999)

Subject: Special diet foods

The use of foods designed for low-calorie diets for weight reduction is widespread and, therefore, requires particular attention in order to protect consumer health. Moreover, because of the nature and purpose of these

special diet foods, the Commission has laid down standards in respect of their composition and labelling in Directive 96/8 [1] of 26 February 1996.

Has Greece notified the Commission of the necessary legislative, regulatory and administrative provisions it has adopted to comply with the above directive and, if so, when? What measures will the Commission take if the Greek authorities prove not to have duly implemented those provisions?

(1) OJ L 55, 6.3.1996, p. 22.

Joint answer
to Written Questions E-0296/99 and E-0297/99
given by Mr Bangemann on behalf of the Commission

(9 April 1999)

The Greek authorities have informed the Commission of the adoption of national measures to implement these three directives on the foodstuffs sector intended for particular nutritional uses.

Commission Directive 96/4/EC, Euratom of 16 February 1996, amending Directive 91/321/EEC on infant formulae and follow-on formulae [1], has been transposed by Ministerial Decree, as adopted on 12 November 1997 and published on 25 November 1997.

Commission Directive 96/5/EC, Euratom of 16 February 1996 on processed cereal-based foods and baby foods for infants and young children [1], has been transposed by Ministerial Decree, as adopted on 12 November 1997 and published on 25 November 1997.

Commission Directive 96/8/EC of 26 February 1996 on foods intended for use in energy-restricted diets for weight reduction [2], has been trnsposed by Ministerial Decree, as adopted on 15 October 1997 and published on 13 March 1998.

After an initial examination of the different texts, the Commission believes the Greek authorities have implemented the directives in question in a satisfactory manner.

(1) OJ L 49, 28.2.1996.
(2) OJ L 55, 6.3.1996.

(1999/C 341/118) **WRITTEN QUESTION E-0299/99**

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

(17 February 1999)

Subject: Regulating fishing activity in the South-West Atlantic

Given the Commission's inadequate response to my Written Question E-3471/98, I reiterate what I wrote there and ask:

1. What is the current state of negotiations?

2. What are the reasons for the failure to make any significant progress in these negotiations

3. When does the Commission envisage the negotiations ending and the next step being taken, namely the setting-up of the SAFO?

Answer given by Mrs Bonino on behalf of the Commission

(26 March 1999)

It is still too early to expect completion of negotiations on the multilateral arrangement for South-West Atlantic waters. Ongoing bilateral contacts between the Commission and Argentina are preliminary to multilateral negotiations between all interested parties.

At the moment the only addition that can be made to the Commission's answer to the Honourable Member's Written Question E-3471/98 [1] is that in August 1998 the Commission sent the Argentine authorities a 'non-paper' indicating the Community's position.

The Commission awaits the official reaction of the Argentine authorities to this document.

At an informal meeting between the Commission and the Argentine authorities on 2 March the latter stated that they intended to formulate a reply before the summer.

(1) OJ C 207, 21.7.1999, p. 74.

(1999/C 341/119) **WRITTEN QUESTION E-0300/99**

by Cristiana Muscardini (NI) to the Commission

(17 February 1999)

Subject: Subsidies for pig farmers

Can the Commission confirm whether the French and Spanish governments have decided to grant 'funding facilities' to pig farmers to enable them to survive the crisis affecting that sector?

If so, does the Commission agree that this form of aid encourages unfair competition in that other countries whose pig-rearing sectors are facing similar problems are not assisting their producers by the provision of special funding?

Can the Commision state whether such differences in treatment are permissible under current rules to ensure the smooth functioning of the internal market?

Answer given by Mr Fischler on behalf of the Commission

(22 March 1999)

The Commission can confirm that the French government has granted certain aids to pig producers. The Commission has launched a formal investigation into these aid measures in accordance with the procedure laid down in Article 93(2) of the EC Treaty. The Commission's letter to the French authorities is published in the Official journal [1], in order to provide an opportunity for interested parties to comment.

In Spain, it appears that certain aids may have been granted in favour of the pig sector by the central government and by certain regional authorities. The Commission is in contact with the Spanish authorities to clarify the nature of the measures concerned.

Article 92(1) of the EC Treaty provides that any aid granted by a Member State or through state resources in any form whatsoever which distorts or threatens to distort the conditions of competition in the common market by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market.

However, the prohibition is not absolute. In particular, Article 92(3)(c) of the EC Treaty provides that aid to facilitate the development of certain economic activities may be considered compatible with the common market, provided that it does not affect trading interests to an extent contrary to the common interest.

Where aid is being granted to producers in financial difficulty, the Commission will permit such aid only if it is granted in accordance with the criteria set out in the Commission's guidelines on state aid for rescuing and restructuring firms in difficulty [2].

(1) OJ C 61, 3.3.1999.
(2) OJ C 283, 19.9.1997.

(1999/C 341/120) **WRITTEN QUESTION E-0301/99**

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

(17 February 1999)

Subject: Bringing the additional provisions of the French Law 97-I051 of 18 November on sea fishing guidelines and marine crops into line with Community law

In its reply to my previous Written Question E-4112/97 ([1]), the Commission claimed that it would ensure that the additional provisions of French Law 97-I051 adopted by the French authorities would be in keeping with Community law as interpreted by the Court of Justice.

Is the Commission aware of the additional provisions of this French law, not published in the French Republic's Official Journal, but forwarded to Franco-Spanish undertakings?

In particular, is the Commission aware of the circular dated 26 October 1998 issued by the 'Direction Intedepartementale des Affaires Maritimes pour les Landes et les Pyrenées-Atlantiques' of the French Ministry of Equipment, Transport and Accommodation, and the specimen form to be filled out by the said undertakings pursuant to the said circular?

If the Commission is not aware of these documents, does it intend to request them as part of its effort to oversee the measures implementing the legislation concerned, and will it, in any case, state whether it believes these additional provisions, and in particular what the circular aforesaid lays down regarding 'stable establishment', are in conformity with Community law as interpreted by the Court of Justice?

([1]) OJ C 187, 16.6.1998, p. 125.

Answer given by Mrs Bonino on behalf of the Commission

(26 March 1999)

Following the Honourable Member's question the Commission has asked the French national authorities to transmit the provisions in question.

(1999/C 341/121) **WRITTEN QUESTION E-0302/99**

by Carlos Robles Piquer (PPE) to the Commission

(17 February 1999)

Subject: Encouraging cross-border cooperation between renewable energy companies

The Commission's holding of meetings to promote agreements on cross-border cooperation between companies has aroused the interest of many undertakings in various sectors.

One sector which calls for particular attention is that of renewable energies (companies on both sides of any frontier between EU Member States).

Can the Commission tell me what the involvement of renewable energy companies has been in terms of the data available to it for the meetings which have been held?

Answer by Mr Papoutsis on behalf of the Commission

(8 April 1999)

With regard to cross-border cooperation, the Commission applies the Interprise programme. Designed to encourage the development of partnerships between enterprises in the Community, the programme provides tangible help in organising meetings bringing together heads of enterprises to discuss and negotiate cooperation agreements. These are sectoral events that bring together at least 15 enterprises from three Member States.

There has been no Interprise event dealing specifically with the renewable energy sector.

However, the following events focusing on the environment covered renewable energy to some extent:

— Interprise Helsinki Region, organised in Helsinki on 6 March 1997 by the Finnish Foreign Trade Association, brought together about 108 enterprises from Finland, Sweden, Germany and the United Kingdom;

— Interprise Ecobusiness, organised in Toledo on 17 April by the Chamber of Commerce and Industry of Toledo, brought together about 65 enterprises from Spain, Italy and Finland;

— Interprise Ecobusiness, organised in Graz on 25 May 1998 by International Consulting Executives, brought together about 180 enterprises from Austria, Germany, Spain, France, Italy, Greece, Finland and Sweden.

(1999/C 341/122)

WRITTEN QUESTION E-0306/99

by David Bowe (PSE) to the Commission

(17 February 1999)

Subject: Radioactive waste

Since the break up of the former Soviet Union, there has been an alarming increase in the number of discoveries of orphan radioactive sources in the EU. These discoveries have often been made by accident. Does the Commission agree that, in order to tackle this problem, efforts should be increased to train border staff and equip borders with detection equipment in order to improve the detection rate?

(1999/C 341/123)

WRITTEN QUESTION E-0307/99

by David Bowe (PSE) to the Commission

(17 February 1999)

Subject: Radioactive waste

What action does the Commission plan to take in order to improve coordination between Member States on the issue of orphan radioactive waste? Does it agree that efforts should be made to coordinate and share technical information in a way similar to the US Technical Cooperation Project which dealt with the recent discovery of radioactive waste in Georgia?

(1999/C 341/124)

WRITTEN QUESTION E-0308/99

by David Bowe (PSE) to the Commission

(17 February 1999)

Subject: Radioactive waste

Does the Commission envisage a programme to determine the location of licenced sources of radiation in order to prevent lost or stolen sources from entering the recycling stream?

(1999/C 341/125)

WRITTEN QUESTION E-0309/99

by David Bowe (PSE) to the Commission

(17 February 1999)

Subject: Radioactive waste

Does the Commission agree that the Member States should agree on uniform measurements and methods of reporting discoveries of orphan radioactive waste in order to achieve a clearer understanding of the extent of the problem?

(1999/C 341/126) **WRITTEN QUESTION E-0310/99**

by David Bowe (PSE) to the Commission

(19 February 1999)

Subject: Radioactive waste

At present, where orphan radioactive sources are discovered, the scrapyard at which it was found is often held responsible for its removal to a place of safety. Given the expense of these operations, does the Commission agree that responsibility for the removal of such sources should lie with the competent authorities and not in the scrapyard at which the contaminated waste was found?

Joint answer
to Written Questions E-0306/99, E-0307/99, E-0308/99, E-0309/99 and E-0310/99
given by Mrs Bjerregaard on behalf of the Commission

(19 March 1999)

The Commission has taken a series of initiatives to tackle the problem of illegally consigned radioactive sources and radioactive metal scrap. In particular, it has set up special training courses for customs officers from Member States and will continue this action for customs officers from candidate countries. It has established a list of measurement equipment for performing radiation detection measurements on a wide range of shipments. Furthermore, the Commission has provided financial support to Central and Eastern European countries for purchasing such special equipment and has offered the expertise of its joint research centre at Karlsruhe to assist national authorities combating illicit activities. These actions will continue but have already contributed significantly to improving the efficiency of national border controls and increasing the cases of illicit nuclear traffic detected.

In addition to direct support, the Commission has initiated a constructive dialogue with national authorities from the radiation protection field, with relevant industrial interests (including the transport sector) and with border control authorities, in order to identify all aspects which require co-ordination. Existing European legal instruments, such as Council Directive 80/836/Euratom of 15 July 1980 amending the directives laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation ([1]), Council 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]), Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community ([3]) providing for systems of prior notification, authorisation and control of practices involving radioactive substances, and Council Regulation (Euratom) no 1493/93 of 8 June 1993 on shipments of radioactive substances between Member States ([4]) have provided a basis for efficient control and supervision of radioactive sources and waste at national level.

The Commission will maintain its dialogue with all involved in order to co-ordinate and support initiatives to improve further systems of prevention, detection and response to illegal activities involving nuclear materials and radioactive substances. The Commission is also working towards economically and ecologically acceptable solutions for the final disposal of radioactive wastes and redundant sources both within the Member States and in Central and Eastern European countries. This will help to reduce the number of cases in which holders of radioactive wastes or sources are tempted to dispose of them illegally. Any Community-wide system of control and surveillance of each individual radioactive source will, in view of the large number of sources involved (more than 100 000 within the Community), be complicated and hence difficult to operate but the possibilities are also being examined by the Commission. Internationally discussions are taking place on the questions of property, ownership and possession of lost and found sources which are addressed differently by national civil law structures.

Finally, in this and other relevant matters, the Commission cooperates closely with the International atomic energy agency (IAEA) which has led to the organisation of several joint actions seeking to evaluate the possibilities of improvements in the safety and security of radioactive sources and other radioactive substances. Thus the Commission actively supports the databank on cases of nuclear trafficking operated by the IAEA which is being continuously adapted to accommodate newly emerging forms of illicit nuclear trafficking.

Additionally, it is working with the IAEA to extend the system of classification and rapid information distribution related to the international nuclear events scale, operated by the IAEA, in order to include illicit trafficking events in that system.

(1) OJ L 246, 17.9.1980.
(2) OJ L 159, 29.6.1996.
(3) OJ L 35, 12.2.1992.
(4) OJ L 148, 19.6.1993.

(1999/C 341/127)

WRITTEN QUESTION P-0311/99

by Eolo Parodi (PPE) to the Commission

(10 February 1999)

Subject: Edinburgh-Palermo motorway and completion of the A12

For reasons which are not clear, the route of the Edinburgh-Palermo motorway, which is one of the major North-South arteries of strategic importance for the whole of Europe, is being cut short by a stretch of approximately 180 kilometres between Rosignano and Civitavecchia in Italy.This is creating a bottleneck at both national and Community level which is having negative repercussions on the economic, social and commercial development of the Alto Tirreno.The freight traffic to and from the ports and airports of this area and the flows of traffic crossing Italy from North to South cannot be properly regulated if this section is not completed. The fact that the A1 motorway, a major artery enabling the bottleneck in the Tyrrhenian coastal area to be bypassed, is at saturation point (especially between Bologna and Florence) and no longer able to cope with demand should also be taken into account.

The completion of the A12 Tyrrhenian motorway between Rosignano and Civitavecchia is therefore clearly absolutely essential for optimum connections between the Tyrrhenian coastal area and Central and Northern Europe, in order to safeguard the functioning of important port (Genoa, La Spezia, Carrara, Leghorn and Civitavecchia) and airport infrastructures (Genoa, Pisa, Grosseto and Fiumicino) and as a solution to the highway engineering problems of the Bologna-Florence motorway.

In view of the above:

1. Does the Commission regard completion of the Edinburgh-Palermo motorway as of primary importance to the European Union?

2. Does the Commission therefore believe that as part of the revision of the TENs the building of the stretch between Rosignano and Civitavecchia should be one of the priority European projects?

3. Does the Commission take the view that at national level too the Italian Government should give a specific undertaking that it will finish the A12 at long last?

Answer given by Mr Kinnock on behalf of the Commission

(16 March 1999)

1. The road system from Edinburgh to Palermo is included in the Trans-European network — transport (TEN-T) guidelines as a project of common interest in Annex I of Decision no 1692/96/EC of the Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the Trans-European transport network [1]. In particular the section between Rossignano and Civitavecchia is shown as a planned road and therefore could benefit from Community financial support on the request of the Member States concerned.

2. The revision of the TEN-T guidelines will be preceded by a report in the form of a white paper which inter alia will identify the ways in which the TEN-T guidelines should be changed. It is therefore premature, at this stage, to draw any conclusion relating to the updating of the list of specific projects of Annex III.

3. Member States are responsible for the implementation of projects of common interest identified in the guidelines and for setting priorities in their national plans. The ultimate decision on the upgrading of the Rossignano-Civitavecchia section is, consequently, for the Italian government.

(1) OJ L 228, 9.9.1996.

(1999/C 341/128) **WRITTEN QUESTION E-0312/99**

by Klaus Lukas (NI) to the Commission

(19 February 1999)

Subject: European Training Foundation and missing EU funds — continued

Reply E-3560/98 ([1]) by Mrs Cresson on behalf of the Commission left several questions unanswered. The member undersigned therefore wishes to put the following questions to the Commission:

How much of the ECU 471 000 mentioned in the above reply has the Commission now recovered?

How much money did the Commission transfer to this Franco-Polish project between September 1996 and January 1997?

How much money has the Commission managed to recover by selling materials supplied to the project?

How much money does the Commission yet hope to receive, and when?

([1]) OJ C 289, 11.10.1999.

Answer given by Mrs Cresson on behalf of the Commission

(1 April 1999)

The Franco-Polish School has reimbursed the sum of €264 538 to the Commission.

Between September 1996 and January 1997, two payments were made to the Franco-Polish School for an amount of €143 125 (€69 450 on 17 September 1996 and €73 675 on 13 December 1996).

In a letter dated 11 February 1999, the liquidator made an initial proposal to the Commission — via the Turin Foundation — that the equipment relating to project JEP 09742-97 should be put on sale. He proposes accepting the amount of PLN 5 000 (approximately €1 208), which is the price in the highest bid received following the invitation to tender. The Commission is currently examining the liquidator's proposal.

The Commission is unfortunately unable to inform the Honourable Member of an amount, even an approximate one, because the liquidation procedure is still in progress. It will ensure that the Community's interests are upheld as well as possible in order to recover the maximum amount.

(1999/C 341/129) **WRITTEN QUESTION E-0319/99**

by John McCartin (PPE) to the Commission

(19 February 1999)

Subject: Beef and veal imports into the EU

Can the Commission state how much beef and veal will be imported into the European Union under GATT and other agreements in the current year, how much of this has already entered the market and what the amount of the import levy is?

Answer given by Mr Fischler on behalf of the Commission

(17 March 1999)

The Commission does not have statistics for the quantities of beef which have been actually imported under preferential arrangements for the current year.

However, the quantities for which import licences have been issued in January 1999 under the different quotas and the corresponding customs duties which are payable, are as follows:

Preferential arrangements	Quantity (tons)	Customs duty	
		Ad valorem (%)	Specific amount (euro/100 kg)
Gatt (General agreement on tariffs and trade)	10 870	20	0
ACP (African, Caribbean, Pacific States)	1 130	0	16,8-28,9 [1]
Eastern Europe	4 300	3,04	42-72,2 [1]

[1] Varies according to the beef product.

(1999/C 341/130) **WRITTEN QUESTION E-0324/99**

by Ernesto Caccavale (UPE) to the Commission

(23 February 1999)

Subject: Unlawful direct award of bookmaking licences in Italy

In Italy, the award of bookmaking licences is governed by Decree of the President of the Republic No 169 of 8 April 1998 which provides that the Ministry of Finance, in agreement with the Ministry of Agriculture, shall grant such licences to natural or legal persons by means of an invitation to tender in accordance with Community legislation. It provides in addition that those ministries shall publish by 31 December of each year a plan of the licences which will be put up for tender the following year. Article 25 of that decree expressly extends until 31.12.1998 the licences which were currently awarded to the UNIRE (Unione Nazionale per l'Incremento delle Razze Equine — National Union for the Promotion of Horse Breeding) to run betting-shops and which were valid on the date of the entry into force of the Regulation and prolongs the extension to 31.12.1999 if it should prove impossible to publish that invitation to tender by 31.12.1998. The Ministry of Finance has not yet taken steps to have the planned licences published and has not yet put out the corresponding invitation to tender according to Community legislation thereby perpetuating the 'extension'. At present, therefore by virtue of a law giving it exclusive bookmaking rights, the UNIRE holds a dominating position on the national market in addition to being a public body whose aim is to support horse-breeding undertakings.

Can the Commission therefore say whether:

— the award in question is the award of a service contract, thus falling within the scope of Directive 92/50/EEC [1], or whether it is service concession which comes within the scope of the general provisions of the EEC Treaty?

— it believes that the temporary award, in the absence of a European invitation to tender, results in favouring the existing monopolistic groups on the betting market in breach of the European rules on free competition?

— it intends to take steps to ensure that a precise date is fixed for the publication of Community invitations to tender for the opening of new betting shops on the basis of the Community competition rules and with equal conditions for the economic operators in this sector?

[1] OJ L 209, 24.7.1992, p. 1.

Answer given by Mr Monti on behalf of the Commission

(19 April 1999)

On the basis of the information provided by the Honourable Member, the Commission is unable to establish whether the award of bookmaking licences under the Italian law in question should be regarded as the award of service contracts or as a service concession within the meaning of Community law, and therefore whether

the provisions of Directive 92/50/EEC or the general principles of the EC Treaty are applicable in this case. This distinction depends on a number of factors, in particular the type of remuneration the managing companies receive and the extent of the risk they assume.

The Commission therefore feels that it would be useful to ask the Italian authorities to provide this information, and will accordingly send them a letter on this matter as soon as possible. Should the Commission find that there has been an infringement of Community law, it will assess whether infringement proceedings should be initiated under Article 169 of the EC Treaty.

In any event, the Commission can already answer the second question asked by the Honourable Member. Even if it were the case that an organisation such as the UNIRE (Unione Nazionale per l'Incremento delle Razze Equine — National Union for the Promotion of Horse Breeding) were temporarily the only beneficiary of a concession, this on its own would not constitute a breach of Community competition rules.

(1999/C 341/131)

WRITTEN QUESTION E-0336/99

by Gianni Tamino (V) to the Commission

(23 February 1999)

Subject: Construction of a 'Camper Service' in the Nature Reserve at Pian de Spagna (SO)

The nature reserve at Pian de Spagna — Lake Mezzola (SO) was created by Regional Decree No III/1913 of 6 February 1985 and is included in the list of wetlands of international importance (above all as a habitat for water birds) signed on 2 February 1971 in Ramsar and ratified by Italy by Decree of the President of the Republic No 448 of 13 July 1976. This reserve covers an area of 1 586 hectares in five communes (Dubino, Novate Mezzola, Verceia — in the province of Sondrio — Gera Lario and Sorico — in the province of Como) and is characterised by a system of lakes and rivers linked by cane thickets, water meadows and cultivated agricultural land.

The commune of Sorico has approved a 'Camper Service' plan partly on agricultural land and partly in the nature reserve. The project consists of a building to be used as a tourist reception area, an area set aside for a windsurfing school, changing rooms, showers and lavatories, facilities for campers (refuse collection and water supply) and an area covering a total of approximately 20 000 m^2 for camping vans and caravans. 50 % of the project is funded from the Plan for the Development of Rural Areas — Objective 5b — Measure 2.4 'Qualification for tourist activities and structures'.

Does the Commission consider that a measure such as the one briefly described is compatible with the objectives of the abovementioned European Fund, the objectives of protection of the conservation areas covered by the Ramsar Convention and Directive 85/337/EEC ([1]) and the subsequent amendments thereto?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(22 March 1999)

The site of Lago di Mezzola e Pian di Spagna has been designated by the Italian authorities as a special protection area (code IT2040022) pursuant to Article 4 of Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ([1]). Consequently the provisions of Article 6.2 to 6.4 of Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([2]) apply.

The Commission confirms that the project 'Camper Service' has been co-financed by the European regional development fund (ERDF). A letter has been addressed to the Italian authorities in order to obtain further information on the project.

The Commission will take the measures necessary to ensure the respect of Community legislation.

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

(1999/C 341/132) **WRITTEN QUESTION E-0337/99**

by Giuseppe Rauti (NI) to the Commission

(23 February 1999)

Subject: US espionage system in Europe

Is the Commission aware of the sensational and well documented accusation made by the 'guarantor of privacy' in Italy, Mr Stefano Rodotà, concerning continuing widespread espionage by the United States through the 'Echelon system'? Mr Rodotà, a world expert in these matters, who has been a consultant at the Council of Europe in Paris and Strasbourg for many years, gave a preview of his report to the Italian Parliament in an interview on the Internet (with 'dozens of pages describing new scenarios and containing an accusation', according to a report by Andrea Di Nicola in 'La Repubblica' of 2 February 1999) stressing the seriousness of the fact that the United States 'continues to remain silent about the top secret civil espionage system called 'Echelon' which is a highly sophisticated 'planetary interception system able to penetrate anywhere and monitor faxes, telephone calls and electronic mail' and, according to the European Parliament as well, uses 25 geostationary satellites and the United States NSA's spy satellite Vortex.

Does the Commission intend to take action in view of the above, and will it state what information it has on this subject?

Answer given by Sir Leon Brittan on behalf of the Commission

(24 March 1999)

There are two directives (Directive 95/46/EC of the Parliament and of the Council of 24 October 1995 [1] and Directive 97/66/EC of the Parliament and the Council of 15 December 1997 [2]) on the subject of the protection of individuals with regard to the processing of personal data, the free movement of such data and the protection of privacy in the sector of telecommunications. The implementation period of both directives has expired.

These directives express the position of the Community on these sensitive issues, and aim to ensure the rights and freedoms of natural persons with regard to the processing of personal data, and in particular their right to privacy, together with the free flow of personal data in the Community. The scope of the directives is limited to the issues which come within Comunity competence. Both allow exemptions to safeguard particular interests such as public security or the prevention, investigation, detection and prosecution of criminal offences. Any citizen who feels that his privacy interests are prejudiced can either complain to the national supervisory data protection authorities or address a national court.

On the Echelon system the Honourable Member is referred to the answers to Written Questions E-1039/98 and E-1040/98 from Ms Van Dijk [3], E-1306/98 from Ms Muscardini [4] and others, E-1429/98 from Ms Raschhofer [5], E-

1776/98 from Mr Manisco [6], E-1987/98 from Mr Kaklamanis [7], and oral questions H-1067/98 from Ms McKenna during question time at Parliament's December 1998 part-session [8] and H-0092/99 from Mr Theonas during question time at Parliament's February 1999 part-session [9].

(1) OJ L 281, 23.11.1995.
(2) OJ L 24, 30.1.1998.
(3) OJ C 354, 19.11.1998, p. 55.
(4) OJ C 402, 22.12.1998, p. 109.
(5) OJ C 50, 22.2.1999, p. 35.
(6) OJ C 50, 22.2.1999, p. 90.
(7) OJ C 13, 18.1.1999, p. 130.
(8) Debates of the Parliament (December 1998).
(9) Debates of the Parliament (February 1999).

(1999/C 341/133) **WRITTEN QUESTION E-0341/99**

by Riccardo Nencini (PSE) to the Commission

(23 February 1999)

Subject: Growing competitiveness of imported rice following European Union concessions

The common organisation of the market has proved incapable of playing an effective market guidance and management role, owing to the fact that insufficient account has been taken of the increase in the areas under rice and in production levels, the basic stability of consumption levels and the growing competitiveness of imported rice following the many concessions which the European Union has made to third country and the conclusion of the GATT agreements.

A full-blown crisis occurred during the 1996-97 and 1997-98 marketing years when the total area under rice within the European Union rose to over 420 000 hectares while still remaining below the guaranteed maximum area. The result was a major drop in producer prices and the withdrawal of substantial quantities of rice.

The situation is so serious that Regulation (EC) 3072/95 (1) will probably need to be revised. However, this must not be done until the forthcoming international trade negotiations (WTO agreements) have been concluded and proper account has been taken of the impact of Agenda 2000, particularly on the arable crop sector.

Does the Commission intend to determine whether it is possible to: transfer a large area (at least 50 000 hectares) from the local variety to the 'world' variety; make a distinction between 'world' rice and local rice as far as compensatory aid payments are concerned; and, lastly, reduce the market price for 'world' rice by an amount equivalent to the increase in compensatory payments, without cutting the intervention price?

(1) OJ L 329, 30.12.1995, p. 18.

Answer given by Mr Fischler on behalf of the Commission

(31 March 1999)

As the Honourable Member pointed out, the rice market has been unstable since the 1996/97 marketing year, a fact evidenced by the large-scale recourse to intervention measures.

The Commission takes the view that it would be appropriate to introduce an initiative aimed at squaring supply with demand once more within the Community. The Commission is currently considering several options, one of which (that mentioned by the Honourable Member) is currently being closely scrutinised for its compatibility with international agreements; the Commission is also assessing the possible impact of the proposed measures on the Community market.

(1999/C 341/134) **WRITTEN QUESTION E-0342/99**

by Nelly Maes (ARE) to the Commission

(23 February 1999)

Subject: European Commission complaint against Belgium for failure to comply with the directive on waste incineration

May I ask the Commission to state in what respect it considers Flemish legislation on waste incinerators to be unsatisfactory?

Answer given by Ms Bjerregaard on behalf of the Commission

(9 April 1999)

The Commission has indeed decided to bring the matter before the Court of Justice, in order to obtain confirmation of undue transposition of Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants (1), and of Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants (2).

Under the rules governing the publication of infringement procedures, details of the procedure are confidential. A rule such as this ensures the smooth handling of the case by the Court of Justice, and upholds the rights of the defence of the defending Member State.

(1) OJ L 163, 14.6.1989.
(2) OJ L 203, 15.7.1989.

(1999/C 341/135) **WRITTEN QUESTION E-0343/99**

by Wilmya Zimmermann (PSE) to the Commission

(23 February 1999)

Subject: 'EU Labour Force Survey' data administered by Eurostat

Would it be possible in future for access to be granted to the anonymous data base 'EU Labour Force Survey' (LFS)? The information it contains could be relevant to university studies in the field of social and economic sciences.

Furthermore, could unrestricted access to this data be given free of charge?

This question was prompted by the inadequate nature of the agreements between the leader of the Effnatis project and Eurostat. More detailed studies could be carried out and further progress made in research if Eurostat could make the LFS data it manages available, in anonymous form, and in principle free of charge, to European research organisations.

Answer given by Mr de Silguy on behalf of the Commission

(9 April 1999)

The handling of confidential data by the Commission is subject to Community legislation, including Council Regulation (EC) 322/97 of 17 February 1997 on Community statistics (1) and Council Regulation (EEC) 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality (2). This legislative framework does not permit the Commission to release confidential data under normal circumstances to any outside body. Discussions in the context of the working party on employment statistics have indicated that micro-data from the labour force survey could be released only if they could be classified as non-confidential, meaning not simply that they should be anonymous but that a method should be employed to make it virtually impossible to identify individuals. The possibility of devising such a method will be examined by the committee on statistical confidentiality.

The pricing of labour force survey data is subject to the general pricing policy adopted within the European statistical system. This takes account of the cost of collecting and processing the data by the national statistical offices and by the Commission. In most Member States, a charge is made for providing data to users, whether in printed or electronic form. It would therefore not be feasible for the Commission to release data at a price lower than is currently charged in the Member States, since this would effectively damage sales there and thus endanger the co-operation between the Commission and the national statistical offices from which the data ultimately derive. The specific question of the pricing of labour force survey micro-data will be examined by the working party on data dissemination, which is responsible for pricing policy.

(1) OJ L 52, 22.2.1997.
(2) OJ L 151, 15.6.1990.

(1999/C 341/136) **WRITTEN QUESTION E-0345/99**

by Paul Rübig (PPE) to the Commission

(23 February 1999)

Subject: Discriminatory ferry tariffs applied by public undertakings

I should like to thank the Commissioner responsible for his reply to question H-1068/98 [1] at the sitting of 15 December 1998 and in his letter (No 0207) of 1 February 1999. I agree with him that there has been a breach of EU law by private undertakings without a dominant position on the market.

However, two aspects still require clarification:

1. Do the facts at issue not alo give grounds for suspicion of concerted practices in contravention of Article 85?

2. What difference would it make if a public undertaking were operating the ferry service? Would the ferry operator in question have to be classified as a public undertaking?

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

Answer given by Mr Van Miert on behalf of the Commission

(31 March 1999)

In order to avoid misunderstanding, it should be noted that the reply and letter to which the Honourable Member refers indicated that the Commission does not consider there has been a breach of the Community competition rules by a non-dominant private undertaking.

1. As regards Article 85 of the EC Treaty, the Commission has no evidence of any horizontal cartel agreement between the operators.

2. Public undertakings are, like other undertakings, bound by the Community competition rules. Article 90 of the EC Treaty requires that in the case of public undertakings Member States shall neither enact or maintain in force any measure contrary to the competition rules, except for reasons given in Article 90, paragraph 2. There does not appear here to be a breach of Community law by a private undertaking, and nor would the situation be different if the ferry service were operated by a public undertaking.

In this case the ferry company to which the Honourable Member refers is a private company neither owned nor controlled by the public authorities. It is therefore not a public undertaking.

(1999/C 341/137) **WRITTEN QUESTION E-0349/99**

by María Sornosa Martínez (PSE) to the Commission

(23 February 1999)

Subject: Pego-Oliva marshland

In its reply of November 1998 to a Written Question (E-3006/98) [1], the Commission said that it did not consider that there was an infringement of Community law in the case raised previously with regard to environmental damage in the Pego-Oliva marsh. The Commission said that the Spanish authorities had taken legal and administrative steps to put an end to the deterioration of the zone, which constitutes one of the most important wetlands in Spain.

However, over the past year, i.e. when the Spanish authorities said that these measures had been adopted, the environmental situation of the marsh deteriorated considerably without any intervention by the same competent authorities to stop such deterioration. In fact, a study carried out by experts at the University of Alicante puts the damage caused in the area of the marsh at 1 500 million pesetas. Similarly, according to a report by the Administration of the Nature Conservation Area, half of all the species of birds which nest in the marsh have either disappeared altogether or have seen their population cut in half. In addition to the threat to the bird population in the conservation area, the past year has seen the environment in the conservation area come under attack in a number of other ways such as the killing of fish by water extraction pumps, the dumping of agricultural pesticides, the death of cattle as a result of drinking contaminated water, the

accumulation of waste in improvised agricultural settlements, the lowering of the water table, the desertification of wetlands and the disruption of the landscape by crops such as sunflower which are completely alien to the unique nature of the zone.

In view of the above, and given that the Pego-Oliva marsh is included in the list of wetlands to be protected drawn up by the Consellería de Medi Ambient de la Generalitat Valenciana (Environment Agency of the Autonomous Community of Valencia) and which is also a designated Special Protection Zone (SPZ) pursuant to Directive 79/409/EEC [2] on birds and which continues to be in receipt of funding from the Life programme:

- does the Commission not consider that the attacks on the environment referred to in the above-mentioned reports and the events described above show that the Spanish authorities are not taking effective action to stop the deterioration of the zone?

- what measures does the Commission intend to adopt to preserve the Pego-Oliva marsh?

(1) OJ C 142, 21.5.1999, p. 68.
(2) OJ L 103, 25.4.1979, p. 1.

Answer given by Mrs Bjerregaard on behalf of the Commission

(6 April 1999)

As mentioned in the Commission's answer to the Honourable Member's Written Question E-3006/98, pursuant to Article 6 paragraph 2 of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna:

'Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive'.

The answer of the Spanish authorities to the Commission's request for observations concerning the measures taken to stop the deterioration of the site explained that both administrative and legal measures to stop deterioration of the site, including legal action before the competent courts had been taken.

Among the measures taken by the Commission to help the authorities tackle the problems raised in this question is the co-financing of a LIFE project which aims at the acquisition of land in the area by the government of Valencia to ensure full protection of the site.

(1999/C 341/138) **WRITTEN QUESTION P-0352/99**

by Eva Kjer Hansen (ELDR) to the Commission

(12 February 1999)

Subject: Rules on the catching and breeding of the common eel

In reply to my question P-3994/97 [1], the Commission stated that it did not wish to take measures to introduce rules on the catching and breeding of the common eel (Anguilla anguilla L.) pending a report from the International Council for the exploration of the sea (ICES). This report has now been published. Would the Commission, therefore, say what measures it will take in response to the alarming conclusion in the report regarding the situation of the threatened eel?

Will the Commission also describe the content of any repopulation programmes?

Are there any plans to introduce an interim ban on exports to stabilise the European market?

(1) OJ C 187, 16.6.1998, p. 108.

Answer given by Mrs Bonino on behalf of the Commission

(17 March 1999)

The Commission has taken note of the advice from the International council for the exploration of the sea (ICES) about the decline of eel catches and the state of the European eel stock. It is also clear from ICES' advice that the scientists have not been able to ascertain the underlying causes of the decline. ICES has indicated that there are still considerable gaps in the knowledge about eel biology and fisheries which does not, therefore, provide the necessary background on which to develop a comprehensive management strategy for eel, based on measures that would be practical, operational and that would contribute to an enhanced stock development.

More information is therefore needed from the scientists, the Member States and the eel industry before a management system can be developed. The Commission has held a series of meetings with the eel industry in 1998 and further meetings are planned for 1999. In addition, ICES has also been requested to provide additional information in 1999 about possible management measures. The Commission is also prepared to support further research on eel and has provided funds for a project aiming at monitoring the influx of eel-larvae to Europe.

In order to justify a ban on exports of elvers, which would constitute a type of trade restriction which the Community has traditionally avoided, it would be necessary to have sufficient supportingevidence and data to support it. At present the scientific evidence to support such a measure is not sufficiently clear cut. In the mean time the Commission is looking at ways of engaging the Chinese authorities in addressing the problem of unrestricted trade in elvers on a bilateral basis.

(1999/C 341/139) **WRITTEN QUESTION E-0363/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(1 March 1999)

Subject: Cloning in Spain

The first Spanish Committee of Experts on Cloning, composed of scientists, jurists and sociologists, is finalising a report which supports legislative reform to lift the existing ban on cloning and allow it to go ahead in Spain for purely medicinal purposes. The committee, set up at the Bioethics Institute at the Foundation for Medical Science, has virtually completed its study, which is due for official release in June or thereabouts, pending completion of the legal proposal and a resolution of the sociological problem; its findings will be submitted to those in the Spanish Government and the European Union with responsibility for this issue and to other international institutions involved in the cloning issue. The report stresses that, when used for suitable purposes, cloning can be a tremendously useful technique, insofar as findings suggest that cloning techniques can be employed in creating tissue to cure certain diseases. However, it also takes the view that, when understood as an attempt to create identical human beings, cloning poses serious problems and cannot be readily endorsed.

Despite the fact that the contents of the report currently being finalised by the Spanish Committee of Experts on Cloning have not yet been released, can the Commission give its view on the extremely complex and controversial issue of cloning?

Answer given by Mr Santer on behalf of the Commission

(7 April 1999)

In February 1997, the Commission consulted its Group of advisers on the ethical implications of biotechnology which issued in May 1997 an opinion on ethical aspects of cloning techniques (Opinion No 9). This examined the different forms of cloning techniques and came to the conclusion that 'any attempt to produce a genetically identical human individual by nuclear substitution from a human adult or child cell (reproductive cloning) should be prohibited'.

The Commission's position is in line with the above mentioned opinion and, thus, clearly condemns human reproductive cloning. To this end, human reproductive cloning has been excluded by co-decision of the Parliament and the Council from both the fourth and the fifth framework programmes on research and technological development.

It should also be recalled that the European Council in Amsterdam (June 1997) adopted a declaration which emphasized the determination of the Member States to take all measures necessary to prohibit human cloning.

(1999/C 341/140) **WRITTEN QUESTION E-0365/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(1 March 1999)

Subject: Combating the black economy

In December 1998 the social partners in the cleaning industry — the EFCI (employers) and EURO-FIET (trade unions) — sent a communication to the Austrian Minister for Social Affairs and Health and President-in-Office of the EU Social Affairs Council and to the European Commissioner with responsibility for the same policy areas. In the said communication they announced that they had signed a joint statement containing an undertaking to combat moonlighting and called on the Member States of the Union to adopt specific measures providing business and unions with the means with which to avoid this type of illegal work, without which any such undertaking would prove worthless. There are approximately 47 000 undertakings in the European cleaning industry employing about 2,3 million workers.

Can the Commission say whether it has taken or intends to take any measures in this respect?

Answer given by Mr Flynn on behalf of the Commission

(7 April 1999)

The joint statement by the European social partners in the cleaning industry, the European Federation of the Cleaning Industry (EFCI) and the International Federation of Employees and Technicians (Euro-Fiet), on the black economy, adopted in October 1998 in the framework of their European social dialogue, follows up the Communication from the Commission of 7 April 1998 on undeclared work ([1]). In this joint statement the social partners endeavour to make a joint contribution to the employment strategy and in particular the employment guidelines for 1999 ([2]), adopted by the Council on 22 February 1999.

The EFCI and Euro-Fiet thought it necessary to express their desire to combat undeclared work, which they consider harmful both for the sector and for job creation in the Community. In their joint statement they undertake to contribute actively to combating undeclared work. They also testify to their desire to encourage employment and hope that their appeal will be heard and that the guidelines adopted at European level will lead to concrete results.

The Commission believes that the problem of undeclared work could be addressed by Member States under several of the proposed 1999 guidelines, such as redesigning tax and benefit systems to make work more attractive, reducing overhead costs and administrative burdens for businesses; reducing non-wage labour costs on relatively unskilled and low paid labour, and recognising more diverse and flexible work patterns. Sanctions and compliance controls also have a role to play.

The importance of this issue was recognised by the Member States in the explanatory memorandum which accompanies the employment guidelines for 1999. The Commission will continue to monitor policy developments in this area.

([1]) COM(98) 219 final.
([2]) COM(98) 574 final.

(1999/C 341/141) **WRITTEN QUESTION E-0367/99**

by Roberta Angelilli (NI) to the Commission

(1 March 1999)

Subject: Liberalisation of the sale of periodicals and newspapers

On 12 January the Italian Chamber of Deputies approved draft law No 3911 on new rules on sales points for newspapers and periodicals which provides for an experiment with new ways of selling newspapers, which will be available at sales points other than authorised shops such as tobacconists, petrol stations, bars, supermarkets and bookshops.

Even shops selling articles in a specific sector (e.g. fishing tackle) will be able to sell magazines related to their sector. The law also provides that shops participating in the experiment will be able to continue to sell newspapers and periodicals afterwards. This has caused a rebellion among authorised shopowners following a campaign organised by the weekly 'Il Borghese'.

The law, which has still to be approved by the Senate, is aimed at definitive liberalisation, without any rules or regulations. If enforced, such liberalisation could cause serious economic damage to the owners of authorised shops (kiosks) which are currently subject to strict rules governing opening hours and holidays.

The Commission:

1. Does it not think that sudden unregulated liberalisation could cause such economic harm to the owners of authorised shops as to bring about closure and thus a loss of jobs?

2. What is its general reaction?

Answer by Mr Monti on behalf of the Commission

(4 May 1999)

The Commission thanks the honourable Member for bringing to its attention this new law being prepared by the Italian Parliament. According to the information provided by the honourable Member, the new regulations seeking to change the conditions of sale of newspapers and periodicals is part of a harmonisation approach designed to facilitate arrangements for such activities. By virtue of this, the purpose of the new bill does not seem likely to prompt doubts concerning its compatibility with the principles of the operation of the internal market, and in particular the freedom of establishment.

In any case, it is not for the Commission to comment on the assessment, undertaken by the authorities of the Member State, of the economic effects of a new regulatory measure on operators already established in the country.

(1999/C 341/142) **WRITTEN QUESTION P-0371/99**

by Konstantinos Hatzidakis (PPE) to the Commission

(17 February 1999)

Subject: Delays in construction of Athens underground railway

Construction of the Athens underground railway, a project jointly funded by the Union, was due for completion by the end of 1998. However, according to the second progress report drawn up by the Global View company, there are certain difficulties with the project which were unforeseen only to a minor extent and were not major causes of delay, whereas most delays were caused by choosing the wrong mechanical equipment for particular soils, even though they were not different from those described in the geotechnical surveys. The Ministry of the Environment, Regional Planning and Public Works, however, agreed to a two-year extension for completion of the work owing to unforeseen geological conditions, without holding the contractor responsible. It should be noted that in 1994, the contract was amended, making DRS 6,7 billion available to the contractor to speed up the work so that the project would be finished and operational by October 1998.

Can the Commission answer the following:

1. What is the Commission's opinion about the cause of the delay, given that the geotechnical surveys had anticipated the technical difficulties?

2. What guarantees does the contract for the construction of the Athens underground railway provide to ensure due completion of the work on time and why are they not being invoked in these circumstances?

3. What is the amount of unused Community appropriations for this project and is there any risk that its budget may be cut because of low take-up?

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

(19 March 1999)

According to the information which the Greek authorities have provided to the Commission, there are two main reasons for the delays in building the Athens underground railway: archaeological excavations, which lasted much longer than the six months per site provided for in the contract signed in 1991, and geological conditions which were not foreseen, despite the 1 125 soil tests carried out over the 18 kilometre length of the tunnel.

The contract includes clauses covering unjustified delays. It is up to the two contracting parties to decide whether to invoke these clauses, if such delays do occur. This has not so far happened.

The European Regional Development Fund allocated EUR 783 million to the Athens underground railway project under the Community support framework for 1994-99. Of this amount EUR 90 million remains to be paid in 1999 and 2000. There is no doubt that all this amount will be paid before the end of 2000.

(1999/C 341/143) **WRITTEN QUESTION P-0374/99**

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

(17 February 1999)

Subject: Construction of the C-37 road from Torelló to Valle de En Bas (Catalonia, Spain)

Over the last few years the plan to build a road linking the towns of Vic and Olot in Catalonia has been vehemently rejected by environmental organisations and many social and political bodies active in the area.

According to the environmental impact assessment which has been carried out, the plan which includes the construction of a tunnel at Bracons on the section of the road between Torelló and Valle de En Bas, would have a devastating effect on the area.

However, despite increasing opposition to any attempt to proceed with the plan, the Catalonia regional government's planning policy and public works department has decided to initiative the administrative procedure for putting it into effect and has asked the Spanish Government to include it in the EU's trans-European transport network.

Can the Commission say whether or not the Spanish Government has submitted a request for the road in question to be included in the trans-European transport network? If so, is the project to be financed from the Cohesion Fund?

Is the Commission aware of the environmental impact assessment, which has been carried out as a statutory requirement and what does it think of it? Does the Commission consider the damaging of areas of special natural interest (which, as the environmental impact assessment makes plain, would occur as a result of the plan) to contravene the relevant Community rules?

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

(22 March 1999)

Spain has made no request to include the C-37 road from Torello to Valle da En Bas in Catalonia in the trans-European transport network (TEN-T). The Cohesion Fund and the TEN budget contain no finance for this section. It may be noted that the Cohesion Fund has financed two other sections of the highway known as the 'Eje de Cataluña': the section between Rajadell and Artés ([1]) and the section between Artés and Sta. Maria de Oló ([2]).

The Commission is not aware of the results of the environmental impact study carried out by Spain.

The information provided by the Honourable Member suggests that the road will cross an area which Spain proposed for inclusion in the Natura 2000 network (Sistema Transversal Catalá, code ES51110005). The Commission will ask the Spanish authorities for information on the steps taken to ensure compliance with

Article 6(3) and (4) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [3].

(1) Commission Decision C(95) 3068 of 11 December 1995, as amended by Decision C(96) 3776 of 12 December 1996.
(2) Commission Decision C(96) 2626 of 23 September 1996.
(3) OJ L 206, 22.7.1992.

(1999/C 341/144) **WRITTEN QUESTION E-0380/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(1 March 1999)

Subject: Operation of detoxification unit in Greece

At a time when drug use is snowballing in Greece and the whole of Europe, the detoxification unit of the Attica Psychiatric Hospital, one of the very few rehabilitation units in Greece, is under threat of closure and having to end its programmes for the treatment of substance dependency, as well as its prevention programmes, because redundancies among the medical staff are affecting the treatment of patients, which relies on the bonds which develop between them and the staff.

1. What are the Commission's views on the frequent changes of medical staff in this kind of establishment?

2. If the Commission agrees that the changes in medical staff have a damaging effect, will it intercede with the Greek government to persuade it to exempt this type of establishment from the law on public sector recruitment?

Answer given by Mr Flynn on behalf of the Commission

(20 April 1999)

1. It is generally accepted that an abrupt disruption in the relationship between therapist and patient, especially an addict, may have adverse consequences on the latter. Remedies to such problems are, however, a matter for the Member States.

2. The Commission trusts that the Greek authorities are taking the necessary steps to address the situation and they have its full support in doing so. It should be noted in this context that the Commission is examining a proposal by the Greek authorities for a special action of the Psychiatric Hospital of Attica to improve patients' living conditions and to promote the de-institutionalisation of the greatest possible number of patients.

(1999/C 341/145) **WRITTEN QUESTION P-0382/99**

by Nuala Ahern (V) to the Commission

(19 February 1999)

Subject: Implementation of Joule-Thermie Programme within the 4th Framework Research Programme

With reference to the Court of Auditors Special Report No 17/98 on Joule Thermie Research [1], will the Commission explain why the figures relating to expenditure on projects are more than 20 % less than those set out in Annex II to the Council Decision on the Specific Programme on Energy Research in the 4th Framework Programme (94/806/EC) [2] and, in particular, why allocations for SMUs are entered separately rather than being included in the project allocations, which would entail a 5 % participation by SMUs in the programmes.

Can the Commission also explain why, in the Joule expenditure until the end of 1997, there is a shortfall of ECU 70 million for renewables, although ECU 8,9 million and ECU 6,8 million were overspent for Rational use of energy and Fossil fuels respectively?

Is it possible under these circumstances for the ECU 70 million shortfall to be offset by the end of the Programme, so as to fulfill promises made to Parliament by Commissioner Cresson? If not, what action is to be taken?

(1) OJ C 356, 20.11.1998, p. 39.
(2) OJ L 334, 22.12.1994, p. 105.

(1999/C 341/146)

WRITTEN QUESTION P-0383/99

by Hiltrud Breyer (V) to the Commission

(19 February 1999)

Subject: Implementation of Joule-Thermie Programme within the 4th Framework Research Programme

Will the Commission quantify any disparities between the actual expenditure up to the end of the Programmes and the indicative amounts set out in Annex II to the Council Decision on the Specific Programme on Energy Research in the 4th Framework Programme (94/806/EC) (1), as partly reported in Court of Auditors Special Report No 17/98 (2) and, in particular, whether the large shortfall of approx. ECU 70 million as at December 1997 for renewables under Joule was actually made up by the end of 1998?

Will the Commission explain any such disparities?

In particular, as a result of controversy in 1995/1996, Commissioner Cresson guaranteed that the proportion allocated for renewable energy research would be achieved. Will the Commission indicate the implications of failure to reach the target proportion if that is in fact the case?

(1) OJ L 334, 22.12.1994, p. 105.
(2) OJ C 356, 20.11.1998, p. 39.

Joint answer
to Written Questions P-0382/99 and P-0383/99
given by Mrs Cresson on behalf of the Commission

(1 April 1999)

In addition to the €153.3 million, quoted in the Court of auditors special report no 17/98, in 1998, the JOULE programme has committed €97 million in favour of projects in the field of renewable energies.

The total amount of Community funding for this area is €250.3 million, which corresponds to 58.8 % of the budget, compared to the indicative percentage of 58.6 % in Annex II of the Council Decision 94/806/EC of 23 November 1994 adopting a specific programme for research and technological development, including demonstration, in the field of non-nuclear energy (1994 to 1998) (1). Regarding the separated allocation for small and medium sized enterprises (SMEs), the breakdown of Table 2 in the Court of auditors special report is fully in line with the footnote included in Annex II of the above mentioned Council Decision.

(1) OJ L 334, 22.12.1994, p. 105.

(1999/C 341/147)

WRITTEN QUESTION P-0385/99

by Jan Wiersma (PSE) to the Commission

(19 February 1999)

Subject: The political situation in the Dominican Republic

Is the Commission aware of the problems that have recently occurred in the Dominican Republic, especially concerning the way in which the government is treating the opposition?

Has it already reacted to this situation?

If so, how?

If not, is the Commission prepared to find out about the situation in the Dominican Republic and to take any steps that may be necessary?

Answer given by Mr Pinheiro on behalf of the Commission

(18 March 1999)

The Commission is closely monitoring the situation in the Dominican Republic and is aware of the tension between the government and the opposition. While this forms part of a broader picture it is currently focused largely on the composition of the Junta Central Electoral.

In the course of a recent high-level Commission visit to the Dominican Republic officials met the president and the heads of the two legislative chambers, both members of the opposition,and urged them to cooperate in strengthening democracy and the rule of law, pointing out the responsibilities incumbent on all parts of the machinery of state.

(1999/C 341/148) **WRITTEN QUESTION E-0390/99**

by Gerhard Schmid (PSE) to the Commission

(1 March 1999)

Subject: Use of Objective 5b funds to finance the construction of golf courses in Bavaria

1. Is Focus magazine correct in reporting that the use of EU Objective 5b funds to finance the construction of golf courses does not comply with the operational programme's guidelines? If so, how can it be explained?

2. Must the funds be repaid by the recipient or by the Free State of Bavaria?

Answer given by Mr Fischler on behalf of the Commission

(7 April 1999)

1. Between 1-5 December 1997 and 28-29 January 1998, the European Court of auditors (ECA) audited the Bavarian objective 5b programme 1989-1993. In its sector letter of 16 April 1998 the Court stated that assistance given in the framework of this programme to golf courses was often not coherent with the objectives as set out in the programme. It also doubted if the financing of golf courses was justified under the programme measure 'farm holidays' and proposed a funding by the European regional development fund (ERDF). It also stated that neither the results of an environmental feasibility study nor planning permission for the time of the legal commitment of public funding was available.

In the answer to these findings, Germany explained that according to the description of the measure 'holidays on farm' in the Community support framework (CSF) for this operational programme 'it was intended to complete and to improve the possibilities for adequate accommodation and gastronomy. Therefore sport-, health- and cultural related tourism can be taken into consideration'. The development plans submitted to the Commission before drafting the CSF mention explicitly the 'creation of golf courses'.

The Commission is deciding upon its position at this time.

2. In those cases in which the Commission claims refunds, it will address the Member State accordingly.

(1999/C 341/149) **WRITTEN QUESTION E-0391/99**

by Ursula Stenzel (PPE) to the Commission

(1 March 1999)

Subject: Commission posts

This year the Commission has an establishment of only 16 420 members of staff, although it would have been entitled to employ 17 200.

1. Can the Commission explain why roughly one thousand posts were vacant in 1996, and this year too some 780 posts are vacant in the Commission's many departments?

2. Can the Commission explain why, as of 31 December 1998 (see Commission's report), so relatively few Austrians (132 women and 128 men) had been recruited by the Commission? The number of posts occupied by Finns (298 women and 155 men) and Swedes (274 women and 166 men) is, by contrast, considerably higher. Does the Commission agree that there is an obvious imbalance in the representation of the new Member States?

3. Can the Commission explain the formula according to which the new Member States are represented on the Commission's establishment?

Answer given by Mr Liikanen on behalf of the Commission

(14 April 1999)

1. The situation as regards vacant posts in the Commission has improved since the peak levels of 1995-97 (a table is being sent direct to the Honourable Member and Parliament's Secretariat). The reasons for the high number of vacant posts, of which there are now fewer than the 780 referred to by the Honourable Member, are to be found in structural and short-term trends.

The short-term reasons are twofold: firstly, the reserve lists of the successful candidates available are increasingly out of date and irrelevant and secondly, specific difficulties have been encountered in recruiting successful candidates from the enlargement competitions held since 1995. These short-term reasons account for about one third of the current number of vacant posts. They should disappear after 1999 thanks to the new reserve lists from the ongoing A open competitions (475 successful candidates — December 1999/January 2000) and the completion of recruitment from the new Member States.

The structural reasons for the large number of vacant posts are linked to the persistence of a certain rigidity in staff movements within the Directorates-General and the deliberate absence of any centralised recruitment system. The administration merely provides the lists and asks the DGs to draw from them and to monitor how they use them, thus giving the DGs and departments responsibility for their own recruitment arrangements.

A certain minimum number of vacant posts thus seems inevitable, given that the time limits for filling posts are extended by various administrative procedures such as publication, examination of applications, notification of candidates and adoption of decisions by the appointing authority. This minimum figure, which represents approx. 300/350 posts, or about 2 % of the staff, is the medium-term target set by the Commission for itself.

2. As the Honourable Member states, the numbers of nationals recruited from the three new Member States differ. This can be explained partly by the fact that it was necessary to recruit Swedish and Finnish nationals to cover language requirements whereas accession by Austria did not increase the number of official languages of the Union.

It is also true that the recruitment of Austrian nationals has progressed relatively slowly to date. The main reason is that a very small number of candidates sat the competition held for Austrian nationals, with the result that there were not enough successful candidates to meet the target set [1].

Recent competitions for Austrian nationals show that the situation has improved: a competition for Austrian principal administrators (COM/A/3/98) yielded 44 suitable candidates, some of whom are being recruited, a C5/4 competition has ended with 80 successful candidates and recruitment has already begun; and a B5/4 competition expected to yield 70 successful candidates will be completed shortly.

3. In February 1995, the Commission decided to spread the overall recruitment targets for officials from the new Member States over a period of five years (1995-99). The breakdown was to be as follows: 1050-1350 A, B, C and D posts, with 400-500 posts for Austrian nationals, 400-500 for Swedish nationals and 250-350 for Finnish nationals (not including language requirements). These figures were established in order to ensure that the new Member States were adequately represented in the Commission in accordance with Article 27 of the Staff Regulations. For that purpose the Commission applied demographic criteria based on the number of nationals recruited from a similar Member State.

(1) For example competition COM/B/949 (grade B1) attracted only 35 candidates, of which only 8 were admitted to the competition, while 50 posts were offered.

(1999/C 341/150) **WRITTEN QUESTION E-0393/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(1 March 1999)

Subject: Reallocation of resources saved by COM in fruit and vegetables

Exports of citrus fruits have run up against severe problems in Greece, which is particularly affected by the devastating economic crisis in Russia — previously the destination for the bulk of Greek exports — leaving citrus fruit growers in a dire financial situation. At the same time, export subsidies for fruit and vegetables have been slashed by more than the GATT-agreed figure, producing huge savings amounting to ECU 76 million for 1997-98.

The citrus fruit sector is in need of support in order to improve and increase its export activities and restructuring. Will the Commission, therefore, reallocate the amount of ECU 76 million in savings made in 1997-98 through excessive cutbacks in export subsidies in order to implement measures to help that sector cope with the severe problems it faces?

Answer given by Mr Fischler on behalf of the Commission

(7 April 1999)

The Commission has provided export subsidies for all the quantities permitted by the General Agreement on Tariffs and Trade (GATT) within the budgetary limits imposed by that Agreement. Its aim is to maintain export flows, rather than to spend at all costs the total budget permitted by the GATT Agreement. During the 1997/98 marketing year, oranges accounted for 52 % of the total volume of fruit and vegetables receiving export subsidies, and lemons 17 %. In response to the crisis in Russia, which particularly affected Greek oranges, the indicative rates of refund for certain products were increased and, in the case of oranges, the rate has stood at EUR 50 per tonne since January 1999.

The Council is currently examining a proposal for a Regulation prepared by the Commission on measures to promote and provide information on agricultural products in third countries (1). These measures, once implemented, could help support exports of agricultural products, and in particular citrus fruits.

(1) COM(98) 683 final.

(1999/C 341/151) **WRITTEN QUESTION E-0394/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(1 March 1999)

Subject: Funding of measures under 3rd CSF for programmes to restructure citrus fruit growing

The citrus fruit sector in Greece is facing severe problems as a result of both EU policy (GATT agreements, preferential agreements with third countries) and the international economic situation. Resolving these

problems calls for restructuring and support for the citrus fruit processing industry in order to modernise and diversify, e.g. into the production and standardisation of natural juices.

Can the Commission answer the following:

1. Could measures to restructure citrus fruit growing and its processing industry be incorporated into the operational programmes financed by the Structural funds?

2. What steps will the Commission take to include such measures in the 3rd Community Support Framework?

Answer given by Mr Fischler on behalf of the Commission

(31 March 1999)

1. This is in theory possible, but, given the advanced state of the current Structural Funds programming period, there is not sufficient margin available in the 1994-99 Community Support Framework (CSF), in terms of either funds or time, to initiate new structural measures in support of the citrus fruit sector.

2. It is up to the authorities in the Member State in question to determine their priorities and include them in their draft regional development plans and operational programmes. The Commission will examine them in line with the provisions to be adopted for the third period, 2000-06.

(1999/C 341/152) **WRITTEN QUESTION E-0400/99**

by Robin Teverson (ELDR) to the Commission

(1 March 1999)

Subject: EU food aid

Would the Commission please list the total value of EU food aid to non-EU countries as it has evolved over the last five years? In addition, would it provide a list of the value of this food aid by recipient country and, if possible, by the donor EU Member State over the same period?

Is it also possible to have a list of the nature of EU food aid (i.e. grain, milk, processed goods) and an explanation of how this aid system works (i.e. eligibility, decision process)?

Answer given by Mr Pinheiro on behalf of the Commission

(20 April 1999)

The total value of EU food aid over the last five years, broken down according to the nature of the aid, is shown in tables which have been sent directly to the Honourable Member and to the Secretariat of Parliament.

Decisions on food aid and food security are currently adopted on the basis of Council Regulation (EC) 1292/96 of 27 June 1996 on food aid policy and food aid management and special operations in support of food security [1].

The countries eligible for operations of this type are listed in the Annex to the Regulation. Allocations worth more than EUR 2 million must first be approved by a management committee (composed of representatives of the Member States and chaired by the Commission's representative) before any decision is taken by the Commission.

[1] OJ L 166, 5.7.1996.

(1999/C 341/153)

WRITTEN QUESTION P-0414/99

by Vincenzo Viola (PPE) to the Commission

(19 February 1999)

Subject: Scheduled air services between island regions and the mainland

Articles 154 and 158 of the Amsterdam Treaty refer to the island regions of the European Union and to the need for them to be linked to the central regions of the Community on account of (inter alia) their status as less-favoured regions, a status derived from geographical structural disadvantages, the persistence of which hinders their social and economic development.

What initiatives does the Commission intend to introduce in order to counter the detrimental effects which the opening of Malpensa 2000 has had on flights to and from Sardinia? Is the Commission monitoring the implementation of Regulation (EEC) 2408/92 ([1]) on access for Community air carriers to intra-Community air routes, which should ensure the provision of continuous, regular, reasonably priced services with adequate capacity — criteria which flights between, for example, the smaller Sicilian islands (Pantelleria and Lampedusa) and the Italian mainland or Sicily itself currently fail to meet?

([1]) OJ L 240, 24.8.1992, p. 8.

Answer given by Mr Kinnock on behalf of the Commission

(6 April 1999)

As mentioned by the Honourable Member in his question, Council Regulation (EEC) 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes makes provision for Member States governments to declare public service obligations. The legal power to decide whether to impose public service obligations on certain routes to regional airports, because such routes are considered to be vital for the economic development of the region does not, therefore reside with the Commission. The conditions must be necessary to ensure the adequate provision of air services on such routes according to certain standards which airlines would not assume if they were solely considering their commercial interest.

The Commission is aware that the Italian authorities are considering possible means of facilitating air transport services to peripheral regions, including the smaller islands of Sicily. The options available under Community law are the impositions by the Italian authorities of public service obligations on the routes concerned, as mentioned above, or the adoption of a non-discriminatory form of social aid for the benefit of the residents of such islands. It is for the Italian authorities to decide which air transport services should be covered by these arrangements. As regards the services to Milan, it would be difficult to introduce specific measures in relation to one airport if there is adequate service to other airports serving that city.

(1999/C 341/154)

WRITTEN QUESTION E-0421/99

by Ernesto Caccavale (UPE) to the Commission

(1 March 1999)

Subject: Gap in legislation on the risks related to exposure to asbestos for workers in the sea transport sector

Article 1(2) of Directive 83/477/EEC ([1]) on the protection of workers from the risks related to exposure to asbestos at work, which is a follow-up to Directive 80/1107/EEC ([2]) on aspects related to safety at work, explicitly excludes workers in the sea transport and air transport sectors from the directive's scope, although Member States still have the right to apply or introduce laws, regulations or administrative provisions ensuring greater protection of workers.

Although the Italian Government has adopted the Community Directive, it has not provided for regulation of the situation concerning workers excluded from the above-mentioned legislation, thus leaving a gap in legislation in this field, and depriving the sectors in question of the necessary protection.

Asbestos is an extremely harmful substance and regrettably there have already been cases of asbestos-related illnesses, and even deaths, among sea and air transport staff in Italy and other European countries.

Given the above, would the Commission state:

1. why sea and air transport workers were excluded from the aforementioned EEC Directive concerning the protection of workers exposed to asbestos;

2. why measures were not subsequently taken to fill this gap in legislation, as a result of which the health of some workers is in grave danger;

3. whether it would not agree that this gap in legislation left by both the Community institutions and the Italian Government constitutes a clear breach of the general principle of non-discrimination in what, in this case, is an extremely important area, namely the protection of health and safety at work.

(1) OJ L 263, 24.9.1983, p. 25.
(2) OJ L 327, 3.12.1980, p. 8.

Answer given by Mr Flynn on behalf of the Commission

(6 April 1999)

Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work [1], which is an individual directive within the meaning of Article 8 of Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work [2], provides for the exclusion of sea and air transport, which were already covered by specific international rules.

In 1990 the Council adopted Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work [3]. This Directive, which is an individual directive under framework Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work [4], applies to all sectors of activity, private and public, with very specific exemptions pertaining to certain government activities.

This means that as from 1991, when all forms of asbestos were classified as carcinogenic at Community level, sea and air transport have been 'de facto' covered by Community legislation on the protection of workers.

With a view to following up the conclusions of the Council of 7 April 1998 on the protection of workers from the risks linked to asbestos exposure [5] the Commission is currently examining the existing measures to determine whether there is a need for additional rules.

(1) OJ L 263, 24.9.1983.
(2) OJ L 327, 3.12.1980.
(3) OJ L 196, 26.7.1990.
(4) OJ L 183, 29.6.1989.
(5) OJ C 142, 7.5.1998.

(1999/C 341/155) **WRITTEN QUESTION E-0422/99**

by Ernesto Caccavale (UPE) to the Commission

(1 March 1999)

Subject: Italy's failure to transpose the recent European legislation on working time in the sea transport sector

The Community Charter of the Fundamental Social Rights of Workers adopted on 9 December 1989 by the Strasbourg European Council stated that the completion of the internal market must lead to an improvement in the living and working conditions of workers in the European Community, and accordingly set a maximum limit on the duration of the working week and made provision for minimum rest periods and suitable breaks.

Directive 93/104/EC ([1]) concerning certain aspects of the organisation of working time laid down minimum safety and health requirements as regards the organisation of working time, but excluded some sectors, including that of sea transport, from its scope.

In November 1998, the European Commission adopted a proposal for a directive (COM(98) 0662) which sought to integrate and extend the scope of the 1993 Directive to those sectors which had previously been excluded, thereby establishing a maximum limit on working hours in the sea transport sector.

Recent Italian laws on the subject still do not make any reference to the sea transport sector, and some shipping companies still have working hours which exceed the limits provided for by European legislation, with more than six or seven hours of daily overtime being worked in some cases.

Given the above, would the Commission state what action it intends to take to ensure that Italy transposes the new Community legislation as soon as possible, so as to fill this gap in its national legislation and comply with European minimum standards.

([1]) OJ L 307, 13.12.1993, p. 18.

Answer given by Mr Flynn on behalf of the Commission

(20 April 1999)

On 18 November 1998 the Commission adopted a proposal based on Article 4(2) of the agreement on social policy for a Council directive concerning the agreement on the organisation of working time of seafarers concluded by the European Community shipowners' association (ECSA) and the Federation of transport workers' unions in the European Union (FST) ([1]). Once the directive is adopted by the Council and after the expiry of the implementation period, the Commission, as the guardian of the EC Treaty, will take the necessary measures to ensure that the directive's provisions are fully implemented and enforced by the Member States.

([1]) OJ C 43, 17.2.1999.

(1999/C 341/156)

WRITTEN QUESTION P-0424/99

by Luisa Todini (PPE) to the Commission

(19 February 1999)

Subject: Sexual abuse of women

In judgment 1636 the Court of Appeal annulled the sentence handed down to a man accused of raping an 18 year old woman from Potenza, Italy, one of the grounds being the fact that there can be no sexual violence if the woman is wearing jeans since the rapist would not be able to remove them without his victim's collaboration: the woman in this case must therefore have been consenting.

What is even more perturbing than this incredible judgment is the political, cultural and social background that prompted it.

Does the Commission think that an awareness campaign on the sexual abuse of women can be launched under the Dafne programme?

Does it think it would be possible to act more incisively on this issue by ensuring greater coordination between the national authorities responsible for the protection of women who are the victims of violence?

Answer given by Mrs Gradin on behalf of the Commission

(25 March 1999)

Under the Daphne programme ([1]) the Commission supported 29 projects in 1997 and 36 projects in 1998 to combat violence against women. A large number of these involved specifically sexual violence against women and awareness raising among the general public and among the target groups and those working with them. The Commission will continue to take full account of this type of violence and the necessary actions to combat it when drawing up its future Daphne programmes.

The Commission is currently also looking into the different systems for victims of crimes in general in the Member States, with a view to presenting its findings in the course of this year. The Commission has no role, however, to coordinate the Member States' national authorities responsible for the protection of women victims of violence at the judicial level. Nevertheless it will continue to play a full part in providing added value at Community level to the actions of non-governmental organisations (NGOs) combating violence against women through the Daphne programme. It will also continue to promote, through the STOP programme, actions of national authorities and officials combating a particular form of violence, namely trafficking in women for the purpose of sexual exploitation.

The Commission has also, in co-operation with the Parliament and the Presidencies concerned, launched an awareness raising campaign against violence against women. This campaign is composed of several actions both on a European and a national level. It is funded both by the Daphne programme, as well as by the specific budget lines for special events and information campaigns (B-309 and B3-300). A first European conference of experts on violence against women was held on 30 November-4 December 1998 in co-operation with the Austrian Presidency. The specific theme was 'Violence against women and the role of the police'. The 'White Ribbon Campaign' was launched in Strasbourg on 8 March 1999 with a white ribbon as a symbol of zero tolerance to violence against women. The campaign will also include an information, posters, the creation of a Web site, an Eurobarometer as well as the production of television advertising. The next event is a European ministerial conference on the theme violence against women to be held in Cologne on 28-30 March 1999 in co-operation with the German Presidency.

(1) COM(99) 82 final.

(1999/C 341/157)

WRITTEN QUESTION E-0435/99

by Bartho Pronk (PPE) to the Commission

(4 March 1999)

Subject: Ratification by the Netherlands of the Convention concerning safety in the use of asbestos adopted in Geneva on 24 June 1986 (Convention No 162 adopted by the General Conference of the International Labour Organisation at its 72nd sitting)

The Commission referred to the Court of Justice the question whether it is the responsibility of the European Union — as part of its Community powers relating to this matter — or of the individual Member States to implement Convention No 162 concerning safety in the use of asbestos adopted by the General Conference of the International Labour Organisation. The Court delivered its ruling on 19 March 1993 and concludes that the Union does not have exclusive powers but that responsibility lies jointly with the Member States and the Union.

1. Is the Commission aware of the Court of Justice's ruling?

2. If so, what is its reaction to that ruling?

3. Is the Commission planning to come to a final conclusion in the near future?

4. Is the Commission aware that a number of Member States are planning to ratify the conventions or have already ratified them?

5. If so, what is the Commission's reaction to that?

Answer given by Mr Flynn on behalf of the Commission

(9 April 1999)

On 21 August 1991, the Commission asked the Court of Justice for its opinion on the compatibility of Convention No 170 of the International Labour Organisation (ILO), relating to the safe use of chemical products at work, with the EC Treaty and, more particularly, on the competence of the Community to conclude this Convention and the consequences of this for the Member States.

In its opinion 2/91 of 19 March 1993, the Court of Justice considered that 'the conclusion of ILO Convention No 170 is a matter which falls within the joint competence of the Member States and the Community'. The Court also ruled out the possibility of exclusive external competence being founded on internal rules constituting minimum standards (which is generally the case for the Directives relating to asbestos), at least when the international standard covering the same matter is also a minimum requirement (like, for example, Conventions Nos 162 and 170).

The Court also emphasised that 'when it appears that the subject-matter of an agreement or contract falls in part within the competence of the Community and in part within that of the Member States, it is important to ensure that there is a close association between the institutions of the Community and the Member States both in the process of negotiation and conclusion and in the fulfilment of the obligations entered into'.

Drawing the appropriate lessons from this opinion, on 12 January 1994 the Commission presented a proposal for a Council Decision [1] on the exercise of the Community's external competence at international labour conferences in cases falling within the joint competence of the Community and its Member States.

Certain Member States have ratified ILO conventions on matters coming under joint competence (five so far in the case of Convention No 162). The Council has not adopted the Commission's proposal, which has not been discussed. The Commission still wishes to find an effective solution within the framework of the Court of Justice's opinion.

(1) COM(94) 2 final.

(1999/C 341/158) **WRITTEN QUESTION E-0437/99**

by Brigitte Langenhagen (PPE) to the Commission

(4 March 1999)

Subject: Interpretation and implementation of Directive 92/42/EEC

Which criteria or preconditions determine whether the 'considerations relating to consequences of primary importance for the environment' within the meaning of Article 6(4), second subparagraph, of Directive 92/43/EEC [1] apply to a given rail transport project?

This question follows on from my Question of 25 July 1998 which Mrs Bjerregaard answered on behalf of the Commission (E-2638/98) [2]. However, she failed to provide an answer to the above question or rather prompted it in the first place.

(1) OJ L 206, 22.7.1992, p. 7.
(2) OJ C 118, 29.4.1999, p. 110.

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 April 1999)

In its answer to the Honourable Member's Written Question 2638/98, the Commission has already given its view, and explained that the question of 'beneficial consequences of primary importance to the environment' can only be dealt with on a case-by-case basis. There are no general formulae or criteria additional to those already set out in Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, and the general environmental advantages of trains over other forms of transport cannot displace the need for project and site specific analysis.

Only the Court of justice can give a definitive interpretation of the Directive, and the Commission regrets that it cannot give more guidance to the Honourable Member than that contained in its previous answer.

(1999/C 341/159) **WRITTEN QUESTION E-0441/99**

by Glyn Ford (PSE) to the Commission

(4 March 1999)

Subject: Human rights — Egypt

Is the Commission aware of the mass detention and torture of Egyptian Christians from the El-Kosheh village in Sohag Governate, upper Egypt? If so, does the Commission intend to make representations to the Egyptian authorities about this?

Answer given by Mr Marín on behalf of the Commission

(29 March 1999)

The Commission is aware of the controversy surrounding recent events in El-Kosheh (Sohag Governorate; Egypt) and the alleged maltreatment of Christian villagers by the local police. The events have been reported in both the European and Egyptian press and were the subject of extensive analysis by the Egyptian organisation of human rights and other human rights organisations.

The head of the delegation of the Commission in Egypt, together with his colleagues of the Member States, has followed this and other similar issues carefully and the government of Egypt is well aware of the importance that the Union attaches to the respect of human rights. On the basis of facts presently known to the Commission, there appears to be little evidence for the allegations in some quarters that the events in El-Kosheh were essentially or exclusively religious in nature. However, every allegation is handled on its own merits. The Commission, in the framework of the common foreign and security policy, does not hesitate to raise specific issues with the relevant Egyptian authorities in coordination with the Member States.

(1999/C 341/160) **WRITTEN QUESTION E-0442/99**

by Glyn Ford (PSE) to the Commission

(4 March 1999)

Subject: Harp seals

Is the Commission aware of the number of mutilated Harp seals recovered from the Archangel area of the White Sea in Russia?

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

(26 March 1999)

The Commission is unfortunately not aware of the fact put forward by the Honourable Member and has no information at its disposal on the matter.

(1999/C 341/161) **WRITTEN QUESTION E-0445/99**

by José Valverde López (PPE) to the Commission

(4 March 1999)

Subject: Eradicating poliomyelitis

The World Health Organization has set itself the goal of eradicating poliomyelitis before the year 2000, which will require approximately US$ 370 million for the necessary vaccination campaigns.

What cooperation programmes is the European Union engaged on with the developing countries to eradicate this disease?

Answer given by Mr Pinheiro on behalf of the Commission

(16 April 1999)

The Community is already providing substantial support to immunisation activities, mostly in Africa, by ensuring the supply of priority vaccines, particularly polio vaccine, and by developing and improving immunisation activities in primary health care (PHC) facilities. There is a special programme 'Support to reinforcing of immunisation independence' in 8 sub-saharan countries (€9,5 million), which aims to improve the immunisation coverage of children and young women as well as to reduce states' dependence on external financing of the Expanded programme of immunisation (EPI), in particular through the promotion of its inclusion as a budget line in the national health budgets.

The Community is actively involved in the financing of the first strategy of the Global polio eradication programme (GPEP), through the support given to PHC facilities in 32 sub-saharan countries (over €250 million under the 7th European development fund (EDF)) as well as through structural adjustment support programmes, ensuring the funding of priority health budget lines (over €458 million under the 7th EDF). At the specific request of the national authorities, the Community could finance some additional expenditure linked to the GPEP. In this case, this expenditure must be included in the national health budgets. The Community is also supporting, in close collaboration with the World health organisation (WHO) regional office for Africa, the creation of an epidemiological surveillance network in West Africa (budget €500 000), which is an important contribution to the fourth strategy of the GPEP. In addition, the Community is discussing further collaboration with the WHO.

(1999/C 341/162)

WRITTEN QUESTION E-0446/99

by José Valverde López (PPE) to the Commission

(4 March 1999)

Subject: World Trade Organization

Despite the Freedom to Farm act of 1996, which laid down that subsidies to US farmers would be progressively phased out, the US Government paid out over US$ 6 000 million in direct subsidies in 1998.

Does the Commission intend to open the arbitration procedure provided for by the World Trade Organization?

Answer given by Mr Fischler on behalf of the Commission

(12 April 1999)

Members of the World trade organisation (WTO) have undertaken to reduce domestic support in accordance with quantified commitments. However, subsidies complying with specific criteria laid down in the agreement on agriculture (the so-called 'green' and 'blue' box measures) are not subject to these reduction commitments. Information available does not indicate that the United States is granting aid in contradiction with the agreed criteria or beyond its commitments. Notwithstanding, the United States will have to notify its subsidies to the WTO. The Community will than carefully examine whether the American notification complies with the established rules.

(1999/C 341/163)

WRITTEN QUESTION E-0456/99

by Concepció Ferrer (PPE) to the Commission

(5 March 1999)

Subject: Customs Union with Turkey

On 17 September 1998 the European Parliament approved a resolution (A4-0251/98) [1] on the Customs Union with Turkey, with a view to implementing action to enable Turkey to achieve economic and social development as part of the strategy to achieve alignment with the EC and strengthen relations.

Can the Commission tell me what measures it has taken or is going to take in order to implement Parliament's proposals, with particular reference to steps to strengthen Turkey's legislation on intellectual property or to bring it into line with EC legislation, so as to combat plagiarism?

(1) OJ C 313, 12.10.1998, p. 176.

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

(13 April 1999)

The Commission is following closely the steps Turkey is taking to meet its obligations under the Customs Union, in particular as regards the protection of intellectual, industrial and commercial property rights. In the most recent of its regular reports on Turkey (1), it stated that the standard of such protection has improved in Turkey since the Customs Union came into force, but that a number of measures still needed to be taken before 1 January 1999. It is examining measures recently taken by the Turkish authorities to this end.

To date the Commission has been informed of few infringements but it is ready to examine any submission of a properly reasoned specific case.

(1) COM(98) 711 final.

(1999/C 341/164) **WRITTEN QUESTION E-0457/99**

by Concepció Ferrer (PPE) to the Commission

(5 March 1999)

Subject: Democratic clause in agreements with third countries

Given that respect for human rights is one of the founding principles underpinning the European Union and requires practical expression not only within the EU but also in third countries, and that the inclusion of the 'democratic clause' in Union agreements with third countries means that concrete action can be taken, including the suspension of financial aid to countries which do not respect human rights, does the Commission believe that the application of this clause under the various agreements has helped improve respect for human rights worldwide?

In which specific cases has the Commission been forced to suspend agreements under the provisions of the democratic clause?

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

(13 April 1999)

The Council established in May 1995 that all agreements with non-Community countries should routinely include (i) a clause making adherence to democratic principles and human rights an essential element of those agreements, and (ii) a 'non-execution' clause. The Commission would like to point out that the motive for this was to promote a common commitment to respecting and promoting universal values, rather than to create a relationship governed by conditions.

The Commission considers it very difficult at this point to gauge the effect of such clauses on the human rights situation in the countries in question. The arrangements approved by the Council favour dialogue over countermeasures as a means of solving all but the most urgent problems. Suspending cooperation remains a last resort.

The range of measures available for dealing with serious and persistent violations of human rights or interruption of the democratic process is wide enough to allow reactions to be matched to the severity of the case. Although measures such as representations (démarches), specific action and decisions to change the content of cooperation programmes have been used in many instances, no cooperation agreement has actually been suspended.

(1999/C 341/165) **WRITTEN QUESTION E-0459/99**

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

(5 March 1999)

Subject: Access to European civil service A grade posts for Spanish university graduates in nursing studies

Spanish university graduates in nursing studies have a full university education, evidenced by a degree certificate, as stated in 'Royal Decree 1665/91' transposing Directive 48/89/EEC ([1]) into Spanish law. Despite all this, the degree in question is not included in competitions for European civil service A category posts.

1. Why does the Commission exclude holders of these degrees from these competitions?

2. Does such exclusion not infringe Article 27 of the Staff Regulations and therefore constitute discrimination?

3. Staff regulations lay down that to qualify for category A the only requirement is to have completed a university education attested by a degree certificate. On what provision of the Staff Regulations or of Community law does the Commission have its requirement that the degree in question must make the holder eligible for PhD studies?

([1]) OJ L 19, 24.1.1989, p. 16.

Answer given by Mr Liikanen on behalf of the Commission

(8 April 1999)

All the replies which the Commission has already given to Written Questions E-2749/97 by Ms García Arias ([1]), E-4186/97 by Ms Dührkop Dührkop ([2]), E-635/98 by Mr Hernández Mollar ([3]), E-995/98 by Ms Sornosa Martínez ([4]), E-997/98 ([5]) and E-1001/98 by Ms De Esteban Martin ([6]), E-1309/98 by Ms González Álvarez ([7]) and E-3777/98 by Ms Sornosa Martínez ([8]) concerning 'technical engineers' apply to the qualifications of 'Diplomados en Enfermería'. In fact, under Spanish law ([9]), the qualification referred to by the Honourable Member is — like the diplomas in 'Ingeniería Técnica' — a diploma obtained on completion of a short university course. In order to obtain the qualification 'Diplomado en Enfermería', it is therefore also necessary to have completed three years' study.

([1]) OJ C 82, 17.3.1998, p. 136.
([2]) OJ C 304, 2.10.1998, p. 15.
([3]) OJ C 354, 19.11.1998, p. 11.
([4]) OJ C 402, 22.12.1998, p. 55.
([5]) OJ C 386, 11.12.1998, p. 69.
([6]) OJ C 354, 19.11.1998, p. 50.
([7]) OJ C 31, 5.2.1999, p. 32.
([8]) OJ C 297, 15.10.1999.
([9]) 'Ley de Ordenación general del Sistema Educativo' (Ley Orgánica 1/1990, de 3 de octubre); 'Ley de Reforma Universitaria', 1983.

(1999/C 341/166) **WRITTEN QUESTION P-0461/99**

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

(23 February 1999)

Subject: Implementation of the electricity directive in France

On 17 February 1999 the French parliament held a debate on the implementation of the European directive on electricity. According to the Treaty every Member State is required to transpose a European directive into national legislation. The electricity directive had to be transposed into national legislation by 18 February 1999.

1. Has the Commission noted the position of Mr Pierret, the French State Secretary, who wishes to see a controlled opening up of the electricity market?

2. According to press reports the new proposal by the French government means that companies can change their electricity supplier only once in five years. Is this in accordance with Article 19 of the electricity directive?

3. Furthermore, only producers will be able to supply electricity and dealers and middlemen are barred. Is this in accordance with Article 19 of the electricity directive?

4. What are the consequences of this restrictive French government approach for the reciprocity and total liberalisation of the European electricity market?

5. What steps is the Commission going to take if it considers that the French provision is not in line with the European directive?

Answer given by Mr Papoutsis on behalf of the Commission

(7 April 1999)

1. The Member States and the Commission have cooperated closely in both bilateral and multilateral terms in preparing the legislation intended to transpose Parliament and Council Directive 96/92/EC of 19 December 1996 on common rules for the internal electricity market ([1]). This being the case the Commission has indeed received the 'Draft law on the modernisation and development of the public electricity service' of 11 December 1998. This draft was adopted by the National Assembly, on first reading, on 2 March 1999, with a certain number of amendments, of whose details the Commission has still not been made aware. The draft is still to be examined by the Senate.

2. The directive contains no statements on the duration of electricity supply contracts which, according to the Commission, are covered by contractual freedom and, where appropriate, the competition rules set out in the EEC Treaty. The Commission recently became aware of the adoption, during the vote on first reading by the National Assembly, of an amendment which would require a minimum of three years duration for contracts between electricity generators and suppliers. The fact of imposing a minimum period could constitute an unjustified restriction on the opening up of the market required by Directive 96/92/EC, and also an infringement of Articles 5, 85 and 90 of the EC Treaty. The Commission will adopt an official stance if the amendment in question is ultimately adopted on conclusion of the legislative process.

3. The Directive contains no obligation on the Member States to recognise the activities of electrical wholesalers and dealers. This is a matter left to subsidiarity.

4. The Directive requires the Member States initially to guarantee that 26,48 % of the their electricity market will be opened up. Member States may go beyond that figure but are in no way required to do so. The Commission will state its views on the reciprocity clause under the conditions provided for by Article 19 of the Directive if a Member State lays the matter before it.

5. If this were the case the Commission would react as it would in any instance of failure to comply with a European Directive: by serving notice and perhaps introducing an infringement procedure.

([1]) OJ L 27, 30.1.1997.

(1999/C 341/167) **WRITTEN QUESTION P-0463/99**

by Maria Cardona (UPE) to the Commission

(24 February 1999)

Subject: EU aid to farms in Madeira which have suffered storm damage

In the second week of January, Madeira was battered by violent storms which wreaked havoc in virtually all parts of the island and affected all farms, particularly those in the south whose main crop is bananas — the region's main source of agricultural prosperity.

The cost of the damage has been estimated at over 1 billion escudos (over 5 million euros) and the situation is truly disastrous; the loss of income, particularly in the case of small- and medium-scale landowners, will almost certainly lead to serious social problems.

With reference to this state of affairs which, on account of its social aspect, is genuinely worrying, could the Commission say whether any aid (financial or otherwise) has already been granted or will in the near future be granted to the farms concerned, so that any further loss of income in Madeira (already one of the poorest regions in the EU) can be prevented?

Answer given by Mr Fischler on behalf of the Commission

(17 March 1999)

The Portuguese Government has already applied to the Commission for aid, in response to which the Commission has sought more detailed and quantified information on the type of weather hazard that struck the island and its consequences for the region's crops and agricultural and forestry production potential.

Turning to the structural measures, Article 5(h) of Council Regulation (EEC) 4256/88, as amended by Regulation (EEC) 2085/93 of 20 July 4256/88 laying down provisions for implementing Regulation (EEC) 2052/88 as regards the European Agricultural Guidance and Guarantee Fund (EAGGF) Guidance Section ([1]), lays down that the EAGGF may provide financial assistance to restore agricultural and forestry production potential damaged by natural disasters. In this context Community assistance could be released within the overall budget of the Community support framework for Portugal.

([1]) OJ L 193, 31.7.1993.

(1999/C 341/168)

WRITTEN QUESTION E-0465/99

by Ulla Sandbæk (I-EDN) to the Commission

(5 March 1999)

Subject: Arms and Morocco

Morocco has illegally occupied Western Sahara since 1973 and it is common knowledge that it was previously spending $1 million a day on that war, will the Commission, therefore, say:

1. precisely how much Morocco spends on maintaining its illegal occupation at the present time,
2. what proportion of the EU's aid is spent on arms,
3. which Member States sell arms to Morocco, and
4. how this is consistent with the EU's policy of cohesion?

Answer given by Mr Marín on behalf of the Commission

(16 April 1999)

The Commission has no figures on Morocco's expenditure within Western Sahara.

Community aid to Morocco is earmarked for supporting economic transition and economic and social development, so no funds are given for armaments.

Arms exports from the Member States are not governed by any Community act, so the Commission would ask the Honourable Member to consult the United Nations Register of Conventional Weapons, which was set up by UN General Assembly Resolution 46/36 L of 9 December 1991, and which commits UN members to notifying imports and exports of conventional weapons by 30 April of every year.

The Commission is in a position to inform the Honourable Member that according to public data for 1997 available to it, the Member States which sold armaments to Morocco (goods in nomenclature chapter 93, 'arms and ammunition, parts and accessories thereof') were France, Italy, Portugal, Spain and the United Kingdom.

(1999/C 341/169) **WRITTEN QUESTION E-0467/99**

by Edith Müller (V) to the Commission

(5 March 1999)

Subject: Action to combat AIDS and discrimination against AIDS sufferers in Asturias, Spain

On 23 January 1999 the Official Journal of the Principality of Asturias published an order issued by the Principality's Regional Directorate for Public Health concerning the drawing up of a register of the names of HIV sufferers resident in Asturias (approximately 4 000 people). The register would contain all their personal details: full name, date of birth, sex and risk factors. In the AIDS census, sufferers would also have to give details of their sexual behaviour and their involvement with drugs, and also their country of origin in the case of non-Spanish residents.

The Secretary of the National AIDS Plan, Francisco Parras, had earlier said that the state registration scheme for seropositive individuals would be anonymous and would include a digit-based identification code. The Principality of Asturias is the first of Spain's autonomous communities to disregard the pledge given by the country's central government. If such a register were to be drawn up the personal data of those concerned would appear in a record which could be wrongly used and give rise to discrimination.

On 22 December 1989 the Council and the Health Ministers of the Member States meeting within the Council adopted a resolution on action to combat AIDS, pursuant to which the prevention and control of AIDS must go hand-in-hand with action to prevent any kind of discrimination against sufferers. One of the objectives listed in Annex D of European Parliament and Council Decision No 647/96/EC ([1]) is the need to prevent any possible discrimination against AIDS sufferers.

The above (and other) provisions place particular emphasis on the protection of sufferers against any kind of discrimination, which should be prevented rather than punished.

Does the Commission not consider that the existence of any register of sufferers which includes their personal details contravenes the principle of preventing any possible discrimination and would prompt sufferers to conceal their illness for fear that their data were not sufficiently protected and that the fact of their having the illness might be used against them?

What action does the Commission intend to take in order to ensure that there is no discrimination against sufferers in Asturias?

([1]) OJ L 95, 16.4.1996, p. 16.

Answer given by Mr Monti on behalf of the Commission

(29 April 1999)

Directive 95/46/EC of the Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ([1]) stipulates, as a general rule, the prohibition of processing of sensitive data such as data on health or sex life (Article 8, first paragraph). This prohibition is subject to a limited number of exemptions e.g. where the data subject has given his consent or where the processing of the data is required for the purposes of preventive medicine, medical diagnosis, the provision of care or treatment of the management of health care services, provided that the sensitive data are processed by a health professional subject to the obligation of professional secrecy or by another person also subject to an equivalent obligation of secrecy.

However, the above mentioned exemptions concern only the prohibition of processing, and not the other provisions of the Directive such as, for example, the principles of proportionality and purpose limitation (Article 6). In other words, even where the processing of sensitive data is allowed, such processing must comply with all the requirements laid down by the Directive. In this situation it is up to the Member State to ensure that the citizen's fundamental rights to privacy and non-discrimination are not violated.

The deadline for implementing Directive 95/46/EC was 24 October 1998. Spain has not respected this deadline. A letter of formal notice was addressed by the Commission to Spain, and the Commission is currently considering further steps in the framework of the infringement proceedings.

(1) OJ L 281, 23.11.1995.

(1999/C 341/170)

WRITTEN QUESTION E-0468/99

by Riccardo Nencini (PSE) to the Commission

(5 March 1999)

Subject: The Luna Park in Rome and the Treaty provisions on free competition

Through a former Commissioner and two years after the normal expiry date, the EUR organisation (Rome) has offered the previous concession-holder a draft agreement for the renewal of the concession on the area on which the Luna Park stands in Rome.

A nine-year contract worth an average of ITL 750 000 000 per annum is involved and, given the size of that contract, a invitation to tender should be issued at European level. The above arrangements are therefore in breach of the Treaty provisions on free competition.

In view of this fact, would the Commission not agree that it should take action on this matter without delay?

Answer given by Mr Monti on behalf of the Commission

(20 April 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 341/171)

WRITTEN QUESTION P-0470/99

by Niels Sindal (PSE) to the Commission

(24 February 1999)

Subject: Unlawful price agreements

In January 1999, the Danish media claimed that unlawful price-fixing agreements existed between a number of mortgage lenders in Denmark, as a result of which tariffs were difficult to understand and administrative charges accounted for an inordinately high proportion of total costs.

Is the Commission aware of the state of affairs prevailing on the Danish mortgage market (financial market)?

Does it agree that the administrative charges should reflect the true cost of processing a mortgage loan and that tariffs in general must be relatively easy for consumers to understand?

What action does it plan to take in view of the state of affairs described above?

Answer given by Mr Van Miert on behalf of the Commission

(26 March 1999)

The Commission is aware that the Danish Konkurencestyrelsen is already conducting an investigation into the Danish mortgage lending market. The aim of the investigation is to clarify whether or not the mortgage lending market's six credit institutions act in concert with respect to prices and conditions.

The Commission does not intend to take any action at this stage since a national competition authority is already investigating the matter.

Besides, it is indeed the Commission's policy that tariffs should be transparent and easy to understand for consumers.

(1999/C 341/172) **WRITTEN QUESTION E-0474/99**

by Daniela Raschhofer (NI) to the Commission

(5 March 1999)

Subject: Octopus programme

The Commission and the Council of Ministers of the European Union have launched the Octopus II programme and allocated EUR 2,4 million to it. Its purpose is to combat fraud in the countries of central and eastern Europe (the CEECs).

Would the Commission answer the following questions concerning the programme:

1. What concrete results and successes in terms of combatting fraud were achieved by the Octopus I programme?

2. Was a report drawn up on the implementation of the programme, and if so, could it be forwarded to me?

3. What concrete instances of fraud is the Commission aware of that would make such an extensive fraud-busting programme necessary and justifiable?

4. What is the Commission's estimate of the number of cases of fraud or the level of economic damage sustained as a result of corruption and fraud?

5. Have irregularities or fraud occurred in the countries due to receive support in connection with EU aid also? If so, would the Commission give details?

6. Does fraud in the CEECs mainly concern any particular area?

7. What measures have the CEECs themselves taken to combat corruption in their own countries?

8. Who conducts the seminars and workshops for the CEECs' administrative authorities, and what qualifications do the trainers possess?

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

(7 April 1999)

1. A number of recommendations for tackling organised crime and corruption in the countries of Eastern Europe in transition were drafted under the Octopus I project. It is up to the sovereign states concerned to give effect to these recommendations, with support from the Octopus II project.

2. Reports on the results of the Octopus I programme were drafted on a country-by-country basis and are available from the Commission or the Council.

3. and 4. Octopus I and II are not fraud-busting programmes; they are intended to provide backing for legislative and institutional reforms to combat organised crime and corruption.

5. and 6. Regarding the increase in Community financial flows to the countries covered by the programme and the possibility of irregularities, we would draw the Honourable Member's attention to the Commission anti-fraud programme for 1998/99, which has a section devoted to protection of European financial interests in the context of enlargement and cooperation with non-member countries. The Commission has set up an operational 'external measures' unit within its task force for coordination of fraud prevention.

7. The Central and Eastern European countries are gradually reforming their laws and institutions to tackle organised crime and corruption, with the applicant countries taking over the acquis of the EU and its Member States.

8. Seminars and workshops on the transfer and implementation of the acquis are conducted by representatives of the Member States' administrative and judicial authorities who work in the fields in question. Acts of the Council are also presented by the experts who were instrumental in drafting them.

(1999/C 341/173) **WRITTEN QUESTION E-0476/99**

by Eluned Morgan (PSE) to the Commission

(5 March 1999)

Subject: Fresh Meat Directive 64/433/EEC and Poultrymeat Directive 71/118/EEC

How is the Commission monitoring the Member States' implementation of the Fresh Meat Directive 64/433/EEC [1] and the Poultrymeat Directive 71/118/EEC [2]?

What problems have been encountered by Member States in terms of implementation of these directives?

(1) OJ 121, 29.7.1964, p. 2012.
(2) OJ L 55, 8.3.1971, p. 23.

Answer given by Mrs Bonino on behalf of the Commission

(21 April 1999)

The Commission audits and inspects the Member States in accordance with the rules laid down in Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States [1].

For red meat, the Commission is carrying out an overall survey on the correct implementation, by the Member States, of Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat. This should be finalised by the end of May 1999. A report on the survey should be published and be made available on a Commission web site (at http://europa.eu.int/comm/dg24/) later this year. The reports on individual inspections in the Member States are being made available on the web site as they are completed.

For poultry meat, the Commission carried out a general survey in 1994-1995 which demonstrated a number of problems with the implementation of Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultry meat. Following the survey, the issue was discussed in a working group with the participation of the Member States in order to check whether an amendment of the legislation would be necessary. This group did not come to any conclusion with regard to possible amendments of the Directive.

The Commission commenced a new series of visits to the Member States earlier this year in order to verify the correct implementation and application of Commission legislation in regard to poultry meat production. The reports on individual inspections will be published on the Commission web site as they become available. A summary of the global evaluation will also be published in due course.

(1) OJ L 38, 12.2.1998.

(1999/C 341/174) **WRITTEN QUESTION E-0479/99**

by Jesús Cabezón Alonso (PSE) to the Commission

(5 March 1999)

Subject: Incorporation of Directive 93/16 into Spanish law

The European Parliament's Committee on Petitions has deemed admissible Petition No 605/98 on the inadequate incorporation into Spanish law of Directive (EEC) 93/16 ([1]), which has the effect of putting certain professional groups at a disadvantage when they seek recognition of their qualifications.

Can the Commission say whether or not their complaint is justified? Has Directive 93/16 been properly incorporated in its entirety into Spanish national law? If it has not, in what respects is the incorporation deficient, what attitude may the Spanish Government be expected to adopt and what procedures will be applied by the Community authorities if the situation needs to be remedied?

([1]) OJ L 165, 7.7.1993, p. 1.

Answer given by Mr Monti on behalf of the Commission

(27 April 1999)

Directive 93/16/EEC, which is referred to by the Honourable Member, provides for the automatic recognition of a number of qualifications in specialised medicine mentioned specifically by Article 5 or Article 7 of the Directive. Medical specialisations which are not listed in Directive 93/16/EEC must be examined on an individual basis. In their examination, the authorities of the host Member State must compare the training undergone in the Member State of origin or provenance with their own training requirements. If necessary, additional training can be required under Article 8 of Directive 93/16/EEC.

The Commission confirms that a number of doctors holding specialist qualifications awarded in a Member State other than Spain have had severe difficulties in having their qualifications recognised by the Spanish authorities. Some doctors are still awaiting a decision.

The Commission has initiated infringement proceedings against Spain as provided for in Article 169 of the EC Treaty for incorrect transposition of Article 8 and failure to transpose Article 18 of Directive 93/16/EEC. Having found the reply of Spain to the reasoned opinion delivered during these proceedings to be unsatisfactory, the Commission has decided to bring the matter before the Court of Justice.

(1999/C 341/175) **WRITTEN QUESTION E-0481/99**

by Cristiana Muscardini (NI) to the Commission

(5 March 1999)

Subject: Automatic deportation of migrant workers

The Baden-Württemberg Minister of Justice, Mr Goll, and in particular Mr Knapp, the judge empowered to represent him, have publicly stated that they have been applying an 'automatic deportation' system to migrant workers and all other foreign nationals accused of infringing Article 56 of the Treaty, which admittedly allows deportation on grounds of public policy or public security, but only in cases where the incidents and actions in question constitute a grave danger to the host State.

It does not seem that any such danger could be posed by workers from EU Member States, who, by acting in a spirit of selfless renunciation, have done credit to their countries of origin and helped to foster progress in the countries where they live and work.

The attitude of the German authorities is reflected in their management of residence permits, in which the philosophy underlying Community legislation is being exploited for domestic policy ends and which, moreover, is incompatible with the Treaty to the extent that it fails to distinguish between workers from Community Member States and those from other countries for the purposes of deportation on grounds of public policy and thus discriminates against Community migrants in relation to other European citizens.

Bearing in mind that such discrimination is based solely on criteria laid down unilaterally by the national authorities and could impede the free movement of migrant workers, could the Commission call for the law concerned to be repealed or else interpreted and enforced in such a way as to ensure that, no matter what type of residence permit they may hold, all migrant workers from EU countries, in other words European citizens, are placed on the same judicial and criminal law footing as German nationals?

(1999/C 341/176) **WRITTEN QUESTION E-0482/99**

by Cristiana Muscardini (NI) to the Commission

(5 March 1999)

Subject: Deportation and residence of migrant workers

In contrast to the generous attitude of the Italian authorities when dealing with immigration, some European countries that pay lip-service to human rights and the right of asylum are in fact toughening up their immigration policies.

One example is Germany, where, according to reports from Italian emigrants' associations, first and foremost the Consul General's office in Stuttgart and the local Tricolour Committee for Italians in the World (CTIM), the national authorities are too frequently resorting to the drastic step of deporting workers from other Member States who have committed minor offences, often inevitably stemming from the failure to bring about the integration which all Member States profess to support.

Given that minor offences of this kind, though reprehensible, cannot be considered to constitute organised crime, pose no material danger to the interests of host States, must be counted among the inescapable evils of poverty, and should not, therefore, lead to outright deportation of the migrant workers involved, could the Commission make representations to the judicial authorities in Baden-Württemberg and Hesse with a view to upholding Community legislation on free movement of workers, respect for human rights, and the mobility and equal treatment of migrant workers already provided for in the Union?

Joint answer
to Written Questions E-0481/99 and E-0482/99
given by Mr Monti on behalf of the Commission

(26 April 1999)

More than 60 petitions to Parliament have drawn the Commission's attention to the deportation measures passed by the authorities of the Land of Baden-Württemberg against Italian nationals on grounds of public policy.

After examining the documents attached to these petitions, the Commission has decided to initiate infringement proceedings against Germany. The proceedings will examine the conformity with Community law (Council Directive 64/221/EEC of 25 February 1964 on the coordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health ([1])) of both the deportation measures themselves and the German legislation on foreign nationals on which these measures are based.

The Parliament will be informed of the progress of the infringement proceedings in the communications issued by the Commission in connection with the above-mentioned petitions.

([1]) OJ L 56, 4.4.1964.

(1999/C 341/177) **WRITTEN QUESTION E-0491/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(5 March 1999)

Subject: Preventive measures at work

Everyone knows how much the application of preventive principles contributes to improving health and safety at work and this is recognised by the Commission in its Fourth Programme on health, hygiene and security at work.

In view of the fact that, in many cases, it is cheaper for a company to pay a fine than to adopt preventive measures (thus evading the spirit of the law), what action is to be taken to remedy this state of affairs?

Answer given by Mr Flynn on behalf of the Commission

(31 March 1999)

The Commission shares the opinion of the Honourable Member in attaching particular importance to ensuring that the provisions of Community legislation on health and safety at work are actually applied in all the Member States.

In accordance with Article 4 of framework Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ([1]), the Member States must ensure, in particular, adequate controls and supervision of the national provisions transposing the Directive.

In this connection, the Commission would draw the Honourable Member's attention to the consistent case-law of the Court of Justice, which indicates that the Member States are required, within the bounds of the freedom left to them by the third paragraph of Article 189 of the EC Treaty, to choose the most appropriate forms and methods to ensure the effectiveness of directives. Where a directive does not specifically provide any penalty for an infringement or refers for that purpose to national laws, regulations and administrative provisions, Article 5 of the Treaty requires the Member States to take all measures necessary to guarantee the application and effectiveness of Community law. For that purpose, while the choice of penalties remains within their discretion, they must ensure in particular that infringements of Community law are penalised under conditions, both procedural and substantive, which are analogous to those applicable to infringements of national law of a similar nature and importance and which, in any event, make the penalty effective, proportionate and dissuasive ([2]).

It is therefore up to the national authorities to find the right balance between the financial penalty provided for by the national regulations and the aim of promoting the prevention of occupational hazards.

([1]) OJ L 189, 29.6.1989.
([2]) Judgment of 12 September 1996, Sando Gallotti and others, Joined Cases C-58/95, C-75/95, C-112/95, C-119/95, C-123/95, C-135/95, C-140/95, C-141/95, C-154/95 and C-157/95, ECR, page I-4345, point 14.

(1999/C 341/178) **WRITTEN QUESTION E-0508/99**

by Klaus Lukas (NI) to the Commission

(8 March 1999)

Subject: EU resources for the Natolin Europe College

1. What are the EU's total payments for the Natolin Europe College?

2. How much is this per student?

3. Is there an EU educational establishment that is more heavily subsidized by the Commission?

4. Has this institute ever produced a scientific publication?

5. How much EU assistance has been provided per publication?

6. What proportion of the teaching staff, non-teaching staff and Polish students come, like the head of the institute, Mr Sariusz-Woski, from Lodz?

7. Could the Commission imagine other postgraduate institutes in the EU that have a better scientific reputation and are not staffed almost entirely with friends of their directors possibly being more deserving of assistance?

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

(30 March 1999)

The College of Europe's campus at Natolin in Poland has been co-financed, on the basis of the provisions of article 76 of the Europe agreement, regarding the promotion of teaching in the field of European studies. The development of the College of Europe at Natolin responds to the comments and recommendations of the Parliament and of the Community-Poland joint parliamentary committee. The College of Europe provides a unique 50 year tradition of educating graduates according to a singularly European programme of academic studies and formation by practitioners of European affairs and this is reflected in its output. The College of Europe's Natolin campus is providing know-how to a new generation of European graduates and in particular to those of Central and Eastern Europe with a view to strengthening the transfer of urgently needed expertise in preparation for the requirements of enlargement. In accordance with the comments of the Parliament, the Phare programme has provided 400 000 euro per annum since its foundation, followed by a 3 million euro programme in 1997 for the development of a three year programme at Natolin. The development of the Natolin programme aims to ensure degressive Community co-financing, and progressive reductions in per capita costs in the duration of the development plan in line with the economies of scale achieved at Bruges. The origin of students at Natolin reflects the diversity of its European vocation with 60 % of students from Western Europe, 28 % from the countries of Central and Eastern Europe and the New independent states (NIS), and a further 12 % of students from Poland. The College of Europe's selection and recruitment procedures are uniformly applied and Phare funded programmes are implemented in accordance with the requirements of the Phare regulation.

(1999/C 341/179) **WRITTEN QUESTION P-0546/99**

by Miguel Arias Cañete (PPE) to the Commission

(1 March 1999)

Subject: Discrimination in aid provision in Gibraltar

Does the Commission believe that the tax arrangements applicable in Gibraltar to certain categories of undertaking, especially those providing financial services, constitute State aid as prohibited by Article 42 of the EC Treaty, insofar as they grant preferential tax benefits not covered by the common arrangements, thereby distorting competition and disrupting trade in services and capital? Has the United Kingdom notified the Commission of these arrangements for State aid? What steps does the Commission intend to take to rectify this situation?

Answer given by Mr Van Miert on behalf of the Commission

(6 April 1999)

The Commission adopted on 11 November 1998 [1] a notice on the application of state aid rules in the field of direct business taxation. The notice forms part of the wider objective of the Commission of clarifying and reinforcing the application of the state aid rules in the field of direct business taxation in order to reduce distortions of competition in the single market. The Commission's notice ensures that the rules and the objectives of the EC Treaty are applied consistently and equally.

As indicated in the notice, the Commission is going to examine or re-examine all the existing tax arrangements in the Member States. The tax schemes that relate to intra-group services, financial services, insurance companies or offshore companies are the first to be examined under Article 92-93 of the EC Treaty. The tax schemes applicable in Gibraltar will be part of this investigation. Like most of the 35 tax schemes under

investigation, the Gibraltar tax schemes have not been notified. The examination will determine whether the measures concerned constitute state aid under Article 92(1) and if so, whether or not they can be considered compatible under one of the derogations of Article 92(3).

(1) SEC(98) 1800 final.

(1999/C 341/180) **WRITTEN QUESTION E-0553/99**

by Anita Pollack (PSE) to the Commission

(12 March 1999)

Subject: Age limits for staff recruitment

When the Commission reviews its staff procedures in the next few months, can we have an assurance that the present discriminatory age limits for staff recruitment will be abolished?

Answer given by Mr Liikanen on behalf of the Commission

(8 April 1999)

On 21 January 1998 the Commission decided to gradually abolish age limits in competition notices [1]. It began by setting an age limit of 45 for all staff recruitment competitions, following the approach adopted by the Parliament's Bureau on 20 October 1997. During interinstitutional discussions on the reflection group report on personnel policy the other institutions expressed their willingness to raise the age limit to 45. But this does not mean that the other institutions necessarily share the Commission's views regarding the gradual abolition of age limits in competition notices.

The question of age limits will be raised during interinstitutional discussions in autumn 1999.

(1) SEC(97) 2416 and SEC(97) 2417.

(1999/C 341/181) **WRITTEN QUESTION E-0554/99**

by Anita Pollack (PSE) to the Commission

(12 March 1999)

Subject: Public health and the urban environment

Has the Commission given any thought to the need to create an EU-wide network of city health departments for the purpose of exchanging best practice on the social and urban aspects of health policy?

Answer given by Mr Flynn on behalf of the Commission

(12 April 1999)

The Commission does indeed pursue a broad approach to health policy, involving social and urban aspects. Under the current set of public health programmes developed in the context of the Commission's 1993 framework for action in the field of public health [1], the Commission is already providing support to a number of city networks, including a European network for public health in capital cities and regions.

Within the framework of the European sustainable cities & towns campaign, the Commission is also supporting activities by the World health organisation (WHO) healthy cities project, a long-term international development project that aims to place health high on the agenda of decision-makers in the cities of Europe. Approximately 1 100 cities and towns are linked with 26 national and several regional and thematic healthy cities networks in Europe. Activities include the preparation and dissemination of case studies and the development of multi-city action plans.

One of the main priorities of the Commission's new public health policy outlined by the Commission's communication on the development of public health policy in the Community [2] will be to create a comprehensive health information system, covering developments in health status and health systems. This will link the relevant authorities in the Member States and enable them to exchange information on best practice in many areas of health policy. Whilst it would be up to the Member States to designate the relevant partners for the various parts of the system, it is expected, nevertheless, that regions and cities will be closely associated and involved in this effort.

Finally, the Commission database on good practice in urban management and sustainability [3], which includes health as a topic area, provides a useful vehicle for disseminating case studies focusing on the social and urban aspects of health policy.

(1) COM(93) 559 final.
(2) COM(98) 230 final.
(3) http://europa.eu.int/comm/urban/.

(1999/C 341/182) **WRITTEN QUESTION E-0557/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(12 March 1999)

Subject: Alcohol consumption

The Spanish National Drugs Programme has reported that new drug users are young people, students and people in steady jobs, who consume different types of drug (psychostimulants, alcohol, tobacco and cocaine) in large quantities at weekends. Of all the drugs involved, the Programme places particular emphasis on alcohol consumption, and figures show that 35 % of the population began drinking alcohol before the age of 16. Moreover, 1,1 % of the population admit to getting drunk every day, while 2,1 % get drunk once a week. The figures show that 39 % of regular drinkers consume alcohol on weekdays and 67 % at weekends, with an unprecedented increase in alcohol consumption among women, which matches that of men. Among 15-18 year-olds, girls drink more than boys and 70.4 % of young people in this age-group drink some form of alcohol at weekends. The Programme is particularly concerned by society's tolerance of alcohol consumption.

Does the Commission have similar data concerning the other Member States and, if so, can it make this information available?

Answer given by Mr de Silguy on behalf of the Commission

(19 April 1999)

The Commission is aware of the problem of alcohol consumption among teenagers and younger adults.

Most of the Member States have some data on alcohol consumption through questions asked in national health interview surveys. A majority of Member States have also carried out ad-hoc surveys — with questions on alcohol consumption — directly addressed to teenagers and younger adults. However intra-Community comparability between Member States is seriously hampered since data are not collected at the same time and because of significant differences in definitions and survey methodology.

A comparative analysis of the most recent data is being undertaken under the Community statistical programme 1998-2002 (Decision 99/126/EC) [1] and more particularly under the Community action programme on health monitoring (Decision 1400/97/EC [2]). In addition, under the Biomed 2 programme a project was launched aiming at preparing a common survey instrument for alcohol consumption.

(1) OJ L 42, 16.2.1999.
(2) OJ L 193, 22.7.1997.

(1999/C 341/183) **WRITTEN QUESTION P-0558/99**

by Maria Berger (PSE) to the Commission

(3 March 1999)

Subject: Commission decision on aid for the Sniace S.A. based in Torreavega in Cantabria (Spain)

In its decision on aid for Sniace S.A. (Doc. IV/1466/98/DE, Article 1, last sentence) the Commission states that it will reach a decision on the deferred question of environmental levies which were not raised in 1987-1995 'at an opportune moment'.

When does the Commission intend to take this decision? On the basis of which criteria will it establish when the 'opportune moment' has arrived?

Answer given by Mr Van Miert on behalf of the Commission

(22 March 1999)

The Commission will take a decision on the question of any aid contained in the non-enforcement of environmental levies against Sniace S.A. as soon as possible, that is to say when the Commission judges it has the necessary elements at its disposal to assess the compatibility of any such aid with the common market. The Commission cannot indicate at this stage when and what the outcome of its investigation will be.

(1999/C 341/184) **WRITTEN QUESTION E-0569/99**

by Nelly Maes (ARE) to the Commission

(12 March 1999)

Subject: ACP-EU Centre for the Development of Industry

The Centre for the Development of Industry (CDI) in Brussels is involved in a legal case before the Brussels Court of First Instance.

Can the Commission confirm the following facts in this case:

1. A parallel structure has been set up under the name Centre for the Development of Enterprise (CDE) thus creating considerable uncertainty as the to continued validity of agreements entered into by the CDI.

2. A new establishment plan was published on the Commission web site before any decision was taken to close down the CDI,

3. The director of CDE was appointed without any selection procedure and without the vacancy being published.

4. The temporary director of the CDI, Mr Mbayi, was turned out into the street with his family (four children, two of whom are of Belgian nationality) and was not paid for three years.

Is there any truth in the allegation that in March 1998 Commissioner Pinheiro was given a warning by the SFIE, the Union of International and European Civil Servants, on the last of these matters and is the Commission as a whole aware of this?

What steps has the Commission taken or will it take to prevent any possibility of the European institutions being discredited in the case before the Brussels Court of First Instance?

Finally, can the Commission say how much the ACP-EU CDE has received in grants from the European Development Fund since 1995?

Answer given by Mr Pinheiro on behalf of the Commission

(8 April 1999)

The Commission has not been notified of the ruling to which the Honourable Member refers, which apparently relates to a dispute between the Centre for the Development of Industry (CDI) and a former

employee. Disputes between the CDI and its employees are subject to the dispute settlement procedures provided for in ACP-EU Council of Ministers Regulation No 1/92. The CDI Board (on which the Commission only has observer status) is not directly involved in the settlement of this type of dispute, but is kept informed of progress by the Centre's management, which represents the CDI in such cases.

Regarding the other explanations sought by the Honourable Member the Commission would make the following points.

1. In June 1998 the Council mandated the Commission to open negotiations with the African, Caribbean and Pacific (ACP) countries for a successor to the Lomé Convention. The mandate referred explicitly to the need to improve the impact of CDI activities by broadening the Centre's remit and converting it into a centre for the development of enterprise (CDE). The CDE is not, therefore, an existing parallel body but will be the Centre's new name under the cooperation agreement that succeeds Lomé, assuming the EU and ACP reach agreement.

2. The CDI is not a Community institution but an entity independent of the Commission, governed by international law, to which Belgium accords diplomatic immunity. Its establishment plan is laid down not by the Commission but by the Board, whose decision-making powers are shared by the Member States and the ACP. Nor does the Commission have a CDI page on its web site.

3. Europe and the ACP will decide on arrangements for the transition from CDI to CDE under the Lomé successor agreement.

4. The person to whom the Honourable Member is referring is a former employee of the CDI who has been involved in proceedings against it for several months. Legally speaking he cannot be regarded as temporary director of the CDI. The ACP-EU Council of Ministers is responsible for appointing and dismissing management, and appointed the present director and deputy director in 1995 for the lifetime of the Lomé Convention. Contrary to what the former employee in question is claiming, the Council of Ministers has not dismissed anyone from a management post.

The Commission can confirm that it has consistently provided these explanations in correspondence on this subject with the parties concerned and with outside bodies that have sought such information.

The CDI is financed by the European Development Fund. For the period covered by the second financial protocol to the Lomé Convention its grant totals €72 700 000.

(1999/C 341/185) **WRITTEN QUESTION E-0571/99**

by José Barros Moura (PSE) to the Commission

(12 March 1999)

Subject: 1998 annual report by the representation of the Board of Governors of the European schools

I was surprised to find that the above report does not contain statistics indicating:

- the number of pupils (broken down by nationality);
- the number of teachers and teaching assistants (broken down by nationality);
- the number of pupils belonging to families of officials, other staff or members of EU institutions and the number of pupils with no family like with the EC/EU (broken down by nationality).

Would the Commission provide such information, broken down by school? Would it also provide information on the functional relations between the structures of the European schools and the Member States' Education Ministries, and on further study undertaken by the pupils of those schools?

Answer given by Mr Liikanen on behalf of the Commission

(12 April 1999)

Four tables have been sent direct to the Honourable Member and to Parliament's Secretariat. They show the breakdown by nationality of pupils enrolled, the breakdown by nationality of teachers seconded from Member States, the total number of teaching hours (equivalent to 83 primary and 129 secondary full-time teaching posts for seconded staff posts), and the breakdown in 1998-1999 between pupils belonging to families of Community staff and pupils belonging to families with no Community ties, in the nine European Schools.

The European Schools are an education system common to all Member States. They are overseen by a Board of Governors, an intergovernmental body composed of the Ministers responsible for national education or external cultural relations. The Commission joined the Board following an agreement concluded on 11 December 1957 between the Board and the European Coal and Steel Community (ECSC).

Member States' representatives sit on the Administrative and Financial Committee and on the primary and secondary Teaching Committees, intergovernmental bodies responsible for preparing the decisions of the Board of Governors. There are two Boards of Inspectors (one for primary and one for secondary education) composed of inspectors from the Member States. They monitor the education provided in the Schools, organising courses of study, establishing syllabuses, checking teaching standards and supervising teachers seconded from the Member States. Every year they are responsible for holding the baccalaureate examination and ensuring consistent marking of the test papers.

The Member States' Ministers of Education second teachers to the Schools and continue to pay their national salaries.

It is difficult to follow up former pupils of the European Schools since the baccalaureate gives them entry to any university in the Community. As the Schools have 11 language sections, pupils are very widely dispersed after the baccalaureate. Some non-member countries (in particular several universities in the United States) recognise the European Baccalaureate. This further accentuates the dispersal of former pupils.

The European Schools have been requested by the representative of the Board of Governors to attempt such a follow-up. Statistics will be available in the near future.

(1999/C 341/186) **WRITTEN QUESTION P-0572/99**

by Rinaldo Bontempi (PSE) to the Commission

(3 March 1999)

Subject: The right of all people to have access to water

The Commission has recognised, in various important initiatives (the Ground Water Action Plan, the framework directive on water, the Guidelines for water resources development and cooperation), the crucial importance of sustainable management of water resources in the public interest.

Despite these initiatives and other equally laudable measures taken at international level by UNDP, UNEP, the World Bank, FAO, WHO and WMO, for 1.5 billion people access to drinking water is a basic individual and collective human right which is not respected.

Recent experiences in connection with the privatisation of water resources and services — for example in the UK -give little reason to hope that the right to water will be guaranteed for all if the trend towards privatisation continues.

1. What does the Commission intend to do, beyond the initiatives it has taken already, to help ensure that the right to water is effectively guaranteed for the whole world population?

2. Does the Commission not agree that the European Union should undertake to promote an international initiative to ensure 'Water for everybody'?

3. Does the Commission agree that, in the context of development cooperation and in view of the likelihood that, by the year 2020, in regions of the world such as Africa, Asia and Latin America, which already suffer from water shortages, the population will have increased by more than a billion, there is an urgent need to address the problem of water as one of the necessities of life, and hence as an aspect of the general question of respect for human rights?

Answer given by Mr Pinheiro on behalf of the Commission

(8 April 1999)

Access to drinking water and sanitation is one of the basic needs of the most vulnerable sections of the population and must be satisfied before poverty can be reduced and health improved. The Commission is providing help to countries which have made this a priority of their programmes through Community development aid. It also supports NGO projects. The participation of recipients in developing and managing basic services is a key factor in any water supply and sanitation project.

The Commission drew up (institutional, social and economic) guidelines with the Member States in a document entitled 'Towards sustainable water resources management: a strategic approach' published at the end of 1998 ([1]). This strategic approach is designed to help improve the quality and consistency of projects on water supply and sanitation in both rural and urban areas and suburban areas where facilities are often most lacking.

The Commission also pursues the question of access to water of a sufficient quality and quantity within the context of the wider European area. A protocol on water and health is being developed under the United Nations — Community (UN-EC) Convention on transboundary water courses and international lakes in close cooperation with the World health organisation (WHO)-Europe. A main focus of this protocol is sanitation of drinking water and treatment of urban waste water with the aim of securing provision of safe drinking water for all. The Commission is participating in this work together with the Member States as well as the Eastern and Central European countries. The protocol will be opened for signing at the forthcoming environment and health ministerial conference in London June 1999.

The Commission together with the Member States also plays a major role in the development of a integrated and sustainable water policy in the context of the UN commission for sustainable development(CSD) process.

([1]) ISBN 92-828-4454-4.

(1999/C 341/187) **WRITTEN QUESTION E-0578/99**

by Giuseppe Rauti (NI) to the Commission

(12 March 1999)

Subject: Assignment to Italy of a United Nations trusteeship in Albania

With a view to securing from the Commission that the Union adopt an initiative to have Italy entrusted with a United Nations trusteeship in Albania, it is pointed out that:

1. This institution of trusteeship, which was used in the first decade after the war and was 'inherited' from the League of Nations in the period succeeding the First World War — has always produced positive results — witness Italy's Somalia trusteeship in the 50's, which led to the complete reconstruction of Somalia's internal management structure and turned around its financial and trading performance with other countries;

2. The initiatives taken so far have not had a positive outcome: whilst Italy expended on Albania, between 1991 and 1998, almost 2 billion lire, today not only is Albania worse off than before, but it is actually 'infecting' Puglia — the Italian region facing it — with intensified and uncontrolled influxes of refugees, as well as massive shipments of drugs, weapons of every description and thousands of women, sometimes very young, who, blackmailed in various ways, end up on the prostitution circuits;

3. In addition to the 2 000 billion lire expended by Italy are the no less enormous sums allocated by the European Union which, according to the report by Leonie van Bladel (A4-0041/99), debated in plenary in Strasbourg on 11 February 1999, are equivalent to another 1 500 billion lire for the period 1991-1998, to which should now be added macrofinancial assistance of a further 40 billion lire.

Would the Commission agree that, before continuing to throw billions down a bottomless hole, a radical change in the policies and arrangements for the Italian presence and the EU in Albania is essential?

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

(8 April 1999)

The Commission cannot take the initiative to have a Member State of the European Union entrusted with a United Nations trusteeship for a third country. Albania has been a member of the European 'family' and of the Council of Europe since 1994. The Commission is aware of the considerable instability which the crisis in 1997 has generated in Albania and which has spilt over into neighbouring countries, and in particular the Italian region referred to by the Honourable Member.

Since the end of 1997 the international community and the European Community in particular (which has provided over €150 million alone) have been funding a global stabilisation and development programme for Albania providing specific assistance for the police, judiciary, customs and public administration in general. Humanitarian aid is also being given to refugees from Kosovo. Albania's macroeconomic situation improved significantly in 1998. The Commission is convinced that institution building in Albania is the only way of improving the situation there. The increased presence of an international police force under a WEU mission supported by an EU Joint Action adopted on 9 March may help to create a more secure environment to underpin stabilisation and economic development in Albania.

At a more general level the international community is continuing to play an active role in the process of stabilisation and development in Albania. This is illustrated by the OSCE's political mission in Albania, the informal consultative forum (Friends of Albania) co-chaired by the OSCE and the European Union and donor coordination by the Commission and the international financial institutions in key sectors.

(1999/C 341/188) **WRITTEN QUESTION E-0579/99**

by José Barros Moura (PSE) to the Commission

(12 March 1999)

Subject: EU-Switzerland negotiations

With reference to the reply of 8 February 1999 to my question E-4022/98 [1] and taking into account the situation of Portuguese workers, large numbers of whom work in Switzerland on a seasonal basis, would the Commission shed some light on the practical implications of the exception to the Community rules on unemployment benefit, pursuant to which workers will not be able, during the interim period, to aggregate periods of employment in other Member States for the purpose of achieving the minimum period of employment required in order to qualify for unemployment benefit?

[1] OJ C 320, 6.11.1999, p. 109.

Answer given by Mr Flynn on behalf of the Commission

(12 April 1999)

The draft agreement with Switzerland concerning social security for migrant workers provides in general for the full application of Regulation (EEC) 1408/71 to nationals of third countries [1] working in Switzerland. A specific exemption regarding unemployment allowances is provided during the interim period. This

exemption relates to people who have worked less than one year in Switzerland. In such cases, periods of employment in other Member States are not aggregated for the waiting period which has to be fulfilled in order to be entitled to Swiss unemployment benefits (currently six months). This exemption should not under normal circumstances concern Portuguese seasonal workers as, under the terms of Regulation 1408/71, seasonal workers are those who do not reside in the country of their employment and are therefore entitled to unemployment benefits in their country of residence (Portugal in this example).

Under this agreement seasonal workers are also entitled to take up residence in Switzerland, which will enable them to apply for Swiss unemployment benefits once the national waiting period is fulfilled.

(1) OJ C 6, 10.1.1998.

(1999/C 341/189) **WRITTEN QUESTION E-0593/99**

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Second report on the application in Member States of Directive 92/3/Euratom of 3 February 1992

Why was the Commission so late in publishing, on 22 December 1998, the second report on the application in Member States of Directive 92/3/Euratom (1) of 3 February 1992 on the supervision and control of radioactive waste between Member States and into and out of the Community (COM(98) 778 final), which only covers 1994-1995? What steps is it taking to make sure the report is published in a more timely fashion in future?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(8 April 1999)

As stated in the reply to the Honourable Member's Written Question E-371/98 (1), the complete data were not received from Member States until mid-1997. The subsequent delay in compiling the report was due to competing obligations.

The Commission has started preparing the third report which will cover the years 1996-1997, to be published before the end of 1999, with the support of the advisory committee established by Article 19 of the Directive.

(1) OJ C 304, 20.10.1998.

(1999/C 341/190) **WRITTEN QUESTION E-0595/99**

by Ian White (PSE) to the Commission

(12 March 1999)

Subject: Transport of live animals

France, Greece, Italy and Portugal are reported in the RSPCA Magazine 'Animal Issues' as having failed to implement EU Directive (95/29/EC) (1)on the transport of live animals. What is the position and what action is the Commission taking to ensure that there is strict compliance with European Union law?

(1) OJ L 148, 30.6.1995, p. 52.

Answer given by Mr Fischler on behalf of the Commission

(8 April 1999)

Greece, Italy and Portugal have notified national measures implementing Council Directive 95/29/EC of 29 June 1995 amending Directive 91/628/EEC concerning the protection of animals during transport.

France has not fully implemented this Directive. This being the case, the Commission has not discontinued the infringement proceedings instituted pursuant to Article 169 of the EC Treaty against France for failure to notify the necessary measures to implement the Directive.

(1999/C 341/191) **WRITTEN QUESTION P-0602/99**

by Patricia McKenna (V) to the Commission

(4 March 1999)

Subject: Signing of agreements under Article 101 of the Euratom Treaty

Will the Commission explain why it signed in December an agreement with Canada on nuclear cooperation under Article 101 of the Euratom Treaty, without either informing or consulting the European Parliament, contrary to the Institutional Agreement made in an exchange of letters between Parliament and Commission on such significant Euratom agreements?

Will the Commission now apprise Parliament of all nuclear negotiations in hand or foreseen, including those with the IAEA and other such bodies? Will the Commission in future consult Parliament in advance on all of these and other such agreements, and if not would it now justify any exceptions?

Answer given by Sir Leon Brittan on behalf of the Commission

(24 March 1999)

The Commission gave an initial reaction to the matters raised by the Honourable Member at the meeting of the Parliament's Foreign affairs security and defence policy committee on 23 February 1999.

The Commission is currently in contact with the Parliament to respond to and resolve the various matters recently raised concerning the implementation of the exchange of letters between the Presidents of the Commission and the Parliament of July 1998 relating to the conclusion of Euratom Agreements (based on Article 101.2).

(1999/C 341/192) **WRITTEN QUESTION E-0620/99**

by Robin Teverson (ELDR) to the Commission

(12 March 1999)

Subject: Air links

Regional airports often have difficulty in obtaining viable slots at major airports because major airports prefer larger, more lucrative aircraft coming from other major airports. This prevents the development of regional airports and increases pressure on large ones.

Does the Commission have any plans to help regional airports and airlines, such as a mandatory minimum requirement on large airports to provide viable slots for regional airport/airline use?

Answer given by Mr Kinnock on behalf of the Commission

(19 April 1999)

The Commission would refer the Honourable Member to the reply it gave to Oral Question H-159/99 by Mr Watson during question time at Parliament's March 1999 part-session ([1]).

([1]) Debates of the Parliament (March 1999).

(1999/C 341/193) **WRITTEN QUESTION E-0646/99**

by Ian White (PSE) to the Commission

(16 March 1999)

Subject: Tax on the employment of foreign nationals

Is the Commission aware that in the world of German theatre, a tax on the employment of foreign nationals appears to be paid at a rate of 20 %. Can the Commission confirm that this is the case and does it accept that such practice is therefore discriminatory against other EU citizens within the Federal Republic of Germany?

Answer given by Mr Monti on behalf of the Commission

(19 April 1999)

The Commission is collecting the information it needs to answer the question. It will communicate its findings as soon as possible.

(1999/C 341/194) **WRITTEN QUESTION P-0651/99**

by Johannes Blokland (I-EDN) to the Commission

(9 March 1999)

Subject: Problems concerning the Prins Maurits 'Open Christianity' school in St Petersburg (Russia)

1. Is the Commission aware of the attempts by the authorities in St Petersburg to shut down the 'Open Christianity' school?

2. Can the Commission confirm that the local authorities and the police are intimidating the staff and pupils of this school? What are the underlying reasons?

3. Is the EU in contact with the authorities in St Petersburg? Are there, or have there been, any contacts between the EU and the management of 'Open Christianity'?

4. Is the Commission prepared to make known to the Russian government its concern at the action of the local authorities in St Petersburg? Will the Commission inform Parliament of the Russian government's response?

5. What can be done, in the Commission's opinion, to prevent the closure of the 'Open Christianity' school?

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

(29 March 1999)

The Delegation of the Commission in Russia has followed the developments around the 'Open Christianity' school in St. Petersburg. The school has just been vacated, apparently as a consequence of problems with the leasing of the premises. The status of the lease contract is somewhat vague.

On 11 February 1999, the St. Petersburg arbitration court stripped the school of its right to use the premises. An appeal has been lodged, however. The Delegation of the Commission is following the results of the legal procedure.

(1999/C 341/195) **WRITTEN QUESTION P-0653/99**

by Mark Watts (PSE) to the Commission

(9 March 1999)

Subject: Seal pups in the White Sea, Russia

In the light of evidence obtained by the International Fund for Animal Welfare, (The Guardian, 2.3.1999), that the EU ban on the importation of baby seal skins is not being enforced, what action is the Commission proposing to take to ensure this abuse is eliminated?

Answer given by Mrs Bjerregaard on behalf of the Commission

(8 April 1999)

The evidence cited by the Honourable Member bears no relation to the enforcement of the Community ban on the importation of white-coat kins of harp seals as exports are apparently to Norway, which is of course not bound by the legislation concerned.

(1999/C 341/196) **WRITTEN QUESTION E-0656/99**

by Roberta Angelilli (NI) to the Commission

(26 March 1999)

Subject: Closure of Parliament on account of a European farmers' demonstration

Prompted by the demonstration due to be staged in Brussels on Monday, 22 February 1999, in which farmers from all over Europe were intent on taking to the streets to protest against milk quotas, the Secretary-General of Parliament, Julian Priestley, issued a notice in which he informed staff that Parliament's offices would be closed, institutional business would cease, and the entire city of Brussels would be without public transport services and in effect under siege.

Given that, by staging demonstrations, farmers are exercising their democratic rights, as they are entitled to do as citizens of the Union and, moreover, representatives of a major occupational group, and that a similar demonstration in Strasbourg on 10 February 1999 passed off without incident, can the Commission say:

1. whether it considers that the above measures were an exaggerated response and infringed the right of EU citizens to speak out and protest;

2. whether it considers that the measures were intended to thwart debate and joint discussion of farmers' problems;

3. whether it considers that the decision in question warrants a reprimand?

Answer given by Mr Santer on behalf of the Commission

(25 March 1999)

The Commission would refer the Honourable Member to its answer to her Written Question E-605/99 ([1]).

([1]) OJ C 325, 12.11.1999, p. 124.

(1999/C 341/197) **WRITTEN QUESTION P-0676/99**

by Angela Billingham (PSE) to the Commission

(9 March 1999)

Subject: Restrictive practices in the motor trade

In view of the recent case against Volkswagen AG, where it was found to be breaching EU competition rules by restricting sales to final consumers from other Member States, the large disparity in car prices in the European Union and the growing trend of cheaper grey imports sold direct to consumers by car sellers operating outside official dealer networks (mostly in the Far East), would the European Commission be prepared to make an earlier review of the distribution block exemption which is due to take place in 2001?

Answer given by Mr Van Miert on behalf of the Commission

(31 March 1999)

The block exemption regulation concerning car distribution (Commission Regulation (EC) 1475/95 of 28 June 1995 on the application of Article 85(3) of the EC Treaty to certain categories of motor vehicle distribution and servicing agreements ([1])), entered into force on 1 July 1995 and will expire on 30 September 2002. The Commission would refer the Honourable Member to Article 11 of the regulation, which provides that the Commission evaluates on a regular basis the application of the Regulation, with a particular view on price differentials between the different Member States and on the quality of service to final users.

Since 1993, the Commission has monitored car price differences in the Community in its bi-annual report on car prices ([2]). This publication is based on the recommended retail prices, which the manufacturers submit as of 1 May and 1 November respectively, to the Directorate-General for Competition for their best selling models across the Community. It is true that the Commission has found high price discrepancies between the United Kingdom and the other Member States, which have been partly due to the strength of the Pound Sterling, rather than to changes in recommended list prices.

A growing price transparency, as promoted by the Commission's regular car price reports and the introduction of the euro, is increasingly inducing customers to acquire their vehicles in those Member States where prices and other sales conditions are most favourable. These developments are important market-related factors contributing to a better harmonisation of prices throughout the Community. The Commission has undertaken further initiatives (ex-officio proceedings against certain car manufacturers, telephone hotlines) to ensure this freedom for consumers.

Article 11 of the regulation obliges the Commission to draw up a report on the evaluation of the regulation before 31 December 2000. This report, whose preparatory works will commence in the course of this year, will include the experiences of the Commission and the opinions of associations and experts representing the various interested parties, particularly consumer associations. It is the Commission's intention to ensure that, by is procedure, all elements contributing to the application of the regulation, will be taken due account of, before deciding on any future legal framework for car distribution.

([1]) OJ L 145, 29.6.1995.
([2]) See for most recent one IP/99/60 of 1 February 1999.

(1999/C 341/198) **WRITTEN QUESTION P-0695/99**

by Christine Crawley (PSE) to the Commission

(9 March 1999)

Subject: Part-time workers' pension cases

In 1995, the British House of Lords referred to the European Court of Justice a test case, one of 45 000 cases pending at industrial tribunals, on the legality of part-time workers' claiming backdated rights against their former employers on the grounds of discrimination resulting in lost pension entitlements.

As some of these pensioners awaiting the outcome are now dying before the result of their appeals are known, can the Commission put pressure on the European Court of Justice to come to a decision in the very near future?

Answer given by Mr Flynn on behalf of the Commission

(1 April 1999)

The case referred to by the Honourable Member which is pending before the Court of Justice is case C-78/98 (Preston and Others), which reached the Court in March 1998 and was heard on 23 March 1999.

The case concerns the application of Article 119 of the EC Treaty as interpreted by the Court of Justice in the Barber judgment of 17 May 1990 ([1]) and subsequent interpreting judgments, particularly those of 28 September 1994 in cases C-57/93 (Vroege) ([2]) and C-128/93 (Fisscher) ([3]). The UK court has consulted the Court of Justice in order to establish the actual scope of the two judgments in question, i.e. the right of part-time workers, the majority of whom are women, to join an occupational pension scheme as from 8 April 1976 (date of the Defrenne judgment ([4])).

The Commission is unable to approach the Court of Justice in the manner requested by the Honourable Member.

([1]) C-262/98, ECR 1990, I-1889.
([2]) ECR 1994, I-4541.
([3]) ECR 1994, I-4583.
([4]) C-43/75, ECR 1976, 455.

(1999/C 341/199) **WRITTEN QUESTION E-0740/99**

by Alessandro Danesin (PPE) to the Commission

(29 March 1999)

Subject: Electoral participation in Italy

On 25 July 1998, the Italian Parliament rejected a bill which would have given Italian voters living abroad the chance to vote when parliamentary elections are held in Italy.

The aim of the bill was to amend part of the Constitution so as to make a 'postal vote' possible, as it is for Spanish citizens, for example.

The question of Italians voting abroad has been discussed for thirty years but has never been resolved.

Recently, the Italian Assembly began to reconsider the bill, which requires dual approval by Parliament. The Regulation is divided into two parts: the first provides for suitable structures under ordinary law that will allow citizens to vote; the second part lays down the detailed rules governing voting.

1. Is the Commission able to take measures which could clear up a situation that goes against the principles of democracy that EU Member States should respect?

2. Does it know which Member States allow their citizens to vote by post?

Answer given by Mr Santer on behalf of the Commission

(15 April 1999)

The Commission has no jurisdiction to deal with the question asked, which is a matter solely for the national authorities concerned.

(1999/C 341/200) **WRITTEN QUESTION P-0743/99**

by Yves Verwaerde (PPE) to the Commission

(9 March 1999)

Subject: NGOs subsidised under the EU's external policy

What criteria have been laid down with a view to determining the NGOs which are to be selected to receive Community subsidies so that they may participate in observer and training missions relating to elections as part of the EU's external policy designed to encourage the development of the democratic process?

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

(8 April 1999)

The Commission awards Community funding to NGOs to participate in observer and training missions for elections according to their experience and professional capabilities and the quality of the projects proposed.

Another important criterion in selecting NGOs as election observers is their impartiality in the electoral process. This is crucial where electoral support outside the EU takes the form of assistance and training for local NGOs for capacity building in the country where the elections are to be held. In many cases Community funding is used to promote partnerships between European and local NGOs.

The Commission chooses NGOs which have the professional capabilities, experienced personnel, a knowledge of working languages and an effective methodology to observe the media in elections. On the training side the Commission is providing aid to academic institutions in the Member States which have undertaken recognised scientific work in this area.

(1999/C 341/201) **WRITTEN QUESTION E-0752/99**

by Fernand Herman (PPE) to the Commission

(29 March 1999)

Subject: Free movement of persons who have taken early retirement in the territory of Member States

Belgian people who have taken early retirement are considered by Belgian law to be unemployed and not seeking work and, as such, cannot leave Belgian territory for more than 30 days per year even though they are not required to sign on or to accept a job. The only requirement is to send ONEM (the Belgian National Employment Office) a card where dates of leave taken must be stated even though the people concerned are obliged to be on permanent and definitive leave.

This ridiculous situation is a serious obstacle to the free movement of persons in the territory of Member States. It is contrary to the spirit and letter of the Treaties.

I know that the Commission is aware of this problem and that it has put forward a proposal to the Council which seeks to introduce contractual arrangements regarding early retirement benefits falling within the scope of Regulation 1408/71 ([1]). The Council still has not reached the consensus necessary to adopt this proposal.

What does the Commission intend to do in order to give fresh impetus to this initiative, which has been at a standstill for almost five years?

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

Answer given by Mr Flynn on behalf of the Commission

(19 April 1999)

The Commission wishes to draw the Honourable Member's attention to the fact that the Commission has on several occasions proposed extending the matters covered by Council Regulation (EEC) 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their family moving within the Community ([1]) to early retirement schemes. The Commission also confirms that its proposal of 1996 failed to receive the Council's unanimous support.

However, the Commission recently adopted a proposal simplifying and reforming Regulation (EEC) 1408/71 ([2]), in which a new chapter has been introduced with a view to including and coordinating early retirement schemes, in line with the substance of the earleir 1996 proposal. The new proposal is scheduled to be examined by the Council during 1999.

At the same time the Commission is studying, on a case-by-case basis, whether the national legal systems respect the principles enshrined in the EC Treaty in this area as recently interpreted by the Court of Justice ([3]).

([1]) OJ L 149, 15.7.1971; in 1980: OJ C 169, 9.7.1980; in 1996: OJ C 62, 1.3.1996.
([2]) OJ C 38, 12.2.1999.
([3]) Meints, C-57/96 27.11.1997, and Commission v. France C-35/97, 24.9.1998.

(1999/C 341/202) **WRITTEN QUESTION E-0755/99**

by Stephen Hughes (PSE) to the Commission

(29 March 1999)

Subject: Union-busting firms

The Sunday Observer of 17 January 1999 revealed that US firms which specialise in busting trade unions are being established in the UK. The European Federation of Public Services Unions has approached the Commissioner on this issue and asked for European measures to be taken on the grounds that preventing workers from obtaining union recognition violates ILO standards and the European Treaty.

1. Is the Commission monitoring the activities of these companies?

2. Will the Commission prepare measures to prohibit the activities of these companies in Europe?

Answer given by Mr Flynn on behalf of the Commission

(14 April 1999)

The Commission is aware of the alleged practices of some American firms established in the United Kingdom. However, trade union rights are, in the Community legal framework, matters principally within the competence of the Member States as Article 2(6) of the agreement on social policy (Article 137.6 of the new Treaty) excludes the right of association and the right to strike from the social provisions of the EC Treaty.

As the matter falls within the competence of the Member State concerned, the Commission is not preparing any measures to prohibit the alleged practices of these companies.

(1999/C 341/203) **WRITTEN QUESTION P-0762/99**

by Anna Karamanou (PSE) to the Commission

(11 March 1999)

Subject: Balanced participation of men and women in decision-taking procedures

In view of the lack of progress in implementing the Council Recommendation of 2 December 1996 on the balanced participation of men and women in decision-taking procedures, will the Commission say what measures it intends to take to remedy this situation?

In view also of Article 141 of the Treaty of Amsterdam, what positive actions does the Commission intend to promote in favour of the under-represented sex (namely, women)?

Answer given by Mr Flynn on behalf of the Commission

(9 April 1999)

The Commission has taken a wide range of measures to realise the goals laid down in the Council Recommendation of 2 December 1996 referred to by the Honourable Member.

Hence, for example, the Commission has encouraged the Member States to take the necessary measures to implement the Council Recommendation by organising a seminar for senior government officials in May 1998. It has also supported actions proposed by the Member States or by non-governmental organisations designed to promote the balanced participation of men and women in decision-taking procedures. These include a high-level conference to be hosted by the French authorities in Paris in April 1999, in which Member State ministers will be participating.

Finally, the Commission has, in line with the Recommendation, requested the Member States to transmit a report before the end of May 1999 on the measures taken to implement the Recommendation. On the basis of the replies to the questionnaire circulated to the Member States, the Commission will prepare a report and transmit it to the Parliament, the Council and the Economic and Social Committee before year's end.

As regards the application of the Recommendation to its own administration, the Commission has since 1995 adopted annual targets for the appointment of women to management posts. Hence there has been a clear increase in the percentage of women over the years, notably at director level (19 female directors in December 1998 as opposed to four in January 1995) and at middle management level (heads of unit and advisers) (the percentage of women rose from 8,3 % to 11,4 % in the A category and from 28,2 % to 38,7 % in the LA category during the same period). On average women occupy 13,3 % of management posts in the Commission.

The Honourable Member is also invited to consult the Commission's answer to Written Question E-4089/98 by Mr Blak [1].

As regards Article 141 of the post-Amsterdam EC Treaty, the Commission is currently studying the consequences of the entry into force of the Treaty and possible future developments.

[1] OJ C 297, 15.10.1999.

(1999/C 341/204) **WRITTEN QUESTION P-0781/99**

by Sören Wibe (PSE) to the Commission

(22 March 1999)

Subject: EU aid for company relocation

Lear, the US motor vehicle components giant received a SKR 20 million subsidy when it opened a plant in Bengtfors, Sweden. The company has now decided to transfer part of its manufacturing activities to Portugal after securing about SKR 75 million worth of EU subsidies and SKR 75 million worth of tax breaks from Portugal. At least 350 people, mainly sewing machine operators, will lose their jobs at Bengtfors, where the workforce is up in arms. Should EU subsidies really be used to lure jobs away from one EU Member State to

another? It is a well-known fact that the Swedes are the biggest net contributors to the EU budget and, naturally enough, it is therefore even more galling for them to see EU subsidies used to relocate jobs from Sweden.

What action can the Commission take in this particular case? What can it do to prevent similar occurrences in the future?

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

(16 April 1999)

The Honourable Member is asked to refer to the joint answer the Commission gave to oral questions H-0274/99, H-0286/99 and H-0288/99 from Mrs Schφrling, Mr Andersson and Mrs Sandberg-Fries respectively at question time during the April 1999 [1] Parliamentary session.

[1] Debates of the European Parliament (April 1999).

(1999/C 341/205) **WRITTEN QUESTION E-0783/99**

by Ursula Schleicher (PPE) to the Commission

(6 April 1999)

Subject: Acquisition and possession of weapons and ammunition by collectors

Directive 91/477/EEC [1] regulated the possession and transport of firearms in the European Union. This Directive contains provisions on the possession, transport and acquisition of weapons and ammunition by persons involved in target shooting, hunters and dealers. The Directive does not, however, apply to persons owning firearms as collectors' items.

Firearms as collectors' items are still subject to national legislation, which differs widely in the various Member States of the European Union.

1. Does the Commission share this view of the situation?

2. Does the Commission consider it necessary to alter the existing Directive or to submit a new Directive specifically for the acquisition and possession of weapons and ammunition by collectors?

3. If so, when can the submission or amendment of the Directive be expected?

4. Does the Commission consider that the lack of uniformity in the legislation of Member States of the European Union causes problems for collectors of weapons and ammunition?

[1] OJ L 256, 13.9.1991, p. 51.

Answer given by Mr Monti on behalf of the Commission

(27 April 1999)

The Commission agrees with the Honourable Member's analysis that firearms as collectors' items do not fall within the field of application of Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons. As a result, the acquisition and transfer of such weapons are currently governed by Members States' legislation, subject to the application of Articles 30 and 36 of the EC Treaty.

The Commission is currently drawing up a questionnaire on the application of Council Directive 91/477/EEC, which will be sent in due course to the Member States and the various parties concerned. On the basis of the answers it receives to this questionnaire, the Commission will — by the end of 1999 — draw up a report addressed to the Parliament and the Council on the situation resulting from the application of this Directive. In accordance with Article 17 of the Directive, the Commission will examine to what extent it is necessary to submit proposals for amendments to the existing provisions. This will be the framework for examining the issue of the acquisition and possession of firearms as collectors' items.

(1999/C 341/206) **WRITTEN QUESTION E-0817/99**

by Gerardo Fernández-Albor (PPE) to the Commission

(6 April 1999)

Subject: Community campaign against alcohol abuse amongst young people

The message in the figures showing a rise in alcohol abuse amongst young people is so abundantly that it cannot fail to cause the deepest concern. The statistics reveal that the daily alcohol intake of 3 % of people aged between 15 and 30 is excessive, whilst the corresponding figures for weekends are three times as high.

Whilst the European Union has conducted highly effective information campaigns against other forms of abuse, such as smoking, there would now appear to be an urgent need to alert young people to the fact that alcohol abuse is as harmful to one's health as the wholesale addiction to drugs or other substances.

Does the Commission believe that it ought to propose a campaign to Member States against alcohol abuse amongst young people which, besides encouraging them to give up alcohol, would help rehabilitate young people addicted to alcohol, offer them alternative leisure activities and generate health awareness which changes modern society's excessively tolerant attitude to alcohol consumption amongst young people?

Answer given by Mr Flynn on behalf of the Commission

(6 May 1999)

The Commission agrees with the Honourable Member that this is a matter of importance. The Commission is paying the utmost attention to this very issue in the context of Health promoting schools, a European network which covers all Member States and involves over 5 000 schools.

In addition, the Commission is preparing a proposal for a Council recommendation on alcohol consumption by children and adolescents in which special attention will be given to raising the awareness of the effects of alcoholic drinks on children and adolescents, to strengthening the appropriate health promotion efforts targeted at these age groups, and to calling upon producers and retailers of alcoholic beverages to enforce regulatory or self-regulatory control of the promotion, marketing and retailing of alcoholic products.

(1999/C 341/207) **WRITTEN QUESTION E-0820/99**

by Odile Leperre-Verrier (ARE) to the Commission

(6 April 1999)

Subject: Future of medical gynaecology

Can the Commission indicate whether, as a result of the harmonisation of medical specialisms, medical gynaecology, as practised in France, is likely to disappear?

Should not, rather, this specialism be extended to the whole of Europe, given its importance for women's health?

This specialism which complements obstetric gynaecology, which is more technical and interventionist because geared towards deliveries and surgery, allows:

- contraception,
- prevention of certain cancers
- treatment of STD

to be treated more effectively and for women to receive a more sympathetic hearing for their problems.

Answer given by Mr Monti on behalf of the Commission

(28 April 1999)

The Commission would refer the Honourable Member to its answer to Written Question No E-3227/96 by Mr Baldarelli [1].

(1) OJ C 138, 5.5.1997.

(1999/C 341/208) **WRITTEN QUESTION P-0852/99**

by Graham Watson (ELDR) to the Commission

(26 March 1999)

Subject: Economic assessment of parallel imports

Is the Commission satisfied with the NERA study into the economic impact of parallel imports?

In view of NERA's contract with the European Brand Owners' Association does the Commission recognise the possible conflict of interests and would it consider commissioning a second study?

Answer given by Mr Monti on behalf of the Commission

(29 April 1999)

The Commission considers that the NERA study was well carried out and represents a most useful basis for further discussions. However the Commission has been informed that for several reasons there are interest groups which did not have the opportunity to express their views on the question of exhaustion of trade mark rights during the study. The Commission arranged a hearing in Brussels on 28 April 1999 to enable all interested circles to comment on this important topic.

The Commission considers furthermore that the study gives a complete analysis of the different aspects of the question of exhaustion of trade mark rights. There is therefore no reason to believe that any connections between the NERA institute and an interest group have affected the outcome of the study. There are no plans to commission a second study concerning this issue.

(1999/C 341/209) **WRITTEN QUESTION P-0879/99**

by Antonios Trakatellis (PPE) to the Commission

(26 March 1999)

Subject: Presence of asbestos and chrysotile in schools and possibility of funding replacement from 2nd CSF

The continued use of asbestos building materials (for walls, ceilings etc) in 18 schools in Thessaloniki, against which parents and pupils are protesting by occupying the premises, represents a threat to the health of the children and the workers concerned. These schools were built using materials made of asbestos to cover the emergency needs caused by the earthquake which hit Thessaloniki in 1978; they have remained in place since then to the point where the asbestos panels are now sagging and cracking, spreading asbestos fibres into the environment. Exposure to chrysotile is extremely hazardous to health since it causes lung cancer and other respiratory diseases.

Given that the authorities estimate that it will take ten years to rebuild schools and that the authorities of the prefecture of Thessaloniki claim that there is a shortfall of Drs 2 billion in payment for schools already completed, will the Commission say:

1. why the applicable provisions have not been implemented under Directive 83/477/EEC ([1]) as amended by Directive 91/382/EEC ([2]) on the protection of workers from the risks related to exposure to asbestos at work and Directive 90/394/EEC ([3]) of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work, which contain strict rules on protection and protective measures by employers and which are expected to be replaced in 2001 by more stringent provisions for protection and protective measures by employers as provided by Directive 98/24/EC ([4]),

2. what measures it will take to protect public health (of pupils, teachers and other staff) in schools from exposure to asbestos and chrysotile,

3. whether the State — which is the employer in this specific case — is liable for failing to implement the above directives,

4. whether the replacement of the asbestos or the construction of new school buildings can be funded from the operational programmes for education and industry or other source under the 2nd CSF and why the Greek Government has so far failed to make such a request, and

5. why it has not yet issued a directive banning asbestos and chrysotile when they are already banned under national law in 8 Member States?

([1]) OJ L 263, 24.5.1983.
([2]) OJ L 206, 29.7.1991.
([3]) OJ L 196, 26.7.1990.
([4]) OJ L 131, 5.5.1998.

Answer given by Mr Flynn on behalf of the Commission

(6 May 1999)

The Commission is well aware of the health risks associated with exposure to any form of asbestos and therefore considers that the utmost must be done to minimise these risks.

1 and 3. The Community directives on the protection of workers exposed to asbestos (83/477/EEC ([1]), amended by 91/382/EEC and 90/394/EEC) have been transposed into Greek law. Any question concerning their application is a matter for the Greek authority responsible for appropriate monitoring and surveillance, as prescribed by Article 4(2) of Directive 89/391/EEC ([2]).

2. In the field of public health, action by the Community can take, in accordance with Article 152 of the EC Treaty (ex Article 129), either the form of incentive measures excluding any harmonisation of the laws and regulations of the Member States aimed at cooperation between the Member States and coordination of their policies and programmes or Council recommendations, in the area of prevention and health information and education. The Parliament and the Council have adopted programmes on health promotion, information, education and training and on pollution-related diseases, which could serve for the exchange of information on policies and sharing of experience and best practice with respect to exposure to asbestos and practical measures and steps to eliminate or reduce exposure of the public.

4. According to information obtained from the Greek authorities, asbestos has not been used in the past and is not being used now for the construction of school buildings in Greece.

However the Greek authorities state that following the earthquake at Kalamata in 1986, mobile structures containing asbestos were bought for temporary replacement of damaged school buildings. Following the reconstruction of the damaged schools, these mobile structures were transferred to other places in Greece where school buildings were lacking. Certain of these mobile structures are still in use today.

The construction of new school buildings is co-funded by the European regional development fund (ERDF) under the thirteen regional operational programmes and under the operational programme 'Education and initial vocational training' of the 2nd Community support framework for Greece (1994-1999). The construction of new school buildings for the replacement of the mobile structures containing asbestos can be co-funded by the ERDF under the same operational programmes.

5. A proposal to ban chrysotile asbestos, with some minor exceptions and transitional arrangements, will be considered by the Member States at a technical progress committee meeting on 4 May 1999. If the proposal achieves the required support, and is subsequently adopted by the Commission, then new uses of chrysotile asbestos would be banned throughout the Community by 1 January 2005. However, the proposal would not in itself prohibit the continued use of buildings which already contain asbestos, nor require the removal of asbestos from buildings.

(1) OJ L 263, 24.9.1983.
(2) OJ L 183, 29.6.1989.

(1999/C 341/210)

WRITTEN QUESTION E-0899/99

by Cristiana Muscardini (NI) to the Commission

(8 April 1999)

Subject: Freedom of movement for sports coaches

In its answer to Written Question E-3856/98 (1) the Commission declared that Italy, like all the Member States, had been called upon to bring its legislation into line with Directives 89/48/EEC (2) and 92/51/EEC (3). It also noted that it had hitherto not had to deal with particular problems connected with recognition of sports coaches' qualifications in Italy.

1. Has it not occurred to the Commission that the reason why it has not had to deal with any special difficulties is that Directive 92/51/EEC, which, barring exceptions, covers sports coaches' qualifications, has never been enforced?

2. To dispel all doubt, could the Commission say which piece of Italian legislation has transposed and/or given effect to the Directive in question?

(1) OJ C 207, 21.7.1999, p. 136.
(2) OJ L 19, 24.1.1989, p. 16.
(3) OJ L 209, 24.7.1992, p. 25.

Answer by Mr Monti on behalf of the Commission

(4 May 1999)

The honourable Member mentions the transposition of Directives 89/48/EEC and 92/51/EEC in Italy. Council Directive 89/48/EEC of 21 December 1988 introduced 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 subsequently supplemented by Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training. This second directive deals with diplomas that were not covered by Directive 89/48/EEC.

As stated in the answer to the honourable Member's Written Question E-3856/98, the qualifications of sports instructors are covered solely by Directive 92/51/EEC. This directive was transposed into Italian law by Legislative Decree No 319 of 2 May 1994. This legislative decree has a very broad field of application. It is not restricted to covering a specific professional sector. It is intended to apply to all regulated professions that come under Directive 92/51/EEC. The fact that a profession is not specifically mentioned does not mean that it is not covered by the directive. Regulated professions in the sports sector are thus covered by this legislative decree.

It is important to remember that Directive 92/51/EEC applies only to regulated professions. Consequently, if a Member State decides not to regulate a profession, the directive does not apply because possession of a diploma is not a legal requirement for access to the profession.. Access is thus legally free.

The Commission also confirms that it has not been informed of particular difficulties in relation to the recognition of diplomas for sports instructors in Italy. No complaint has been lodged in this area. Any complaints could refer to Italy's failure to transpose the measure or to poor application of the national transposition measures, i.e. the legislative decree of 2 May 1994.

Lastly — and this has been pointed out before — the Commission cannot impose on Italy specific measures for regulating the profession. In accordance with the principle of subsidiarity, the Member States are sovereign as regards regulations on professions. This means that the Commission has no powers to act with regard to how Italy regulates the profession of sports instructors in its own country. Italy can also choose not to regulate a profession. Naturally, the Italian authorities are required to provide mechanisms for the recognition of diplomas and to abolish any measure that might be considered discriminatory. As has already been pointed out, however, there do not seem to be any particular problems in this respect.

(1999/C 341/211) **WRITTEN QUESTION E-0905/99**

by Phillip Whitehead (PSE) to the Commission

(8 April 1999)

Subject: EU fire safety

Will the Commission list the number of responses received from each EU Member State to the questionnaire sent out by the French company CETEN-APAVE relating to the implementation of the 1986 EU recommendations on fire safety? What action was taken against the countries that failed to respond to the study?

Answer given by Mrs Bonino on behalf of the Commission

(29 April 1999)

In the light of the interest that the Honourable Member has shown on several occasions in the 1996 study on fire safety in hotels, and given the amount of detail that he has requested on both the data and the methodology used, the Commission is sending him a copy of this study directly.

The firm that carried out the study sent the approximately 20 000 questionnaires to hotel managers throughout Europe on a voluntary basis in order to supplement the analysis of the regulations applicable in each Member State. Consequently, the Commission had no grounds for taking action against Member States if the information sent did not meet expectations.

(1999/C 341/212) **WRITTEN QUESTION E-0994/99**

by Patricia McKenna (V) to the Commission

(20 April 1999)

Subject: Responsibility for Fire Safety in the European Commission

Will the Commission please give full and precise details of which department(s) is/are responsible for fire safety in the European Union.

If this is more than one, would it please explain why such an important area of safety is not only poorly legislated for at a European level, but also managed by the Commission in such an apparently unconcerned and illogical manner, as if the lives of Europe's citizens are of scant importance?

(1999/C 341/213)

WRITTEN QUESTION E-0995/99

by Patricia McKenna (V) to the Commission

(20 April 1999)

Subject: Harmonisation of Fire Safety Regulations in the European Union

When will the Commission come forward with a fire safety directive to ensure the safety of Europe's citizens when staying in hotels, apartments and other such accommodation?

Is it not a matter of extreme urgency now to propose such legislation?

Does the Commission not consider it a matter of embarrassment to it as an institution, and to the EU as a whole, that such basic regulations do not already exist?

Joint answer
to Written Questions E-0994/99 and E-0995/99
given by Mr Santer on behalf of the Commission

(30 April 1999)

The Commission would refer the Honourable Member to its answer to Written Question E-0854/98 by Mr Harrison [1].

(1) OJ C 13, 18.1.1999, p. 10.