ISSN 0378-6986

Official Journal

of the European Communities

C 370

Volume 42

21 December 1999

English edition

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(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

(1999/C 370/001) **WRITTEN QUESTION E-0017/98**

by Jaak Vandemeulebroucke (ARE) to the Commission

(29 January 1998)

Subject: Language use in the Official Journal

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

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

Supplementary answer
given by Mr Monti on behalf of the Commission

(11 June 1999)

Further to its answer of 20 March 1998 [1], the Commission is now able to provide the following additional information.

It is correct that the annex to Parliament and Council Directive 97/52/EC of 13 October 1997 amending Directives 92/50/EEC, 93/36/EEC and 97/37/EEC concerning the coordination of procedures for the award of public service contracts, public supply contracts and public works contracts [2] respectively lists the Belgian contracting authorities in French only. The annex does not in all cases list the contracting authorities of the other Member States in the language of the Member State itself, but includes a translation, if necessary, for instance, when it concerns not a mere name but a description of a contracting authority. This description of the contracting authority is in the different languages of publication of the directive, as was the case for the previous directives.

Following its green paper 'public procurement in the European Union: exploring the way forward [3]' and communication 'public procurement in the European Union [4]', the Commission is considering, among other things, amendments to the public procurement directives. These amendments will of course be published in all official languages of the Community. The annexes to the directive will also be reviewed with this future publication in mind and, if necessary, updated. In the context of this exercise, the observations made by the Honourable Member will be taken into account, and appropriate action will be taken.

(1) OJ C 304, 2.10.1998.
(2) OJ L 328, 28.11.1997.
(3) COM(96) 583 final.
(4) COM(98) 143 final.

(1999/C 370/002) **WRITTEN QUESTION E-0837/98**

by Esko Seppänen (GUE/NGL) to the Commission

(26 March 1998)

Subject: The content of television programmes and freedom of expression

There are four independent television channels in Finland, all of which are journalistically independent of the state. One of them (Oy Yleisradio Ab) has — for journalistic purposes and without sponsorship — produced a series of programmes designed to promote the sale of Finnish-made products. The Commission responded by writing a letter to the Finnish Ministry of Communications prohibiting the making of such programmes.

In so doing, the Commission violated journalistic freedom of expression and interfered with the content of television programmes. Does the Commission consider that its officials acted correctly in this matter, and if so, on what EU treaty does it base its view?

Supplementary answer
given by Mr Monti on behalf of the Commission

(8 July 1999)

Further to its reply of 5 June 1998 [1], the Commission is now in a position to provide the following information.

The honourable Member should refer to the answer given by the Commission to Written Question E-931/98 from Mrs Myller and others [2].

[1] OJ C 310, 15.12.1998.
[2] OJ C 354, 19.11.1998, p. 42.

(1999/C 370/003) **WRITTEN QUESTION E-0849/98**

by Marco Cellai (NI) to the Commission

(26 March 1998)

Subject: Appeal to the Court of Justice by the Commission

According to press reports in December last year the Commission has decided to appeal to the Court of Justice with a view to bringing infringement proceedings against the Italian Government for the alleged absence in Law 236/95 of transitional arrangements to safeguard the acquired rights of language assistants ('collaboratori linguistici', formerly known as 'lettori') already working in Italian universities in accordance with Presidential Decree 382/80. This move essentially ignored the meaning of the judgment passed by that Court (Section V) of 20 November 1997. The present request to bring proceedings is clearly based on confusion between the terms 'lecturer' and 'lettore'. The Commission in no way indicated how the Italian Government has failed to respect the 'acquired rights', since the rules introduced in Law 236/95 guarantee the safeguarding of the rights acquired by the parties concerned under the previous legal framework and improve their treatment overall.

In view of the above, can the Commission say:

1. whether and to what extent the Commission's decision was influenced by articles in the press or views expressed by European members of parliament;

2. what the legal bases for the appeal are?

Supplementary answer
given by Mr Flynn on behalf of the Commission

(29 June 1999)

Further to its answer of 5 June 1998 [1], the Commission is now able to provide the following additional information.

The Commission's decision to bring before the Court of justice on the basis of Article 226 EC Treaty (ex Article 169) the treatment of language lecturers in Italian universities has not been influenced by press articles. The Commission's decision is based on legal arguments and documentary evidence deriving from its investigation in the framework of the infringement file.

From a legal point of view, the Commission has based its decision on the fact that substantive evidence has shown that the acquired rights of the language lecturers have not been properly safeguarded in a number of Italian universities.

(1) OJ C 310, 15.12.1998.

(1999/C 370/004) **WRITTEN QUESTION E-0870/98**

by Gerhard Hager (NI) to the Commission

(26 March 1998)

Subject: Legalization of illegal immigrants

The report on the human rights situation in the European Union in 1996 that was adopted during the February part-session singled out a number of Member States in which the residential status of persons living illegally in their territory is legalized after a given period.

1. Does the Commission consider the approach adopted by these Member States to be inconsistent with the Union's current legislation?

2. Does the Commission consider the approach adopted by these Member States to be inconsistent with the Schengen acquis?

3. What does the Commission intend to do as regards integrating the Schengen acquis into the Community and such differences?

Supplementary answer
given by Mr Monti on behalf of the Commission

(28 June 1999)

Neither EU law nor the Schengen acquis, which has just been integrated into the framework of the European Union, stand in the way of a Member State legalising the situation of illegal immigrants living on its territory.

(1999/C 370/005) **WRITTEN QUESTION E-0880/98**

by Nikitas Kaklamanis (UPE) to the Commission

(26 March 1998)

Subject: Freedom of movement in the EU to acquire medical specialization

Directive 93/16 [1] has created difficulties for people wishing to acquire a medical specialization in the Member States. Before the Directive entered into force (April 1993) it was possible to recognize in Greece a qualification awarded in Austria, for example, and to grant doctors authorization to practise the profession in order to acquire a specialist field in Greece. Once the Directive entered into force, however,

this provision was set aside. While the equivalence of diplomas is recognized, therefore, no authorization is granted to practise the profession, which must be obtained in the country of study, while the criteria vary according to the national legislation in each country. These provisions create insurmountable problems for anyone who has studied in one Member State and wishes to acquire a specialist field in another.

Can the Commission answer the following:

1. For students enrolled at EU universities before the adoption of Directive 93/16, will the arrangements previously in place apply for a transitional period?

2. Given that diplomas awarded in the EU are equivalent, can provision be made to allow authorization to practise the profession to be obtained from the country in which the doctor intends to work rather than, mandatorily, from the country in which his/her diploma was awarded?

3. Provided the diplomas are equivalent, should it not be possible to acquire a specialist field in a Member State other than the one in which the diploma was awarded, since specialization is a part of medical training?

(1) OJ L 165, 7.7.1993, p. 1.

Supplementary answer
given by Mr Monti on behalf of the Commission

(29 June 1999)

1. Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications is a consolidated version of all the Directives adopted since 1975 regarding the free movement of doctors and the mutual recognition of their diplomas. Since it is merely consolidating previous Directives, it does not involve any changes to the legal situation prior to its adoption. It has not therefore made any changes to the situation which existed in 1975 concerning doctors who wish to undergo specialist medical training in another Member State.

2. The principle of the mutual recognition of diplomas implies that each Member State recognises the diplomas awarded to Member States' nationals by the other Member States, by giving such qualifications, as far as the right to take up and pursue the activities of a doctor is concerned, the same effect in its territory as those which it itself awards. This principle is implemented in Directive 93/16/EEC by Articles 4 and 5 for formal qualifications in specialised medicine common to all Member States, and by Articles 6 and 7 for formal qualifications in specialised medicine peculiar to certain Member States only.

3. None of the provisions in Directive 93/16/EEC stands in the way of the option of undergoing specialist medical training in a Member State other than the one in which the basic medical training was acquired.

(1999/C 370/006) **WRITTEN QUESTION E-2378/98**

by Ernesto Caccavale (UPE) to the Commission

(27 July 1998)

Subject: Infringement of the legislation on public service contracts

By a decision of 1988, the Borough Council of San Giorgio del Sannio, in the province of Benevento, awarded Italgas Sud the concession for the design and construction of the gas distribution network on its territory for a period of 30 years. By decision of 15 October 1997, the Borough Council approved a new plan proposing the amendment of the above-mentioned arrangement which in fact amounts to a completely new concession because of the substantial changes in the prices and time-limits laid down in the contract.

This is in flagrant breach of Directive 92/50/EEC (1) on public service contracts and of the Community provisions on free competition, as well as in breach of Article 21 of the 1995 Italian Law No 216 which governs the same subject. Pursuant to these provisions, all contracts must be awarded on the basis of the

economically most advantageous offer and where the value of the work is equal to or more than ECU 5 million a transparent public invitation to tender must always be issued.

Does the Commission believe, therefore, that it is necessary and advisable to check that the procedure followed by the above-mentioned borough council was lawful, bearing in mind that it clearly does not comply with the criteria that administrative measures should be economic, transparent and public, since, in flagrant breach of the principle of free competition, no invitation to tender was issued which would have enabled all eligible undertakings to take part on an equal footing in the tender procedure.

(1) OJ L 209, 24.7.1992, p. 1.

Supplementary answer
given by Mr Monti on behalf of the Commission

(29 June 1999)

Further to its answer of 19 October 1998 (1), the Commission is now able to communicate the following information.

The Commission has contacted the Italian authorities in order to check whether the award of the concession to construct the gas distribution network for the municipality of San Giorgio del Sannio was in compliance with Community law. To be more precise, the Commission contacted the Italian authorities a number of times in writing, and explained at a subsequent meeting with them which information was required in order to conduct the aforementioned evaluation.

The Italian authorities have not replied. The Commission does not have the legal and factual particulars required to enable it to clearly establish the legal nature of the contract in question and the applicable Community regulations, or to check whether there has been an infringement of these regulations. This situation could, however, be clarified at the meeting with the Italian authorities scheduled for July.

(1) OJ C 50, 22.2.1999.

(1999/C 370/007) **WRITTEN QUESTION E-2987/98**

by John Iversen (PSE) to the Commission

(8 October 1998)

Subject: Call for national registers of veterinary drug use

The European consumer's growing desire for wholesome and unadulterated food means there is a need to step up checks on the use of drugs in farming. Antibiotic growth promoters and the excessive use of drugs are creating resistant bacteria and, in the longer term, people could die from illnesses such as influenza and pneumonia because they can no longer be treated using antibiotics.

If national registers were set up to record the use of drugs in farming, it would be possible to compare levels of use in different Member States and thus to file complaints if use was found to be excessive in certain Member States. This would also provide a tool for conducting research into the links between resistant bacteria and drug use. A pattern is already emerging which indicates that the number of resistant bacteria is much lower in the Scandinavian countries, where veterinary drug use is low compared with countries such as the UK, the Netherlands and Belgium.

Does the Commission not think it would be a good idea to submit a proposal requiring Member States to establish national registers of drug use in farming? At the same time, it could submit a proposal requiring antibiotics to be made available only on prescription in the Member States, which would prevent farmers from using drugs as growth promoters.

Supplementary answer
given by Mr Bangemann on behalf of the Commission

(20 April 1999)

Further to its answer of 11 November 1998 [1], the Commission can now provide the following information.

Community legislation in both the feedingstuffs (additives) and veterinary medicine sector provides for control measures which include the recording of data concerning the manufacture, authorisation, sale and consumption of antibiotics.

In the feedingstuffs sector, the Commission has taken the initiative to set up a system for collecting, from January 2000, national data concerning the consumption of antimicrobial additives authorised by Directive 70/524/EEC concerning additives in feedingstuffs [2]. In addition, the Council has adopted Regulation (EC) 2821/98 [3] of 17 December 1998 amending, with regard to withdrawal of the authorisation to use certain antibiotics, Directive 70/524/EEC. This prohibits the use of four antibiotics as additives in feedingstuffs in order to protect human health. Moreover, the production and distribution of antimicrobial additives, premixes and compound feeds containing such additives are very strictly regulated. At every stage of the chain from the additives manufacturer to the premix manufacturer and the compound feed manufacturer, each establishment or intermediary must keep a record of the nature and quantity of additives produced or used.

Legislation concerning antibiotics administered as veterinary medicinal products [4] provides for a series of controls covering manufacture, marketing authorisation, prescription, distribution chain (wholesale, retail), conditions of use and a system of pharmacovigilance which may, if necessary, include data on lack of efficacy in the case of resistance and on supervision and control of residues in foodstuffs from treated animals. The advisability of making the supply of veterinary medicinal products subject to prescription is examined for each medicinal product when marketing authorisation is granted. The possibility that a product may be used in ways other than its intended therapeutic purpose is one of the main factors taken into consideration.

Furthermore, any person permitted to wholesale or retail veterinary medicinal products (for example pharmacists and veterinarians) is required to register for each transaction the date, the precise identity of the veterinary medicinal product, the manufacturer's batch number, the quantity received or supplied, the name and address of the supplier or recipient, and, where relevant, the name and address of the prescribing veterinarian and a copy of the prescription.

Where a veterinary medicine containing an antibiotic is incorporated in animal feed (i.e. administered as medicated feedingstuffs), Council Directive 90/167/EEC [5] sets out the conditions for placing those products on the market and provides that a special prescription is required. The specific veterinary prescription includes certain precise information, notably the medicinal premix used, its name, quantity and withdrawal period. Details of the treatment are also required in the case of collective treatment by medication administered through the feed.

The Commission takes the view that the above provisions adequately address the concern to restrict and control as far as possible the use of antibiotics in the feedingstuffs and animal health sector, and does not, for the time being, plan to propose the establishment of additional national registers such as envisaged by the Honourable Member.

(1) OJ C 96, 8.4.1999, p. 155.
(2) OJ L 270, 14.12.1970.
(3) OJ L 351, 29.12.1998.
(4) Council Regulation (EEC) 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medical products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products — OJ L 214, 24.8.1993 — and Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws of Member States relating to veterinary medicinal products — OJ L 317, 6.11.1981.
(5) Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community — OJ L 92, 7.4.1990.

(1999/C 370/008)

WRITTEN QUESTION E-3069/98

by David Bowe (PSE) to the Commission

(9 October 1998)

Subject: Primates

What is the Commission's policy and practice regarding EU finances being used to fund primate experiments, and what are the total amounts of EU funding expended on primate experiments for each of the following years: 1996, 1997, 1998 (to date); and how many primates does this represent?

(1999/C 370/009)

WRITTEN QUESTION E-3071/98

by Michael Elliott (PSE) to the Commission

(9 October 1998)

Subject: Primates

What statistics/information does the European Commission keep on the numbers of primates used in EU-funded research projects, the purpose of their use and the amount of EU funding involved; and what are the Commission's detailed plans for monitoring and recording EU-funded research in this sensitive area in the future?

If such statistics and information have been kept:

— What is the amount of EU funding awarded to research into BS/TSE using primates for each of the years, 1996, 1997, 1998 (to date) and how many primates does this represent for each of these years?

— What is the amount of EU funding awarded to research into AIDS using primates for each of the years, 1996, 1997, 1998 (to date) and how many primates does this represent for each of these years?

Supplementary joint answer
to Written Questions E-3069/98 and E-3071/98
given by Mrs Cresson on behalf of the Commission

(27 May 1999)

Further to its answer of 16 November 1998 [1], the Commission is now able to provide the following additional information.

There is no statistical information kept by the Commission on the number of primates used in Community funded research projects and the amount of funding involved.

Nevertheless after inquiry with the coordinators of the projects the following information could be gathered:

1. Funding allocated to acquired immune deficiency syndrome (AIDS) research involving primates amounts to ECU 223 400 in 1997 and ECU 504 300 in 1998. 200 macaques and 6 to 12 chimpanzees were used in Community funded AIDS research contracts (signed between 1994 and 1998) under the 4th framework programme [2].

2. The bovine spongiform encephalopathy/transmissible spongiform encephalopathy (BSE/TSE) research projects will only start in the year 1999. 78 macaques and 16 rhesus monkeys, but no chimpanzees, are expected to be involved in these projects.

All these projects have been subject to scientific evaluation by multidisciplinary experts, who also consider the justification for using animal experimentation, and particularly with primates. For strictly defined research on AIDS and BSE, well-reasoned primate experimentation remains the only way to ensure the production of knowledge of any value to develop diagnosis, treatment or vaccination that has applicability to human beings.

One should note that Community funding covers a maximum of 50 % of the total costs of the project. Moreover, it is not possible to give a figure of the number of animals used per year. The projects have an average duration of three years and the animals are used for a longer period of time than a year in most cases.

As expressly stated in the 4th framework programme, animal experiments must be replaced whenever possible by alternative methods. Moreover, all participants in Community research projects must conform to Community and national legislation, which includes Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (3). The Commission will continue to monitor the use of primates in Community funded research projects by maintaining the type of statistics which it has collected in reply to the Honourable Members' questions.

(1) OJ C 96, 8.4.1999.
(2) OJ L 126, 18.5.1994.
(3) OJ L 358, 18.12.1986.

(1999/C 370/010) **WRITTEN QUESTION E-3680/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(7 December 1998)

Subject: Environmental awareness park on the outskirts of Athens

On the outskirts of Athens (municipalities of Ilioupolis, Agioi, Anargyroi and Kamatero) is situated a very large public property, the 'Pygros Vasilissis', around which an environmental awareness park is being created. The Community is contributing to the necessary investment (DR 2,5 billion) (ERDF, pilot urban schemes under Article 10). However, there have been many complaints from local residents that the construction of a hypermarket (2,7 hectares!) next to the park has been authorised, which will pose major problems concerning traffic, parking, pollution, etc.

The Commission:

1. Is aware of this situation and what view does it take of such a development next to the park which is receiving Community funding?

2. Can it give an assurance that environmental impact surveys have been carried out?

3. Have all other necessary measures been taken to prevent the justifiable fears of the local residents from materialising?

(1999/C 370/011) **WRITTEN QUESTION E-4096/98**

by Mihail Papayannakis (GUE/NGL) to the Commission

(14 January 1999)

Subject: Environmental awareness park in the Athens region

In the Athens urban area (municipalities of Ilion, Ag. Anargyron and Kamateron) there is a very large public estate called the Vasilissi Tower Estate. On this site and in the surrounding area an environmental awareness park is being constructed. The total investment amounts to DR 2,5 billion and is being co-funded by the EU (ERDF, urban pilot projects, Article 10).

However, a large number of complaints have been received by local residents that permission has been granted for the construction of a supermarket (covering 2,7 ha.!) next to the environmental awareness park, which will cause serious traffic congestion and parking problems, pollution, etc ...

Will the Commission say:

1. Is it aware of this project next to the park, and how does it view this matter?

2. Can it confirm whether environmental impact studies have been carried out?

3. Have any other measures been taken to prevent the justified fears of local citizens being realised?

Supplementary joint answer
to Written Questions E-3680/98 and E-4096/98
given by Mrs Wulf-Mathies on behalf of the Commission

(7 May 1999)

The development of phase one of the 'Queen's tower' environmental park was funded under Article 10 of the European regional development fund (ERDF). The aim of the project was to create a park and environmental training centre in order to raise local awareness about the environment and environmental issues as well as achieving the regeneration of the area. The project received 5,7 million euro of ERDF support and was completed in 1994. Phase two of the project is being funded under the operational programme for the environment and is scheduled for completion by the end of this year.

The granting of planning permission for an adjoining site is a matter for the relevant authorities and is not an issue in which the Commission could intervene. Concerning the environmental impact, in the present case it would also be a matter for the Greek authorities to decide if such a study is required.

In respect of the future impacts of the prospective development on the operation of the park, the Commission will keep a watching brief. If the development were to jeopardise the Community investment in the park, the Commission would be able to review its grant and, ultimately, reclaim funding should this prove necessary.

(1999/C 370/012) **WRITTEN QUESTION E-3718/98**

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

(11 December 1998)

Subject: Sub-standard housing in Las Palmas de Gran Canaria (Canary Islands, Spain)

Urban redevelopment work is currently under way in the town of Las Palmas de Gran Canaria (Canary Islands) to make way for the Las Canteras — El Confital Maritime Park, financed from Community funds through the Operative Local Environment Programme (Programa Operativo de Medio Ambiente Local — POMAL).

To enable this work to go ahead, the sites on which many of those living on the margins of society have made their homes are being expropriated. However, no provision has been made for rehousing this group of people, whilst the financial compensation they receive as a result of the expropriation is scarcely adequate to make up for the loss of their current homes.

Is the Commission aware of this situation?

Does it believe that urban development programmes affecting groups like this with serious social difficulties should make the latter's needs a priority, so as to avoid generating further social exclusion of the kind created by sub-standard housing?

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

(21 April 1999)

On the basis of information provided by the Spanish authorities responsible for the implementation of the operational programme for the local environment (POMAL), the Commission can give the following information further to its answer of 18 January 1999 [1].

The Las Palmas local authority has not yet begun the compulsory purchase procedure relating to the 'El Confital e el Rincón' environmental regeneration project because of the legal framework governing such purchases, which is now subject to a decision of the Spanish Supreme Court. This programme is linked to that for the removal of urban black spots and provides for the demolition of 108 insalubrious homes located in the areas in question.

Naturally, in due course, the compulsory purchase procedure will have to include economic compensation in accordance with the criteria established by the 'Ley de Régimen del suelo y valoraciones' of 1998.

The local authority is preparing an appropriate report on each case, which will be used by the social work department to determine the exact socio-economic situation of the families affected and grant them aid to assist them with their removal and rehousing and provide compensation.

(1) OJ C 142, 21.5.1999, p. 147.

(1999/C 370/013)

WRITTEN QUESTION E-3801/98

by Sérgio Ribeiro (GUE/NGL) to the Commission

(22 December 1998)

Subject: Breaking of the contract between Texas-Samsung and the Portuguese Government

Last week the semi-conductor manufacturer Texas Instruments-Samsung Electronic (TISE) informed its 748 employees that its factory at Maia (Portugal) would cease operations by 31 March 1999.

Quite apart from the devastating effect which this decision will have on the local community, the decision was stated by the company to be irreversible and it represents the breaking of contractual relations with the Portuguese Government which are based on a framework contract signed in July 1995 for the period up to 2004, under which substantial financial incentives were made available to joint ventures. Although the Portuguese Government had already known a week earlier that the company intended to break the contract unilaterally, it was the company itself which made a public announcement regarding the decision, whilst details of the contract itself have not been divulged on the grounds that to do so could jeopardise the negotiating process, in which the most important thing appears to be the repayment of the financial incentives offered to the company under the framework contract.

Given this situation, which is particularly serious from various perspectives and particularly from the point of view of the local community, would the Commission state, as a matter of urgency, whether or not it is aware of the framework contract, whether Community funds are involved and what precautions were taken to protect public money provided by either the Community or the Portuguese State?

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

(28 April 1999)

Within the framework of the industry programme known as PEDIP II inside the second Community support framework for Portugal during the 1994-1999 period, a project promoted by the firm Texas Samsung in Maia, Portugal, was approved by the Portuguese authorities.

Incentives of 10,6 million euro were paid towards the investment and 5,3 million euro towards the training. These amounts were co-financed by the European regional development fund and the European social fund respectively at a rate of 75 %.

The Portuguese authorities have informed the Commission that in order to provide for the refund of the incentives to the Portuguese authorities the mechanisms provided for in the investment contract signed by the Portuguese state and the promoter have been activated. The two are now in discussion. If it is not possible to reach agreement, an arbitration procedure is provided under Portuguese law.

The Commission will inform the Honourable Member of the progress in discussions as soon as the information is made available by the Portuguese authorities.

(1999/C 370/014) **WRITTEN QUESTION E-3802/98**

by Sérgio Ribeiro (GUE/NGL) to the Commission

(22 December 1998)

Subject: Closure of the Nestlé factory in Matosinhos (Portugal)

According to Nestle's Director of Public Relations, the company's Longa Vida factory in Matosinhos (Portugal) is to be closed and production is to be transferred to either France or Spain.

This decision will put over 100 workers out of a job and it follows on from other decisions taken by Nestlé, which has already closed its Rajá and Findus factories and has already made approximately 70 workers redundant at its Longa Vida factory.

The decision is all the more significant in view of the fact that Longa Vida is a modern industrial plant which has received financial support from the Portuguese Government and the European Union in order to enable investment to be made which, over the last five years, has totalled over 3000 million escudos.

Since this is yet another case of relocation (in this particular instance within the territory of the Community) and since substantial amounts of Community support are apparently involved, would the Commission say whether or not it is aware of the situation, whether there are any framework contracts to which it is party or of which it is aware, and whether the Nestlé company has received any further financial support in connection with its relocation?

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

(3 May 1999)

Within the framework of the industry programme known as PEDIP I inside the first Community support framework for Portugal during the 1989-1993 period, a project promoted by the firm Nestlé in Matosinhos, Portugal, was approved by the Portuguese authorities.

Incentives of 380,000 euro were approved for the investment of which 240,000 euro were paid out and 140,000 euro decommitted. The amounts were co-financed by the European regional development fund at a rate of 70 %. The period of validity of the contract signed by the Portuguese state and the promoter has expired.

If the factory were to be closed there would be no contractual basis on which the Portuguese state could seek any refund of the incentives.

According to information provided by the Portuguese authorities it has no official knowledge of any transfer of the firm to a site outside Portugal.

(1999/C 370/015) **WRITTEN QUESTION E-3916/98**

by Viviane Reding (PPE) to the Commission

(4 January 1999)

Subject: Vertical barriers to trade in the beer sector

As part of the planned reform of the application of the rules on competition laid down in the Treaty, it is reported that the Commission is about to propose an overall reduction in the number of vertical barriers to trade.

Does the Commission realise that the proposed threshold of 40 % of market share might result in the closure of all the breweries in Luxembourg? Individual breweries there do have more than 40 per cent of market share, so they will no longer be able to conclude exclusive contracts. However, competing undertakings from the surrounding regions, which have less than a 40 % share of their domestic market but whose production is far greater than the entire production of Luxembourg, will be able to conclude such contracts. The small Luxembourg breweries will surely go under in the competition and survival war fought by the 'big names' which have extensive resources. That cannot be the objective of the new rules, and the Commission should realise this.

Is the Commission thinking of adapting its definition of the reference market to the situation in the real world, i.e. to define as a domestic market (of course, then with a lower reference figure for market share) the market in which actual competition ultimately takes place between undertakings? If not, would it not be more sensible for it to consider the supra-regional aspects of the innovations?

Answer given by Mr Van Miert on behalf of the Commission

(10 February 1999)

The Honourable Member raises a number of issues concerning the Commission's proposals for revision of its competition policy rules for vertical agreements which are clarified hereafter.

On 30 September 1998, the Commission adopted a communication [1] that sets out its plan for a revised competition policy towards vertical restraints, proposing a shift to a more economic approach. This is widely supported and is made necessary by a number of structural weaknesses in current block exemption regulations, including that covering beer supply agreements.

The main weakness is that the current block exemption regulations exempt without taking account of the position of the companies involved on the market. It makes no difference whether a company has 5 % or 95 % market share. This is not good competition policy and cannot be maintained. The Commission's experience is that vertical restraints generally have only beneficial effects when the companies involved have no market power. However, in cases where companies do have market power the picture can be different. Vertical restraints can in these circumstances be used for pro-competitive purposes as well as anti-competitive purposes, for example to hinder entry to the market.

The kernel of the Commission's proposal1 is a block exemption regulation that will apply to all sorts of vertical restraints in almost all sectors, for final and intermediate goods as well as services. The economic approach requires limiting the applicability of the block exemption to those that have market power. The only criterion to apply such a limit that is practicable and widely used in competition policy throughout the world is the market share on the relevant anti-trust market or indexes calculated on the basis of market shares. While acknowledging that market share and market power are not the same, the first can be used to define a safe harbour, that is to indicate when lack of significant market power can be assumed.

To take the relevant anti-trust market does not discriminate against companies operating in smaller markets. It treats companies with similar market shares in the same way, whether operating on the same or different markets. It would not be right to pre-decide on the geographical scope of the market as suggested in the question.

In the communication it is proposed that one or two market share thresholds will limit the application of the proposed block exemption. The choice between a one or two threshold system and the actual levels have been left open for the moment. The Commission proposes in the communication 20 % and 40 % in case of a two threshold system and a threshold between 25 % and 35 % in case of one threshold. This will create a safe harbour for companies below the threshold. It will restore their freedom to contract and make it possible for companies to choose distribution formats which are commercially the most interesting. As most markets are competitive and the large majority of companies have modest market shares it will increase legal certainty and reduce enforcement costs for the majority of companies. The object and effect will therefore not be to reduce the number of vertical agreements.

The proposed new block exemption does not mean that the few brewers with market shares above the threshold will necessarily have to fear for the validity of their contracts or are required to notify.

Being outside the block exemption does not carry with it the presumption that a vertical restraint is illegal. The agreement may not be anti-competitive at all, and it may fall outside Article 85(1) of the EC Treaty. It may fall within Article 85(1) but be exemptable under the criteria for Article 85(3) of the EC Treaty. The Commission will issue guidelines on the application of the competition rules above the threshold to clarify its future policy for these companies.

Companies with market power above the threshold may have to adapt certain of their contracts if, upon investigation of their market, this proves necessary to keep the market open and competitive. But this protection of competition will be good for consumers and in the longer run will be good for employment by guaranteeing a viable industry.

(1) COM(98) 544 final.

(1999/C 370/016)

WRITTEN QUESTION E-3956/98

by Concepció Ferrer (PPE) to the Commission

(4 January 1999)

Subject: Compliance with the code of conduct on arms exports

A recent study by the holder of the Unesco-sponsored chair of peace and human rights studies at the Autonomous University of Barcelona on compliance with the EU code of conduct on arms exports states that Spain has sold weapons, to the value of Ptas 23 bn, to twenty-three countries which do not meet the standards of the code.

Is the Commission aware of this report? Can it state whether other Member States are similarly failing to implement the code of conduct? Does it intend to take action to make the Member States aware of the need to abide by the undertakings they entered into by signing the code?

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

(28 January 1999)

The Commission has no knowledge of the report mentioned by the Honourable Member.

The Commission has no direct responsibility concerning arms exports licensing by Member States. However, the Member States, having recently adopted the code of conduct on arms exports, are committed to the rigorous implementation of its criteria, principles and procedures. The Commission will continue to contribute in the appropriate fora so as to encourage Member States in this direction.

(1999/C 370/017)

WRITTEN QUESTION P-3963/98

by Peter Skinner (PSE) to the Commission

(21 December 1998)

Subject: Industrial Relations Observatory — Dublin Foundation

Would the Commission kindly supply detailed information about the output of the Observatory including:

1. the Observatory's 1998 work programme,

2. copies of all reports and papers produced by the Observatory in 1998,

3. details of the Observatory's 1999 work programme?

Answer given by Mr Flynn on behalf of the Commission

(1 March 1999)

1. The European Industrial Relations Observatory (EIRO) became fully operational in 1998. Its 1998 work programme was carried out in full, and comprised the following: publication of six issues of the EIRObserver, which contains information on industrial relations at national and Community levels; publication of six comparative studies on parental leave, continuing training, working time, European works councils, worker participation and teleworking; publication of the 1997 annual review of industrial relations in 1997; generalisation of access to EIROnline; start-up of an enquiry service.

2. The Commission informs the Honourable Member that these publications can be requested from the Dublin Foundation (European Foundation for the Improvement of Living and Working Conditions, Wyattville Road, Loughlinstown, Co. Dublin, Ireland; tel. +353 1 204 3100, fax +353 1 282 6545, e-mail eiroinfo@eiro.eurofound.ie).

3. In 1999 news, features and comparative studies will continue to be added to EIROnline, the database of EIRO. EIRO comparative studies will continue to be produced every two months and will concern temporary agency work, work organisation, industrial relations in the small and medium-sized enterprises (SMEs), europeanisation of collective bargaining, social effects of privatisation, and posted workers. The 1998 annual review will be published in both online and printed formats in spring 1999. EIRObserver, which presents a selection of EIROnline records, will continue to be published — in both printed and electronic formats — and distributed to EURO's target audience. An enquiry service will continue for selected representatives of EIRO's core target audience, and various promotional activities will again be organised. The inclusion in the EIRO project of the countries which are due to join the Community over the coming years will be also examined.

(1999/C 370/018) **WRITTEN QUESTION P-3993/98**

by Ernesto Caccavale (UPE) to the Commission

(21 December 1998)

Subject: Contribution payable by holders of telecommunications licences in Italy

The Community market in telecommunications networks and services has been fully competitive since 1 January 1998.

Directive 97/13/EC [1] states, inter alia, that 'any fees imposed on undertakings as part of authorization procedures seek only to cover the administrative costs incurred in the issue, management, control and enforcement of the applicable individual licences'.

As a result of the recent adoption of the 1999 budget, Italy has obliged holders of licences for the installation and supply of telecommunication networks and services to pay an annual contribution calculated on the basis of a percentage, varying according to the operator concerned, of the turnover of all telecommunication services and facilities. This fee will decrease but will continue to be payable even after 2002.

Since the size of the contribution payable by Italian firms is larger than in any other Member State and is out of all proportion to the administrative costs of issuing licences, can the Commission say:

- why Italy has not come into line with European legislation;
- whether the charging of this fee does not conflict with the principles of free competition, non-discrimination, proportionality and objectivity;
- whether the Italian market and telecommunication firms operating in Italy are not being penalized, compared with other European markets, in particular with reference to the development of innovative services and the Information Society;

— what steps it intends to take to ensure compliance with Community rules;

— why it has not seen fit to follow up its stated position of 11 November 1998 vis-à-vis the Italian Government?

(1) OJ L 117, 7.5.1997, p. 15.

Supplementary answer given by Mr Bangemann on behalf of the Commission

(26 April 1999)

In Italy the fees related to the licensing procedure are imposed on holders of individual licences, amongst others, on the basis of the decree of 5 February 1998. In this regard, the level of the administrative fees in Italy are near the European average, as shown by the fourth report on the implementation of the telecommunications regulatory package [1].

The levy introduced by the law appended to the 1999 budget law is an additional charge, i.e. the concerned companies would have to pay licensing fee under the decree as well as the levy on their annual turnover. Although it is clear that the context of the national measure is the phasing out of the old concession fee, the Commission is of the view that the levy shows the characteristics of a tax and not those of a licensing fee. It does not therefore fall within the scope of Directive 97/13/EC of the Parliament and of the Council of 10 April 1997 on a common framework for general authorisations and individual licences in the field of telecommunication services but must be dealt with as such on the basis of the relevant Community tax law system. Further, the tax does not appear to be in breach of Community taxation law and in particular it does not appear to be incompatible with the VAT system.

With regard to the compatibility of this levy with Community competition law, the question is whether the levy would discourage investments by new entrants on the Italian market, and thus maintain the dominant position of the incumbent operator. A levy calculated on the turnover without regard to whether the concerned company already makes profits, would extend the pay back period of investments by new entrants and thus render their investment less attractive, resulting in a substantial barrier to entry. However, the levy as enacted by the Italian government following the Commission's letter of 11 November 1998, exempts new entrants up to a certain turnover threshold and will be phased out over the next five years. This would seem sufficient to avoid such adverse effect on the emergence of competition.

(1) COM(98) 594 final.

(1999/C 370/019)

WRITTEN QUESTION E-4028/98

by Leonie van Bladel (UPE) to the Commission

(8 January 1999)

Subject: The cost of introducing the euro

1. Is the Commission aware that following the introduction of the euro banks are charging their customers Fl 5 per transaction for electronic cash transactions outside the Netherlands?

2. Is the Commission also aware that the banks are also charging FL 0,5 for electronic cash transactions in the Netherlands?

3. Does the Commission realise that the FL 5 per transaction in other countries is forcing customers to withdraw larger sums in order to reduce costs? A single withdrawal of FL 500 costs FL 5, whereas five transactions of FL 100 cost FL 25.

4. Does the Commission agree that this does not increase personal safety, given the larger sums of money withdrawn abroad to cut costs?

5. In view of the fact that all the banks charge the same rate, is the Commission prepared to examine whether the banks have established a monopoly or have abused a monopoly position?

6. If so, what action will the Commission take?

(1999/C 370/020) **WRITTEN QUESTION E-0130/99**

by Leonie van Bladel (UPE) to the Commission

(2 February 1999)

Subject: Cost of introducing the euro

1. Is the Commission aware that, following the introduction of the euro, banks are charging their customers FL 5 per transaction when they withdraw money at cashpoints abroad?

2. Is it also aware that banks are charging their customers FL 0,50 per transaction when they withdraw money at cashpoints in their own country?

3. Does it realise that, in particular owing to the FL 5 charge abroad, bank customers are being forced to withdraw larger amounts in order to cut costs, as the charge for withdrawing FL 500 once is FL 5, whilst the charge for withdrawing FL 100 five times is FL 25?

4. Does it agree that this state of affairs is not conducive to ensuring the safety of members of the public, given that they withdraw larger amounts abroad in order to cut costs?

5. Is it prepared, in view of the uniformity of the charges made by the banks, to investigate whether the banks have formed a cartel or are abusing a monopoly?

6. If so, what action will it take to remedy this situation?

Joint answer
to Written Questions E-4028/98 and E-0130/99
given by Mr Monti on behalf of the Commission

(9 April 1999)

1. The facility for a bank customer in one Member State to withdraw money from cash dispensers, or to carry out other electronic transactions, in another Member State is a service for which banks are at liberty to charge, subject to competition. The Commission is aware that banks in the Netherlands (and elsewhere) have altered their method of charging for such services. The alteration in methods of charging for cross-border transactions is a direct consequence of the obligation to apply the fixed conversion rates for conversions and exchanges between the national currency units of Member States participating in economic and monetary union (EMU). The Honourable Member is invited to refer to the Commission's reply to Written Question E-3962/98 by Mrs Larive [1] which deals in full with the same subject.

2. As is the case for transactions carried out abroad, the facility for a bank customer to use a payment card in domestic retail outlets or withdraw money from cash dispensers in his own Member State is a service for which banks are at liberty to charge, subject to competition.

3. and 4. There are many factors influencing the decisions of bank customers concerning the amounts of cash they withdraw from cash dispensers, including the risks of holding large amounts of cash. The charges levied by banks for cash withdrawal services are a matter for commercial decision on their part, subject to competition. It would not seem appropriate to require that all banks apply a particular method of charging (e.g. a percentage rather than a fixed fee).

5. The Commission will further investigate which tariffs the banks in the Netherlands charge for cash withdrawals abroad and for payments with national debit cards at domestic points of sale. If these tariffs are indeed identical, the Commission is prepared to investigate if the banks infringe Community competition law.

6. In so far it can be established that any uniform tariffs are the result of an agreement or concerted practice between the banks and in so far as trade between Member States is affected in an appreciable way, action pursuant to Article 85 of the Treaty would be possible. Article 86 of the Treaty can only be applied if the banks in question hold a dominant position on the relevant market and there is abuse of this dominant position.

The Commission's reply to Written Question E-3962/98 by Mrs Larive also provides further information on the steps it is taking to examine the level of charges applied by banks for cross-border transactions and exchanging banknotes of participating Member States. It states the Commission's intention to issue a communication in the spring of 1999 covering the policy relating to payment systems in EMU. This will set out a detailed framework which is aimed at achieving the goal of a single payments area.

Finally the Honourable Member is referred to the Commission's answers to Written Questions E-3825/98 from Mr Caudron [2] and P-52/99 from Mr Tamino [3].

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(1) OJ C 320, 6.11.1999.
(2) OJ C 348, 3.12.1999, p. 3.
(3) OJ C 325, 12.11.1999.

(1999/C 370/021)

WRITTEN QUESTION E-4043/98

by Ian White (PSE) to the Commission

(13 January 1999)

Subject: Puerto Morazan — Hurricane Mitch

How much money has the EU made available for emergency aid for Nicaragua and Honduras? Can this be increased?

How much EU aid is channelled through the NGO community and international relief agencies, rather than the Nicaraguan Government? What steps are being taken to increase this, so that all aid is channelled through the NGO community and international relief agencies?

What steps are being taken to mobilise all EU Member State helicopters in the vicinity?

How much construction help, in the form of road and bridge repair teams and equipment, has been sent to Nicaragua and Honduras? What steps are being taken to increase this and speed up their mobilisation?

Answer given by Mrs Bonino on behalf of the Commission

(10 February 1999)

So far the emergency aid mobilised by the Commission amounts to 8,2 million euro for Honduras and 5,5 million euro for Nicaragua. The Commission adopted a first decision on 4 November 1998 (6,8 million euro) in order to respond to the needs of the most vulnerable population throughout the region (food parcels, emergency relief items, medical support). A further relief programme, mainly focusing on water sanitation, health and housing was adopted by the Commission on 21 December 1998 (9,5 million euro). Furthermore, the Commission had reconverted 3 million euro from other programmes, mainly regional disaster-preparedness programmes, towards emergency aid for the affected population.

During the course of the year the Commission will continue to increase its support to the region through the financing of projects (8 million euro), which will include a sizeable rehabilitation component in view of preparing the transition towards more structured rehabilitation and economic reconstruction aid from other budget sources.

The Commission works mainly in partnership with non-governmental organisations, the specialised agencies of the United Nations and international bodies such as the International Committee of the Red Cross. In the case of Central America, aid is being channelled through the European non governmental organisations (NGO) which were already working in the region and through the Spanish, German and Austrian Red Cross in co-operation with their sister organisations from the affected countries.

The Commission understands that the United States and Mexico in particular deployed helicopters to Nicaragua and Honduras thereby playing a lead role in bringing relief to cut-off villages.

The Commission does not finance any reconstruction help in the form of road and bridge repair teams or equipment in Honduras and Nicaragua. However, it provides financial support for emergency reconstruction of hospitals, private houses and water installations. It recently mobilised 8,2 million euro for technical assistance needed for the preparation and implementation of a regional reconstruction programme in Central America. Details of this reconstruction programme will be contained in a communication which the Commission will present around March 1999 to the Parliament and the Council.

(1999/C 370/022) **WRITTEN QUESTION E-4044/98**

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

(13 January 1999)

Subject: ERDF funding for the Lorca-Águilas trunk road in the Spanish region of Murcia

The Lorca-Águilas trunk road in the Spanish region of Murcia is being partly financed by ERDF funding. Section I of the road (0-3,8 km) has yet to be completed, although work apparently started on it recently.

1. Does the Commission know that the construction of this section was held up because of an adverse environmental impact assessment?

2. Does the Commission know whether changes were made subsequently to enable a favourable environmental impact assessment to be made?

3. Does the Commission consider that the construction of this section complies with European environmental provisions, in particular Directive 85/337/EEC [1] on the assessment of the effects of certain public and private projects on the environment?

4. Can the Commission supply information on progress made in the construction of the section of the road in question?

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

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

(5 May 1999)

On 30 May 1992 the Murcia Region's Agency for nature and the environment issued an unfavourable environmental impact statement on the project to construct the first section (to km 3,7) of the Lorca-Aguilas motorway, because of the close proximity of houses.

In 1995 the Regional Government amended the initial project in order to minimise its negative effects on the area. In July 1998 the Directorate-General for Civil Protection and the Environment considered the environmental impact of the new project to be acceptable.

The Regional Government immediately launched a new call for tenders to construct the section. The successful tenderer was chosen on 16 October 1998 and the section is now being built.

Certified expenditure on the project up to 31 December 1998 amounted to ESP 447,26 million, including ESP 290,27 million from the European Regional Development Fund.

(1999/C 370/023) **WRITTEN QUESTION P-0026/99**

by Graham Watson (ELDR) to the Commission

(13 January 1999)

Subject: Biodiversity

In view of the Commission's response, E-0649/97 (1) on the subject of integrating the environment into other EU policies, and in view of the impact of the common agricultural policy on biodiversity in the European Union, will the Commission confirm that all proposals in the Commission's work programme connected with the CAP have green stars, so that an environmental assessment will be required?

(1) OJ C 367, 4.12.1997, p. 33.

Answer given by Mr Fischler on behalf of the Commission

(10 February 1999)

In preparing the Agenda 2000 proposals related to the common agricultural policy (CAP) (1), the Commission ensured that the environmental dimension was satisfactorily integrated and this was indicated in the explanatory memorandum of these proposals.

No new proposals connected with the CAP are foreseen this year which could have a major impact on biodiversity in the Community. Consequently, for 1999 only the proposal for the reform of the market organisation for cotton has been marked with a 'green star'.

The environmental appraisal required by the so-called green stars exercise refers to a basic process of identifying potentially significant impacts. Where appropriate, a more thorough environmental assessment will be undertaken.

The communication of the Commission to the Council and to the Parliament on a Community biodiversity strategy, adopted on 4 February 1998 (2), announced the preparation of action plans by the Commission for the policy areas concerned, including agriculture. The completion of such action plans is due for February 2000.

(1) COM(98) 158 final.
(2) COM(98) 42 final.

(1999/C 370/024) **WRITTEN QUESTION P-0131/99**

by Sirkka-Liisa Anttila (ELDR) to the Commission

(27 January 1999)

Subject: Implementation and monitoring of food aid for Russia

On the basis of a request by Russia for food, the Commission drafted its proposal to the Council for a programme of food aid for Russia as a matter of urgency. Preparations are currently being made to implement the programme.

Pursuant to Article 1(2) of Council Regulation 2802/98 (1), free food aid to Russia is to be supplied only to the neediest regions. Moreover, it was entered in the minutes of the Council that none of the food aid should be supplied to Moscow and St Petersburg or surrounding regions. Yet in the tender regulations concerning cereals, beef and skimmed milk powder, the Commission has indicated St Petersburg as one of the destinations for the products. According to the Council statement concerning the destination of the products, St Petersburg ought to have been excluded, to ensure that the food aid did not distort normal trade.

The Commission does not have any powers to monitor the implementation of the programme within the Russian Federation. However, in the tender regulations concerning rye and wheat for Russia the first ports

of destination indicated — once the cereals have been transferred from intervention stores — are Muuga in Estonia and Klaipeda in Lithuania, from where the cereals are to be transported to various destinations in Russia. As the Commission's powers of supervision extend only to EU territory, it seems poor planning for the Commission not to have chosen as the port of unloading Kotka or Lovisa, both of which are in the Gulf of Finland, within EU territory, and located at much the same distance from the ultimate places of processing. Goods have been carried to Russia from these ports both by sea and by rail. This would have enabled monitoring and inspection of the transport of food aid to Russia to extend considerably further than will be the case if the port of Muuga or Klaipeda is used.

How will the Commission ensure that food aid to Russia does not distort normal trade in food, and how will the Commission monitor the correct delivery of food aid as far as possible along the route?

(1) OJ L 349, 24.12.1998, p. 12.

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

(27 April 1999)

The Honourable Member's attention is drawn to the reply given to Written Question E-3957/98 by Mrs Matikainen-Kallström [1] on the safe delivery of food aid to Russia.

If, at any stage, the Commission is not satisfied that the terms of Council Regulation (EC) 2802/98 of 17 December 1998 on a programme to supply agricultural products to the Russian Federation [2] or of the memorandum of understanding (MoU) of 20 January 1999 with the government of the Russian Federation are being respected, the food supply programme will be suspended. In fact in accordance with paragraph 3.12, the MoU has been clarified as regards its operational aspects and a Community-Russian working group has been set up to discuss weekly the progress of the programme and any problems.

In order to ensure that the Community food aid does not distort normal trade in food, the MoU provides that the products will be sold at local market prices apart from exceptional cases where some food may be given free of charge to the most vulnerable groups in eligible regions. In addition, the government of the Russian Federation has undertaken to prevent the re-export of any of the commodities received and is also suspending its own exports of meat and grain.

The Commission has selected specialised firms to monitor the shipments from their collection from the intervention stores in the Community until they reach the local markets in the eligible regions in Russia. The memorandum of understanding spells out the exact quantities of each product to be delivered to the eligible regions. The regions of Moscow and St Petersbourg are not eligible.

The Honourable Member is also referred to the Commission's replies to Written Question P-269/99 by Mr Hager [3] and to Oral Question H-130/99 by Mr Giansily during question time at Parliament's March 1999 part-session [4].

(1) OJ C 207, 21.7.1999, p. 150.
(2) OJ L 349, 24.12.1998.
(3) See page 28.
(4) Debates of the Parliament (March 1999).

(1999/C 370/025) **WRITTEN QUESTION E-0143/99**

by Brigitte Langenhagen (PPE) to the Commission

(11 February 1999)

Subject: EU aid to Osterholz-Scharmbeck

During the 1994-1999 parliamentary term, what European Union grants, broken down by aid area, and for what amounts, were made to Osterholz-Scharmbeck?

(1999/C 370/026) **WRITTEN QUESTION E-0144/99**

by Brigitte Langenhagen (PPE) to the Commission

(11 February 1999)

Subject: EU aid to Verden

During the 1994-1999 parliamentary term, what European Union grants, broken down by aid area, and for what amounts, were made to Verden?

(1999/C 370/027) **WRITTEN QUESTION E-0145/99**

by Brigitte Langenhagen (PPE) to the Commission

(11 February 1999)

Subject: EU aid to Rotenburg, Lower Saxony

During the 1994-1999 parliamentary term, what European Union grants, broken down by aid area, and for what amounts, were made to Rotenburg, Lower Saxony?

(1999/C 370/028) **WRITTEN QUESTION E-0146/99**

by Brigitte Langenhagen (PPE) to the Commission

(11 February 1999)

Subject: EU aid to Stade

During the 1994-1999 parliamentary term, what European Union grants, broken down by aid area, and for what amounts, were made to Stade?

(1999/C 370/029) **WRITTEN QUESTION E-0147/99**

by Brigitte Langenhagen (PPE) to the Commission

(11 February 1999)

Subject: EU aid to Cuxhaven

During the 1994-1999 parliamentary term, what European Union grants, broken down by aid area, and for what amounts, were made to Cuxhaven?

Supplementary joint answer
to Written Questions E-0143/99, E-0144/99, E-0145/99, E-0146/99 and E-0147/99
given by Mr Santer on behalf of the Commission

(8 June 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 370/030) **WRITTEN QUESTION E-0148/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(11 February 1999)

Subject: Brain-drain

Participation in international education and training on the one hand, and the demand from companies for qualified staff with international experience on the other, have stimulated interest in working abroad amongst young scientists. The USA is the principal destination of European emigrants, and most of them have executive and management posts. It should also be stressed that approximately 50 % of all Europeans who complete a degree in the USA remain in that country for a longer period, and even for good, with European Ph.Ds staying there much longer on average than their Korean or Japanese counterparts. It would appear that the presence of centres of excellency in the USA is a major attraction, alongside open, flexible career structures, a strong entrepreneurial culture and high standards of living and quality of life.

Given that Europe could be losing a large number of high-quality scientists, what is the Union doing to prevent this brain-drain?

Once abroad, European scientists often find it difficult to come back. There has been a suggestion that centres of excellence in research and engineering should be set up throughout Europe, as part of what would be joint undertakings involving the public and private sector, to absorb scientists coming back to Europe and encourage others to return. What is the Commission's view of this?

Answer given by Mrs Cresson on behalf of the Commission

(19 April 1999)

The question of the Honourable Member takes fully into account the information contained in the article published by the Institute for prospective technological studies (IPTS) of the Commission Joint research centre [1]. The Commission is concerned with the trends shown in this review and, for its part, by means of the Community research and technological development (RTD) framework programmes, offers opportunities to young scientists to exercise mobility within the Community (e.g. Marie Curie fellowships programme, collaborative research projects).

The success of this scholarship scheme proves that in principle the research infrastructure within the Community is adequate and sufficiently attractive to enhance the research training of young scientists. The trends shown by the IPTS report cannot however be fully compensated by the number of opportunities offered by the Community programme. In line with the subsidiarity principle, action should also be taken at the level of the Member States and this, particularly, in those Member States where nationals are more prone to stay in the United States after their training. As is also indicated in the IPTS report, the European private sector should play a bigger role in recuperating the emigrated talent. The Commission will continue its efforts to stimulate the process by funding, through the framework programmes, joint research ventures linking academia and industry in partnerships of excellence. In this context a Marie Curie industry host fellowship scheme has been introduced into the 5th RTD framework programme in order to stimulate the training of young scientists in an industrial and commercial environment.

With regard to the 'brain drain' within the Community from the less favoured regions, the Marie Curie fellowship scheme assists researchers to return to their home region by funding their research for a supplementary year after their return. The Commission also encourages the cohesion Member States to invest in research infrastructure and to use the structural funds to that effect. In this context, the Commission would draw the Honourable Member's attention to its communication 'Reinforcing cohesion and competitiveness through research, technological development and innovation' [2], which the Parliament debated on 24 February 1999 on the basis of Mr de Lassus' report (PE 225.088). With the aim of building

additional scientific competence in these regions, the Commission has furthermore introduced, as part of the fifth RTD framework programme, a scheme of development host fellowships for less favoured regions.

(1) IPTS Report No 29, November, 1998.
(2) COM(98) 275 final.

(1999/C 370/031) **WRITTEN QUESTION E-0170/99**

by Jaime Valdivielso de Cué (PPE) to the Commission

(11 February 1999)

Subject: Environment

The Commission has taken steps to reduce the presence of mercury in batteries and accumulators; those measures apply in the Member States as from 1 January 1999.

Can the Commission say what action is being taken to promote the use of rechargeable batteries and accumulators and to encourage scientific research in this field which might help to find a definitive solution to this problem, given that reusable batteries are more environmentally sound?

Answer given by Mrs Bjerregaard on behalf of the Commission

(12 April 1999)

The measures introduced by Commission Directive 98/101/EC of 22 December 1998 adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances (1) seek to reduce the presence of mercury in batteries and will take effect on 1 January 2000.

According to Article 6 of Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances (2), Member States have an obligation to set up programmes in order to promote the marketing of batteries containing smaller quantities of polluting substances and research aimed at producing batteries which are more environmentally friendly.

Furthermore, Member States are asked, by virtue of Article 3 of Directive 75/442/EEC on waste (3), to encourage the development of clean technologies and cleaner products. Rechargeable batteries contribute to the general objective of waste management policies and environmental protection. However, presently no specific Community programme or directive promotes the use of these technologies. As the use of rechargeable batteries has very short economic pay-back time, the Commission trusts market forces will ensure wider penetration.

The Commission has stimulated research and technological development (RTD) on high energy secondary (rechargeable) batteries for electric vehicle propulsion aimed at improving performance and reducing cost. During the fourth framework programme around 20 millions euro was allocated from the non-nuclear energy (JOULE) and industrial and materials technologies programmes to RTD on advanced batteries.

In particular, considerable progress has been made in increasing energy density and improving process technologies for lithium batteries. Although aimed primarily at hybrid and electric vehicle applications, much of this technology can be (and indeed is) adapted to small portable applications. This effort is expected to continue in the fifth framework programme (reference thematic programme 4 'Energy, environment and sustainable development', key action 6 'Economic and efficient energy for a competitive Europe') which explicitly includes research on high capacity microstorage, including energy efficient advanced secondary batteries.

(1) OJ L 1, 5.1.1999.
(2) OJ L 78, 26.3.1991.
(3) OJ L 194, 25.7.1975.

(1999/C 370/032) **WRITTEN QUESTION E-0200/99**

by Gianni Tamino (V) to the Commission

(11 February 1999)

Subject: Derogations granted by Italy for slaughterhouses

Yet again the deadline for adapting slaughterhouses to health and hygiene standards has been extended by Article 48 of the 1999 'finance law', this time until 31 December 1999. Slaughterhouses have still not complied with the provisions of Directives 91/497/EEC ([1]) and 91/498/EEC ([2]) of 29 July 1991, transposed into Italian law by Decree No 286 of 18 April 1994.

This derogation has also been extended to the requirement that animals should be stunned prior to slaughter, as provided for in Directive 93/119/EEC ([3]) of 22 December 1993, transposed into Italian law by Decree No 333 of 1 September 1998.

In reply to Written Question E-3274/97 ([4]), tabled at the time of the previous extension, the Commission said it would contact the Italian authorities in order to clarify the situation.

Is the Commission aware of this situation and what is its opinion on the matter?

If it ascertains a blatant breach of Community law, will it initiate infringement proceedings against Italy?

([1]) OJ L 268, 24.9.1991, p. 69.
([2]) OJ L 268, 24.9.1991, p. 105.
([3]) OJ L 340, 31.12.1993, p. 21.
([4]) OJ C 158, 25.5.1998, p. 75.

Supplementary answer
given by Mr Fischler on behalf of the Commission

(6 May 1999)

The time limits for slaughterhouses to adapt their establishments to the provisions of Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ([1]) on conditions for the production and marketing of fresh meat as amended by Council Regulation 91/497/EEC of 29 July 1991 on health problems affecting intra-Community trade in fresh meat to extend it to the production and marketing of fresh meat are laid down in Council Directive 91/498/EEC of 29 July 1991 on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat.

The application of the new rules of the above mentioned Directives in practice has shown difficulties for many establishments in the Member States. In consequence when Directive 64/433/EEC was amended by Directive 95/23/EC of 22 June 1995 on conditions for the production and marketing of fresh meat ([2]), the following provision was introduced. The competent authorities may allow a slaughterhouse which qualifies for a derogation in accordance with Article 2 of Directive 91/498/EEC and which can show, to the satisfaction of the competent authority, that it has begun to bring itself into compliance with the requirements of this Directive but which cannot, for reasons not attributable to it, meet the time limits originally laid down, the additional time essential in order for it to comply with them.

After learning by the Honourable Member's Written Question E-3274/97 ([3]) of the practice in Italy, the Commission contacted the Italian authorities for clarification. The Italian Ministry of health informed the Commission that they have granted by law additional time to slaughterhouses which did not yet comply with the provision. If this additional period is granted as a general derogation and not on a case by case decision, it might be difficult to meet the intention of Directive 95/23/EC. An additional general prolongation until 31 December 1999, as has been granted now by Italy, can hardly be justified with 'the additional time' which may be granted according to Article 4a no 2 of Directive 64/433/EEC as amended by Directive 95/23/EC. Under these circumstances the Commission reserves the right to open infringement proceedings against Italy.

([1]) OJ L 121, 29.7.1964.
([2]) OJ L 243, 11.10.1995.
([3]) OJ C 15, 25.5.1998.

(1999/C 370/033) **WRITTEN QUESTION E-0201/99**

by Florus Wijsenbeek (ELDR) to the Commission

(11 February 1999)

Subject: Hijacking in France

Is the Commission aware of an incident which occurred during the night of 18 and 19 January 1999 in Rennes when a Dutch lorry driver was hijacked by French farmers?

Is the Commission also aware that 22 tonnes of pigmeat were rendered unfit for consumption and the lorry destroyed?

Does the Commission not think that a stop must be put to such unacceptable acts and that the French authorities, who are unwilling to prevent hijackings of this nature, should forthwith pay compensation to the haulier, the shipper and the driver?

If not, why not?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(20 April 1999)

The Commission has been informed through the complaint submitted to it by the firm AB Veenstra Transport of a new incident involving violence by groups of French farmers against agricultural products coming from other Member States.

The Commission has constantly condemned violent attacks by private individuals on the principle of free movement of goods and the failure of the responsible authorities in the Member State concerned to take the public order measures required to stop them. It would point out that, following the infringement procedure brought by the Commission, the Court of Justice stated in its judgment of 9 December 1997 in Case C-265/95 Commission v France that 'by failing to adopt all necessary and proportionate measures in order to prevent the free movement of fruit and vegetables from being obstructed by actions by private individuals, the French Government has failed to fulfil its obligations under Article 30, in conjunction with Article 5, of the Treaty and under the common organizations of the markets in agricultural products.' The Commission would also point out that on 7 December 1998 the Council adopted Regulation (EC) 2679/98 on the functioning of the internal market in relation to the free movement of goods among the Member States ([1]).

As regards the future, the Commission is determined to act to ensure that Member States take appropriate measures to guarantee compliance with the principle of free movement of goods.

In this specific case, as soon as it was informed of the incident, the Commission asked the French authorities to take the public order measures required to guarantee free movement of goods and to inform it of the steps taken to compensate the company which had suffered loss.

In their answer, the French authorities stated that the Dutch carrier was intercepted by a group of pig farmers in front of a salting plant in Quimper on the evening of 17 January 1999. After the driver had been ordered to move his vehicle to another salting plant, at Ergue Gaberic, the vehicle was immobilised until 19 January at 20.30, when it was released to continue its journey. They stress that the immobilisation of the vehicle was carried out while gendarmes made sure that the situation did not deteriorate. They also state that no violence was exerted against the driver, whose personal movements remained unrestricted, although circumstances required him to remain in the lorry cab while these events were taking place, and that the immobilisation took place during negotiations by the administrative authority to put an end to this breakdown of law and order. To this end, a mobile squad of gendarmes was called up and was ready to intervene on the evening of 19 January.

With regard to the pouring of fuel oil on the meat to spoil it, the French authorities state that these facts are currently the subject of a detailed investigation because the damage was discovered only several hours after the departure of the lorry from where it had been immobilised. According to the French authorities,

it is up to the company which has suffered loss to send the prefect of the department concerned a request for compensation, supported by any documentary evidence of the damage and the amount involved.

(1) OJ L 337, 12.12.1998.

(1999/C 370/034) **WRITTEN QUESTION E-0238/99**

by Michèle Lindeperg (PSE) to the Commission

(12 February 1999)

Subject: Payments in euros

'Pro-euro' European citizens were looking forward to being able, from 1 January 1999, to simplify their payment transactions when moving within the European Union by paying in euros (cheques in euros or banker's card). They saw this as one of the practical advantages of the abolition of exchange rate calculations and related charges, an advantage from which they hoped to benefit immediately.

However, they have seen that, while exchange charges have disappeared when payments are made in euros by cheque or banker's card, banking charges have risen so high as to make it unattractive for them to pay in euros in a European country other than their own.

Does the Commission not see this as likely to discourage the most ardent defenders of the euro and as a lost opportunity for some active and practical education on the advantages of the single currency?

Answer given by Mr Monti on behalf of the Commission

(1 April 1999)

The Commission is aware of the problems arising in connection with cross-border payments, whether in euros or in national units of account. However, intoduction of the euro could not have been expected to lead automatically to a situation in which no charges were imposed for the banking services linked to such payments.

In the case of cheques, several cases need to be distinguished. Where standard Eurocheques are concerned, the procedure is relatively straightforward since it is managed by centralised clearing agencies. In principle, the settlement process remains the same as before the start of stage three of monetary union, with the result that the level of charges is also unchanged. Where non-standard cheques (national cheques) are concerned, the settlement process is more complicated, with each cheque having to be processed manually. Such cheques do not, therefore, lend themselves to cross-border use, at least as regards small transactions.

As for banker's cards, the Commission has been striving for a long time to promote their interoperability. It is now increasingly common, for example, to obtain money from automatic cash dispensers abroad and even to pay for goods in shops abroad via sales terminals using cards issued in the cardholder's country of residence. According to the information in the Commission's possession, the charges imposed on such transactions, of which exchange charges account for only part, have also remained essentially the same. The Commission, however, is still looking into ways of improving those services. For instance, it is in contact with the banking community, examining the aspects relating to the interoperability of electronic purses. It hopes that these instruments, which lend themselves particularly well to the use of the euro, will contribute to the 'active (...) education' quite rightly referred to by the Honourable Member.

Lastly, it should be remembered that, prior to the euro's introduction, financial institutions were able to impose at least some of their charges in the form of variable exchange rates which they applied to the transaction. They are now required to apply the fixed conversion rate and to show charges separately. The transparency of charges has thus improved, tending to provide customers with greater freedom to choose between the best offers.

(1999/C 370/035) **WRITTEN QUESTION E-0267/99**

by Florus Wijsenbeek (ELDR) to the Commission

(17 February 1999)

Subject: Competition between authorities issuing driving licences — Reminder of Written Question E-2907/98

Can the Commission indicate what progress it has made in collecting the information it needs to answer my Written Question E-2907/98 ([1]) on competition as regards authorities issuing driving licences?

How much time does the Commission estimate it will take before it is in a position to answer the Question referred to above?

([1]) OJ C 96, 8.4.1999, p. 153.

Answer given by Mr Kinnock on behalf of the Commission

(3 May 1999)

Following the Commission's reply to the Honourable Member's Written Question E-2907/98 ([1]), the Commission has made enquiries of Member States about their respective arrangements. The Commission has received answers from 12 Member States.

Annex II point 11 of Council Directive 91/439/EEC of 29 July 1991 on driving licences ([2]) points out that driving examiners must be monitored and supervised by a body authorised by the Member State.

The Commission concludes from the answers received so far that the arrangements in Member States relating to designation of authorities responsible for the organisation of driving tests is as follows.

In Belgium, Germany, the Netherlands, Portugal and Finland, private organisations are entrusted by law with this public task. In Belgium and Germany, there are several authorities responsible for carrying out driving tests. Each of these organisations is responsible for the organisation of driving tests in a specific region.

In Portugal and Finland, the designated organisations (the Directorate general for road transport (P) and the Vehicle administration centre (FIN)), may conclude contracts with service providers for carrying out driving tests in specific geographical areas. They are chosen on the basis of open call for tender. In the United Kingdom, the logistic organisation of the theory test has been contracted out on basis of an open call for tender.

There are different procedures in each Member State relating to the appeals against decisions taken by the authorities responsible for issuing driving licences. According to the information provided by the Member States, the general rule is to appeal against the decision to an administrative or civil court (D, F, IRL, NL, FIN, UK). In some Member States, it is necessary to notify or to appeal to the driving licences authorities before appealing to a court (NL, FIN). In other Member States, a person will have to address a higher (GR) or different (P) testing authority for passing another driving test. In Belgium, a special commission of independent senior officials deals with appeals. In Spain, Italy and Luxembourg, the official procedures consist of an appeal directed at the highest authorities of the responsible government organisation.

The Member States which have replied so far indicated that only appointed bodies are authorised to organise driving tests.

([1]) OJ C 96, 8.4.1999, p. 153.
([2]) OJ L 237, 24.8.1991.

(1999/C 370/036) **WRITTEN QUESTION P-0269/99**

by Gerhard Hager (NI) to the Commission

(5 February 1999)

Subject: Aid for Russia — loss of millions in EU funding

Last Autumn the European Union and the USA, concerned at the prospect of a Winter of famine, decided on food aid for Russia worth ÖS 6,3 billion. Reports have now emerged that the aid programmes are being implemented sluggishly, and that there is no guarantee that the aid will not once again end up in the hands of the mafia countries, as was in the case of the Winter of 1991/1992.

1. What security measures have been taken to ensure that the food actually reaches the persons for whom it is intended?

2. Where are the supplies being sent and what is the nature of the distribution system in Russia?

3. Who is responsible for handling the aid programmes on behalf of the EU?

4. The strategy adopted by the United States differs from the European approach in that in parallel with the deliveries of aid the Americans granted a loan with an obligation to buy US goods. Why did not the EU adopt this twofold strategy, too?

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

(27 April 1999)

Point 3.13 of the memorandum of understanding signed by the Commission and the Russian government provides that 'The Government of the Russian Federation will ensure transparency and full control of all operations from the take-over of the commodities to the ultimate point of distribution of sales. In particular, the collection and use of the proceeds obtained from the sales as well as the detailed specification of the special account will be supervised by adequate Russian control bodies'.

As indicated in the answer to written question P-131/99 from Mrs Anttila [1], the memorandum of understanding also states that the Russian authorities will assist independent bodies authorised by the Commission with the follow-up, audit, control and evaluation of operations, and gives the European Court of Auditors the right to audit the operations in Russia.

The destination of the aid and the system for distributing it are specified in the Annexes to the memorandum of understanding, which were drafted by the Russian authorities.

The mobilisation of products and their transport to the Russian frontier are the responsibility of the Directorate-General for Agriculture. Follow-up, control, audit and evaluation by the Commission in Europe and in Russia are carried out by the Joint Relex Service for the management of aid to non-Community countries.

The United States' PL 480-programme (Title I) provides for government-to-government sales of agricultural products to developing countries under long-term credit arrangements. The Community does not have a similar fixed programme that permits it to provide credits. As the Community did not have the financial means for a credit operation but had agricultural products in intervention stock as a result of intervention measures, a Community programme of free supply of agricultural products to the Russian Federation was the only possible reply to the Russian request for food aid.

The Honourable Member is also referred to the Commission's reply to oral question H-130/99 by Mr Giansily during question time at Parliament's March I 1999 part-session [2].

(1) See page 19.
(2) Debates of the Parliament (March I 1999).

(1999/C 370/037) **WRITTEN QUESTION E-0327/99**

by Alexander Falconer (PSE) to the Commission

(23 February 1999)

Subject: Costs of EU information services

What are the annual costs and total costs since they started, including staff time, research, development, programming, hardware (distributors' and users'), promotion, training, travel and overheads for each of the following information projects: Eurolib, BREL, CASE, ECHO and Euronet? What are the costs of each to the European Union?

Answer given by Mr Oreja on behalf of the Commission

(7 May 1999)

Eurolib is the grouping of European institutional libraries, created on the initiative of the Parliament's Secretary general in 1988. Participation in its meetings and the group's work has never been costed through specific budget allocations or expenditure, since these are subsumed in the general running costs of the participating institutions. The Commission and the other institutions consider that, particularly at a time of rapid change in the library world, the current twice-yearly contacts between professional colleagues bring important added value to their work, for example, through the launching of Eurolib pages on the inter-institutional world wide web site Europa. To seek to separate out in a meaningful way the specific Eurolib component in the work of the staff of 18 libraries, including that of the Parliament, which provided the secretariat of Eurolib from 1988 to 1994, is virtually impossible.

BREL (Bibliothèque de recherches européennes de Luxembourg) is under the responsibility of the Parliament and the Luxembourg national library.

ECHO (Electronic case handling in offices) is a RACE project and Euronett (Evaluating user responses on new European transport technologies) was a DRIVE 1 project, which ran from 1980 until 1984. A detailed breakdown of expenditure for each project is sent to the Honourable Member and to Parliament's Secretariat.

The Commission does not recognise the acronym CASE as identifying any European information project.

(1999/C 370/038) **WRITTEN QUESTION E-0328/99**

by Alexander Falconer (PSE) to the Commission

(23 February 1999)

Subject: Costs of EU information services

What are the annual costs and total costs to the European Union, since they started, including staff time, research, development, programming, hardware (distributors' and users'), promotion, training, travel and overheads of other Union list-related information projects: CCN, ISBN, ISSN, JANET and Salbin, identifying individual projects funded?

Answer given by Mr Oreja on behalf of the Commission

(7 May 1999)

The Commission does not recognise any of the acronyms cited by the Honourable Member as identifying European information projects.

ISBN and ISSN would appear to be Unesco competences, and JANET and Salbin would appear to be networks based in the United Kingdom.

(1999/C 370/039) **WRITTEN QUESTION E-0332/99**

by Gianni Tamino (V) to the Commission

(23 February 1999)

Subject: Council Directive 98/58 concerning the protection of animals kept for farming purposes

In Italy the '1998 Community Law' was finally adopted on 28 January 1999 by the Chamber of Deputies.

Council Directive 98/58/EC concerning the protection of animals kept for farming purposes [1], Article 10 of which provides that the deadline for the transposition of that directive by each Member State into the national legal order is 31 December 1999, is not however included in that law.

It is clear that the next Italian '1999 Community Law', which is due at the end of the year and usually provides that a directive must be transposed within one year from the date of the adoption of that law, would not enable Italy to put into effect this important directive within the prescribed period.

Is the Commission aware of this situation, how does it view it and what measures does it intend to take?

Has the Commission begun the necessary work to comply with the deadline of 30 June 1999 laid down in Article 8 of the abovementioned directive and does it intend also to inform Parliament of the reaction?

[1] OJ L 221, 8.8.1998, p. 23.

Answer given by Mr Fischler on behalf of the Commission

(9 April 1999)

The Commission was not aware of the problem mentioned. It is Commission practice to remind Member States of the obligation to implement directives by the due date. If a directive is not implemented correctly by that date infringement proceedings are automatically opened.

The Commission has started to prepare the report to submit to the Council before 30 June 1999 under Article 8 of Council Directive 98/58/EC of 25 July 1998 concerning the protection of animals kept for farming purposes [1]. The Commission has requested all third countries which are allowed to export animals or animal products to the Community to send information about 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 World trade organisation (WTO) obligations. The report will also be made available to the Parliament.

[1] OJ L 221, 8.8.1998.

(1999/C 370/040) **WRITTEN QUESTION E-0346/99**

by Katerina Daskalaki (UPE) to the Commission

(23 February 1999)

Subject: Follow-up action on the European Parliament's own-initiative report on the written press

In adopting Report A4-0289/97 [1], the European Parliament recognised the undisputed historical role of the written press in promoting democracy and human rights and called on the Commission to study and propose measures in response to the new circumstances facing the written press in the Information Society, circumstances which necessitate a process of readjustment and development in the following areas: distribution systems, the training and education requirements of journalists in the new technologies, tax regimes, infrastructure spending, the role of the regional press, news agencies and the written press as a whole as a reliable source for the information highways.

Does the Commission intend to take action to follow up the above EP report and the conclusions that emerged from the Round Table discussion of press professionals on the same subject co-organised by the relevant Directorate-General and the European centre for journalism in Maastricht on 24 September 1998 and to undertake a specific action plan for matters regarding the press in the new communications environment?

(1) OJ C 339, 10.11.1997, p. 415.

Answer given by Mr Oreja on behalf of the Commission

(7 May 1999)

The Commission has studied with great interest the Parliament's report on the impact of new technologies upon the press in Europe and has taken note of the concerns expressed about the consequences for the democratic information processes in the Community.

As the Honourable Member points out, the Commission has already taken the initiative of organising a round table discussion with media representatives at the European journalism centre in Maastricht, in September 1998 on the future of the written press. In order to provide relevant background for the seminar and to stimulate the discussions between media and the European institutions, the Commission also initiated a report on the issue, based on specialist literature and Internet research.

As the Commission pointed out at this seminar, it takes the introduction of new information technologies and the changing environment for media most seriously, and several lines of actions were indicated. The media was also invited to seek a closer dialogue with the Community and to present concrete requests for Community intervention.

A strategy specifically related to training activities, is under preparation. However, due to budgetary restrictions and internal considerations on the future organisation of relations with the media, this strategy has yet to be finally agreed.

(1999/C 370/041) **WRITTEN QUESTION E-0366/99**

by Esko Seppänen (GUE/NGL) to the Commission

(1 March 1999)

Subject: Commissioners' remuneration

As conflicting reports on the matter have appeared in the European press, I should like to know on what basis Commissioners' remuneration and pensions are determined, to what severance pay they are entitled and how the general terms of employment of EU staff are applied to them. What turnover tax relief are they entitled to, and how do these benefits differ from those granted to other EU staff?

Answer given by Mr Liikanen on behalf of the Commission

(15 April 1999)

The remuneration and allowances of the members of the Commission are tied to the remuneration and allowances of the officials of the European institutions, as laid down in the staff regulations, including Council Regulation No 2762/98 of 17 December 1998 adjusting with retroactive effect from 1st July 1998 the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto (1).

The remuneration of the Members of the Commission comprises the following elements:

— a basic salary, equal to 112,5 % of the salary of an official of grade of A1/6. For the Vice-Presidents of the Commission and for the President of the Commission, the basic salary is equal to 125 % and 138 % of the salary of an official with a grade A1/6, respectively (the basic salary of the members of

the Commission is subject to a progressive tax, the maximum marginal tax rate being 45 % and a temporary contribution of 5,83 % of a part of the salary. The same taxes are paid by the officials of the institutions. In addition, a contribution of 1,8 % of the salary is deducted for sickness and injury insurance);

— residence allowance of 15 % of the basic salary;

— a fixed monthly representation allowance of 607,71 euro;

— other allowances for the members of the Commission are the same as for officials of the institutions (except for expatriation, replaced by the residence allowance) as stipulated in the staff regulations.

Members of the Commission are not entitled to any severance grant. For three years after they leave office, members receive a transitional allowance calculated as a percentage of basic salary varying with the number of years they have served. The transitional allowance is subject to Community tax.

Upon leaving office Members are entitled to a life pension payable when they reach the age of 65. It is calculated at the rate of 4,5 % of basic salary for every full year in office. It may not exceed 70 % of the basic salary last received. The pension is subject to Community tax.

No special regulations are provided about 'normal working conditions' applicable to the members of the Commission.

Belgium treats members of the Commission as diplomats. They therefore benefit from the same advantages accorded by Belgium to diplomats of Member States accredited to the country, in particular as regards the purchase of goods for personal use. The Commission has asked itself whether the tax exemptions (VAT and excise duties) granted to Member States' diplomats serving in the Union and persons treated in the same way, such as Members of the European Commission, are compatible with the Union's progress towards integration. The Commission has decided to make an in-depth evaluation of the situation with a view to identifying what legislative initiatives would be appropriate. The Commission would also refer the Honourable Member to its answer to Written Question E-3878/98 by Mr De Coene ([2]).

Officials and other agents (temporary or auxiliary) do not have diplomatic status. However, those under contract for at least a year, can, on first taking up their duties in Belgium in one of the institutions, benefit from exemption from VAT on the purchase of certain goods for personal use, for a period of twelve consecutive months and within two years, with effect from their entry into service.

([1]) OJ L 346, 22.12.1998.
([2]) OJ C 325, 12.11.1999.

(1999/C 370/042) **WRITTEN QUESTION E-0378/99**

by Viviane Reding (PPE) to the Commission

(1 March 1999)

Subject: Agonising death of dogs and cats in Asia

Recent television reports have claimed that in Thailand, China and the Philippines dogs and cats are strangled painfully and slowly in abattoirs for their meat and especially their skins. It can be shown that a large proportion of the skins are exported to Europe to be made into coat collars, wallet covers and thermal blankets.

Is the Commission aware of this unacceptable origin of imported dog and cat skins? What counteraction is it considering? Is it considering a ban on imports of dog and cat skins and leather products from these countries?

Should it not also be made clear to consumers how these skins and leather products are obtained, by requiring appropriate labelling, for example?

Answer given by Mr Fischler on behalf of the Commission

(29 April 1999)

The Commission would refer the Honourable Member to the answer given to Written Question E-40/99 by Mrs Maij-Weggen [1] on this subject.

There are no Community rules on labelling of fur of cats and dogs and products prepared using such fur.

[1] OJ C 348, 3.12.1999, p. 14.

(1999/C 370/043) **WRITTEN QUESTION E-0381/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(1 March 1999)

Subject: Consumption of isotonic drinks by children

According to research carried out by the Union's Scientific Committee for Food, the consumption of isotonic soft drinks by children causes agitation, anxiety and irritation. Can the Commission provide more information on these findings? What measures will it take to protect children from consuming this type of soft drink?

Answer given by Mr Bangemann on behalf of the Commission

(21 April 1999)

The scientific committee for food expressed an opinion [1] on caffeine, taurine and glucuronolactone as constituents of so-called energy drinks. It concluded for caffeine 'that the contribution of energy drinks to the total caffeine intake does not appear to be a matter of concern for adults. For children however, who do not normally consume much tea or coffee, and who might substitute 'energy' drinks for cola and other soft drinks, consumption of 'energy' drinks might represent an increase in daily caffeine exposure compared with their previous intake. Such intake could result in behavioural changes, such as increased arousal, irritability, nervousness or anxiety. For pregnant women the committee advised moderation of intake from whatever source of caffeine'. As regards the other constituents evaluated (taurine and glucuronolactone), the scientific committee was unable to conclude that the safety in use of these substances in the concentrations in certain so called 'energy drinks' has been adequately established.

It is primarily the producer, who must make available the scientific data allowing a risk assessment of the safety of these substances in energy drinks. The Commission has therefore informed the Member States of the opinion and asked them to ensure that, in conformity with the obligations under Council Directive 92/59/EEC of 29 June 1992 on general product safety [2], products placed on their market are safe. The Commission will continue to follow the scientific evaluation of the substances in question once new relevant information is made available.

[1] Accessible via the Internet at: (http://europa.eu.int/comm/dg24/health/sc/scf/out22en.html).
[2] OJ L 228, 11.8.1992.

(1999/C 370/044)

WRITTEN QUESTION P-0386/99

by Marianne Thyssen (PPE) to the Commission

(19 February 1999)

Subject: Growth and employment

Following the employment summit in Luxemburg and on the initiative of the European Parliament, the Council approved the new growth and employment programme in May. It was endowed with EUR 450 million.

The programme provides for support to be given to SMEs to make it easier for them to gain access to financing and so to enable them to grow and create employment. It consists of three components: a guarantee facility, a venture capital facility and a joint venture programme.

My contacts reveal that SMEs are not sufficiently familiar with this programme. Now that it has been in operation for nine months, can the Commission say:

1. how SMEs have been informed of the venture capital funds, guarantee facilities and financial institutions of which they may avail themselves in order to benefit from this programme;

2. how many intermediary institutions of this kind are already in operation for each of the components, and in which regions or countries;

3. how many and what kind of SMEs (sector, size, country) have already taken advantage of the growth and employment programme?

Answer given by Mr de Silguy on behalf of the Commission

(27 April 1999)

1. As regards the ETF Start-up and the guarantee facility components, managed by the European Investment Fund (EIF), a list of the chosen funds and intermediaries is available on the Internet (http://www.eif.org). The approved intermediaries are also preparing their own promotional material for small and medium-sized enterprises (SMEs).

For the Joint European Venture programme (JEV), the list of financial intermediaries can be found on the Internet sites of: DG II's Financial Operations Service (FOS), DG XXII and the Euro info centres (EICs). The financial intermediaries are encouraged to promote JEV and the Commission intends to part-finance promotional activities. To date, various activities have been undertaken, some by the EICs, some by organisations representing SMEs and some by the financial intermediaries themselves.

2. For the ETF Start-up component, two funds have been selected (France and Germany) and negotiations are in progress with seven other funds covering a further five Member States. For the guarantee facility component, two contracts have been signed (Netherlands and Austria) and negotiations are in progress in Belgium, Germany, Spain, France, Italy and Finland. For JEV, 80 financial intermediaries have so far been selected covering all Member States.

3. For the ETF Start-up component, no data are available as yet since the contracts have only just been signed. As regards the guarantee facility, only one Austrian intermediary was in operation at 31 December 1998.

For the JEV component, 34 SMEs from 12 Member States have so far received assistance from the programme with a view to setting up 17 joint ventures. The SMEs which have benefited are active in the following sectors: manufacturing, environment, information technology, logistics and transport, biotechnology, health, construction and commerce. 16 of them have fewer than 10 employees. According to the forecasts provided by the SMEs, each joint venture will create an average of 15 jobs.

(1999/C 370/045) **WRITTEN QUESTION E-0396/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(1 March 1999)

Subject: Environmental damage to Gavdos — Gavdopoula group of islands

Environmental organisations in Crete claim that the Gavdos-Gavdopoula group of islands off the south coast of Crete — which has been included in the Natura 2000 network as a priority area — is to be the site for the construction of industrial plants, a heliport, jetties for mooring along the entire coastline of the islet of Gavdopoula, installations for supplying ships and housing for 400 people on the island of Gavdos.

If these claims are correct, this project will destroy an important habitat as well as the cultural and social cohesion of the area as a whole, the Commission:

1. Is it aware of the plans for the above projects?

2. Does it know whether the requisite environmental impact assessments have been carried out and is it aware that the area concerned is protected?

3. Will it ask the Greek authorities to revoke the decisions concerned in order to maintain the ecological balance and the exceptional beauty of the area?

(1999/C 370/046) **WRITTEN QUESTION E-0493/99**

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

(5 March 1999)

Subject: Destruction of the environment on the Greek island of Gavdopoula

According to recently published plans, a harbour complex is to be built on the Greek island of Gavdopoula which will totally destroy the local ecosystem. It is planned to level the entire island to a height of 6 metres above sea level. The material produced in this way is to be used to increase the size of the island in order to enable a private harbour to be built with anchorage facilities for vessels up to 12 metres in length. Industrial buildings, storage halls and administration complexes are to follow.

The island of Gavdopoula and the surrounding region are protected by the FFH (Fauna, Flora and Habitat) Directive, and the Greek Government accorded this region special protection status a long time ago. It is an important resting place for migratory birds on the way to Africa. 14 species of land snail which exist nowhere else on earth and other rare species are to be found on the island. Mediterranean monk seals and seaturtles live in the surrounding waters. Antiquities which are an important part of Europe's cultural heritage have also been found there.

1. What view does the Commission take of the level of protection imposed on the region of Gavdopoula by the provisions of the FFH Directive, and does it consider that this is adequate at least to prevent the degradation of the local environment, as the Directive demands?

2. Does it consider that the plans for the region of Gavdopoula are acceptable in the light of European environmental protection standards?

3. Does it consider that the environmental impact studies carried out in connection with the above plans meet the standards set down by European legislation in this area?

Joint answer
to Written Questions E-0396/99 and E-0493/99
given by Mrs Bjerregaard on behalf of the Commission

(21 April 1999)

The Commission would refer the Honourable Members to the reply it gave to Oral Question H-669/98 by Mr Ephremidis during question time at Parliament's July 1998 part-session [1], as well as to its answers to Written Questions E-741/98 [2] by Mr Papayannakis and E-3607/98 [3] by Mrs Schroedter.

Further to those replies, the Commission has now sent a formal letter to Greece asking for precise information on the matter. According to the response of the Greek authorities, the Commission will consider the follow-up to be given to this case.

(1) Debates of the Parliament (July 1998).
(2) OJ C 402, 22.12.1998, p. 27.
(3) OJ C 297, 15.10.1999, p. 88.

(1999/C 370/047) **WRITTEN QUESTION E-0406/99**

by Giuseppe Rauti (NI) to the Commission

(1 March 1999)

Subject: Health threat posed by pollution in Podenzano di Piacenza (Italy)

On 27 November 1998 the Local Residents' Committee of Colombaia in the district of Podenzano (Piacenza) forwarded a report to the chairman of the Committee on the Environment (No 123) describing the health and environmental conditions in the area caused by the presence of the company River S.p.a. The area has been classified as a grade 1 polluted site. Meanwhile, the results of recent tests carried out by the local AUSL have been issued, claiming that the dangers are non-existent, despite the fact that they have been documented by other sources (161 certificates issued by specialist doctors, an experts' report by the CNR in Rome and an opinion by Dr Soffritti, a specialist in oncology from the University of Pavia, drawn up at the request of the Piacenza Public Prosecutor's Office. According to the two experts appointed by the committee (Professor Bressa of 'Toxicology Consultant' in Padua and Dr Vianello from the chemical laboratory of RD Chem of Dosson di Casier (TV)), these reports have revealed the superficial nature of the methodologies employed. Moreover, the same company has already caused environmental damage in San Stefano Lodigiano (LO) where similar chemical plants exist.

In the light of the above considerations:

1. Will the Commission say whether the local supervisory authorities are subject to civil liability in this case?

2. Will it take steps to protect the health of the local population in compliance with European directives such as Directive 84/360/EEC [1], which stipulates that no authorisations may be given until it has been ascertained that there is no air pollution?

3. Will it seek to ensure that the surveys being carried out are monitored?

4. Will it bring to the attention of the Italian Government the public concern over this matter, which does not seem to have been taken into consideration by the local authorities and the Minister of the Environment, Mr Ronchi? Local inhabitants in this area have been treated as guinea pigs for four years, during which countless analyses have been undertaken that have failed to produce firm results. Meanwhile, the pollution continues and, according to Dr Soffritti, is responsible for the ill health suffered by the population and is a likely cause of future cancers. Industrial activity and the profit motive cannot be allowed to take precedence over the protection of public health and respect for the environment.

(1) OJ L 188, 16.7.1984, p. 20.

Answer given by Mrs Bjerregaard on behalf of the Commission

(9 April 1999)

1. This does not fall within the competence of the Commission.

2. to 4. Based on the information given by the Honourable Member, the situation to which he refers could fall within the scope of Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants. The purpose of this Directive is to provide for measures and procedures designed to prevent or reduce air pollution from industrial plants within the Community.

The installation concerned appears to be a plant authorized in accordance with this Directive (a plant in operation after 1 July 1987 or built or authorized after that date). Article 4 of Directive 84/360/EEC states

> Without prejudice to the requirements laid down by national and Community provisions with a purpose other than that of this Directive, an authorization may be issued only when the competent authority is satisfied that
>
> — 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 costs;
>
> — the use of plant will not cause significant air pollution particularly from the emission of substances referred to in Annex II;
>
> — none of the emission limit values applicable will be exceeded;
>
> — all the air quality limit values applicable will be taken into account.

Article 12 of this Directive states:

> The Member States shall follow developments as regards the best available technology and the environmental situation. In the light of this examination they shall, if necessary, impose appropriate conditions on plants authorized in accordance with this Directive, on the basis both of those developments and of the desirability of avoiding excessive costs for the plants in question, having regard in particular to the economic situation the plants belonging to the category concerned.

A letter requesting information on the matter has been sent to the Italian authorities. The Commission will take the appropriate steps in order to ensure the observance of Community law and in particular of Directive 84/360/EEC.

(1999/C 370/048) **WRITTEN QUESTION E-0407/99**

by Honório Novo (GUE/NGL) to the Commission

(1 March 1999)

Subject: Semi-generic designations of origin for Port Wine

In his reply of 17 October 1997 to my Question E-2674/97 [1], Commissioner Franz Fischler informed me that 'the Commission has begun negotiations with South Africa with the aim of enforcing, on a reciprocal basis, the protection of geographical indications and designations of origin of wines and spirits and, in particular, of putting an end to any generic or semi-generic use of Community indications'.

Information from various sources indicates that, in the wake of those negotiations, a draft agreement has been drawn up to regulate future trade relations between the EU and South Africa.

Under the draft agreement, it appears that South Africa will be able to continue producing wine designated 'Port' and/or 'Porto' and/or 'Port Wine' for marketing in its internal market for a period of 12 years, with no provision being made for a ban on the use of those designations of origin and geographical indications at the end of that generous period.

If that information is correct, it clearly contradicts the information supplied to me by the Commission on 17 October 1997 and quoted above.

What remarks would the Commission make on this contradiction?

(1) OJ C 117, 16.4.1998, p. 41.

Answer given by Mr Fischler on behalf of the Commission

(30 April 1999)

The Commission can only confirm its position as set out in its answers to Mr Barros Moura's question E-2485/97 (1) and the Honourable Member's E-2674/97 on strengthening the protection of geographical indications and designations of origin for wine and spirits in the context of negotiations with third countries. With regard to port, this objective was confirmed at the time of the European summit in Berlin on the occasion of the conclusion of the agreement with South Africa (see also in this connection the Commission's answer to the Honourable Member's written question E-408/99 (2)).

(1) OJ C 82, 17.3.1998.
(2) OJ C 348, 3.12.1999, p. 63.

(1999/C 370/049) **WRITTEN QUESTION E-0411/99**

by Honório Novo (GUE/NGL) to the Commission

(1 March 1999)

Subject: Use of the designation 'Port' for wines produced in Australia

By virtue of the multilateral Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), particularly section 3 of part 2 of the Agreement, Article 23 and Article 24(4), and by virtue of the 1994 agreement on trade in wine signed with Australia, that country has undertaken to renounce the use of all 'semi-generic' designations including the term 'Port' after fixed transitional periods and to grant exclusive and absolute protection to Community wines.

1. In this context, can the Commission provide the following information: Under the 1994 agreement on trade in wine with Australia, has that country also renounced use of the term 'Port' for wines produced in that country and destined for internal Australian trade?

2. When will the transitional periods under the agreement, after which Australia will be banned from using the term Port on wines produced in that country for third countries, specifically for the EU, expire?

Answer given by Mr Fischler on behalf of the Commission

(20 April 1999)

1. Under the 1994 Agreement between the Community and Australia on trade in wine (1), Australia committed itself to giving up the use of all 'semi-generic' designations containing a Community geographical reference, including the term 'Port'. This commitment, which concerns a total of 23 designations, applies both to the Australian market and export markets.

2. The semi-generic designation 'Port' is one of the third group of names referred to in Article 8(1)(c) of the Agreement for which transition periods still remain to be fixed. Negotiations between the Commission and the Australian Government on fixing the duration of these periods are nearing completion and a formal decision is expected this year. This decision will also apply to Australian exports to third countries. In any event, the Agreement contains no provision enabling Australia to market in the Community Australian wines using the designation 'Port'. Ever since Portuguese accession, Community wine legislation has prohibited the use of the name 'Port' for wines other than those originating in Portugal.

(1) OJ L 86, 31.3.1994.

(1999/C 370/050) **WRITTEN QUESTION E-0416/99**

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

(1 March 1999)

Subject: Rights of Greenlanders and Danes

What rights do Danes resident in Denmark have that Danes and Greenlanders in Greenland do not under the provisions on Union citizenship and the fundamental rights in the EU recognised by the Court of Justice?

Supplementary answer
given by Mr Monti on behalf of the Commission

(30 June 1999)

Any special provisions concerning Greenland and affecting the rights of the residents of Greenland under Community law were originally provided by the act of accession of Denmark to the Communities as well as the treaties establishing the Communities and the secondary legislation giving them effect.

The Treaty amending, with regard to Greenland, the treaties establishing the Communities entered into force on 1 February 1985 ([1]). Pursuant to this treaty proposed by Denmark, the treaties establishing the Communities ceased to apply to Greenland and the provisions of the treaty applicable to overseas countries and territories (OCT) were chosen as the new framework for the relations between the Communities and Greenland.

Since 1 February 1985 Greenland has been one of the overseas countries and territories to which Articles 182 to 187 of the EC Treaty (ex Articles 131 to 136) apply and which are listed in Annex II of the EC Treaty. According to Article 188 of the EC Treaty (ex Article 136a) the provisions of Articles 182 to 187 shall apply to Greenland, subject to the specific provisions for Greenland set out in the Protocol on special arrangements for Greenland annexed to the EC Treaty.

Article 17 of the Treaty establishing the European Union (ex Article 8) provides that every person holding a nationality of a Member State shall be a citizen of the Union. Therefore, any person resident in Greenland, who is a national of a Member State, is also a citizen of the Union.

Article 5(1) of the act of accession of Denmark to the Schengen Convention provides that the Convention does not apply to Greenland. However, according to Article 5(2) people travelling between Greenland and the Schengen countries (and Iceland and Norway) will not be controlled at the frontiers. This will apply once Denmark has implemented the Schengen Convention. However, it should be noted that there are no controls at the frontiers between Greenland and the countries of the Nordic Passport Union.

([1]) OJ L 29, 1.2.1985.

(1999/C 370/051) **WRITTEN QUESTION E-0418/99**

by Michl Ebner (PPE) to the Commission

(1 March 1999)

Subject: Bank charges on exchange transactions

Since the beginning of this year the exchange rates of the EU-11 currencies have been fixed, so that banks have lost the profits resulting from fluctuating exchange rates. In order to offset this loss, banks have apparently raised the rate of commission they charge on exchange transactions. As a result it is now not unusual for banks to charge 3 % or more in commission.

Can the Commission say:

1. whether it will be calling as a matter of urgency for the indirectly proportional staggering of the rate of commission, i.e. a reduction of the rate as the size of the amount exchanged increases;

2. whether it would not make sense generally to impose a maximum bank charge of 1,5 % for exchange transactions?

Answer given by Mr Monti on behalf of the Commission

(30 April 1999)

Community legislation requires banks to apply from now on the definitively fixed exchange rates between the national currency units of the euro zone and to ensure full transparency as regards charges. Consequently, they may no longer apply differing buying and selling rates for their foreign exchange business within the euro zone. Even so, in order to cover their costs, they introduced at the end of 1998 new charges specially for exchange transactions. On balance, this may result in price increases in individual cases (e.g. when a minimum charge is imposed which, if expressed as a percentage, can prove very burdensome in the case of small amounts). The Commission has urged the main European banking federation on several occasions not to charge excessively for transactions between national currency units of the euro zone, as this would seriously damage public confidence in the euro. Besides, the Commission is currently taking a comprehensive look at how prices are formed.

Nevertheless, the Commission cannot itself intervene and impose rules regarding pricing arrangements. That is to say, it can neither prescribe a maximum charge of 1,5 % nor require banks to introduce a degressive staggering of charges. However, direct action can be taken if the new charges give rise to distorsions of competition. This matter is also being looked into at the moment.

(1999/C 370/052) **WRITTEN QUESTION E-0423/99**

by Ernesto Caccavale (UPE) to the Commission

(1 March 1999)

Subject: The illegal withdrawal from the Greek company, Themis, of authorisation to pursue the business of insurance in Italy

The Themis S.A. General Insurance Company is a Greek insurance company based in Athens which is legally authorised to pursue the business of insurance on Italian territory, under the freedom to provide services. On 20 November 1997, on the basis of a report by ISVAP (the Italian body which controls and monitors private insurance), the Greek Prime Minister withdrew that authorisation on the grounds of alleged fiscal irregularities, which not only have never been confirmed or documented, but are also in stark contrast to statements by the Italian Financial Police to the effect that its activities are entirely lawful.

Given the way in which this withdrawal of authorisation was effected and justified, it is in clear breach of the provisions of Article 40 of EEC Directive 92/49 [1], transposed into Italian law in the form of Legislative Decree 175 of 1995, which states that the Member State's monitoring body must provide the company exercising the freedom to provide services with advance notice of any irregularities brought to light by its investigations, where such investigations have been conducted.

Given the above, would the Commission:

1. initiate a thorough and general investigation of the bodies which monitor insurance companies operating both in Italy and in Greece;

2. establish whether ISVAP did fail to meet the obligation to inform the company concerned during the investigation procedure, as specifically provided for in the aforementioned European directive;

3. determine whether, given that the alleged irregularities have not been duly established, the withdrawal requested by ISVAP constitutes an unlawful attempt to prevent foreign insurance companies from entering the Italian market, in clear breach of European legislation regarding the internal market and

free competition in providing services, with the aim of favouring some insurance companies and enabling them to maintain their oligopolistic policies.

(1) OJ L 228, 11.8.1992, p. 1.

Answer given by Mr Monti on behalf of the Commission

(23 April 1999)

Some particulars should first be provided as regards the application by the national supervisory bodies for insurance companies of Council Directive 92/49/EEC of 18 June 1992 on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life insurance and amending Directives 73/239/EEC and 88/357/EEC (third non-life insurance Directive).

By virtue of the principle of the single licence (authorisation) introduced by that Directive, any company authorised in a Member State may carry on business throughout the territory of the Community under the right of establishment or the freedom to provide services while being essentially subject to supervision by, and the laws of, the Member State in which its head office is established (home Member State) (Articles 4 and 5). That Member State alone is competent to grant authorisation to, or withdraw authorisation from, the insurance company. If the latter does not comply with the rules applicable to its activities, the remedial measures and the power to impose penalties (including withdrawal of authorisation) are the sole responsibility of the supervisory authority in the home Member State (Articles 13 and 14). If the authorisation is withdrawn, the supervisory authority in the home Member State must notify the supervisory authorities in the other Member States, including that in which the services were provided.

It transpires from Article 40, to which the Honourable Member also refers, that, where the provision of services is concerned, the undertaking must submit to the supervisory authority of the Member State in which those services are provided all documents requested of it with a view to verifying the conformity of its activities with the rules applicable. If that authority finds that a company carrying on business under the freedom to provide services within its territory is not complying with the rules applicable under national law, it will require the company to remedy that irregular situation. If the company fails to take the necessary action, the supervisory authority in that Member State must inform its counterpart in the home Member State, which will take all appropriate measures with regard to the company. In cases of urgency or if the measures taken by the home Member State prove inadequate, the supervisory authority in the Member State in which the services were provided may take appropriate measures while informing the supervisory authority in the home Member State accordingly.

As regards the technical and financial aspects, the home Member State has sole responsibility for the rules relating to technical provisions, the investment of representative assets, the solvency margin and the guarantee funds for business also transacted under the freedom to provide services. Turning to the tax aspects, the tax and accounting legislation in the home Member State applies where direct taxation is concerned. Responsibility for indirect taxation lies with the Member State in which the risk is situated, this normally being the Member State in which the services are provided. Insurance contracts underwritten under the freedom to provide services are subject to the indirect taxes and parafiscal charges imposed on insurance premiums in the Member State in which the risk is situated (Article 46). The company is required to comply with the measures taken in the Member State in which the risk is situated to ensure collection of such taxes and charges.

In the case in point, the Greek supervisory authority, which is the home-country authority, has sole responsibility for granting and withdrawing the authorisation and for monitoring the prudential and financial solidity of the company, which has its head office in Greece. Similarly, the Italian supervisory authority, being the authority in the Member State in which the services are provided, may seek the intervention of the Greek authority in the event of any infringement of the rules making up the prudential and financial framework and as regards the tax arrangements.

In its capacity as guardian of the Treaties, the Commission may, under Article 169 of the EC Treaty, institute infringement proceedings against Member States that violate Community law but it does not possess any general power to monitor national administrations.

In cases where a directive has not been properly transposed or applied, the scope for Commission action is clearly defined: if transposal is in keeping with the directive but the national legislation has not been properly applied by the national authorities, the infringement relates not to the directive but to the national legislation; the resulting dispute must, in principle, be resolved before the national courts. It is only in the case of prolonged administrative practice, that is to say continuous improper application of the national legislation, which is preventing the directive from being fully effective despite the existence of a proper national instrument of transposal, the Commission could intervene. However, the particulars provided by the Honourable Member do not indicate any continuous, improper behaviour on the part of the Greek authorities but suggest that, if anything, this is an isolated case.

The Commission has examined the legislation transposing the Directive in Greece and Italy and has not discovered any irregularities, at least as regards the problems referred to by the Honourable Member. Furthermore, Article 56 of Directive 92/49/EEC requires Member States to ensure that decisions taken in respect of an insurance company under laws, regulations and administrative provisions adopted in accordance with that Directive may be subject to the right to apply to the courts.

In the event, the company concerned has doubts as to the conformity of the procedure that has been followed, particularly by the Italian authorities, in its case but also as regards withdrawal of its authorisation. Any matter relating to this case would have to be the subject of an appeal before the relevant Greek and Italian administrative or judicial authorities and on the basis of Greek and Italian law.

(1999/C 370/053)

WRITTEN QUESTION E-0426/99

by Mary Banotti (PPE) to the Commission

(1 March 1999)

Subject: Charter flights

Following its answer to Written Question E-3115/98 (1), would the Commission consider extending Council Directive 90/314/EEC (2) so that it protects passengers on package holidays against long delays to charter flights?

Will the Commission comment on what redress consumers have against these long delays?

(1) OJ C 142, 21.5.1999, p. 86.
(2) OJ L 158, 23.6.1990, p. 59.

Answer given by Mr Kinnock on behalf of the Commission

(4 May 1999)

Even though delays are not expressly covered by Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours, in principle the tour organiser's liability to compensate package tour consumers for differences between service offered and service supplied also covers delays. No further action is therefore foreseen on this matter at the present time.

When there is a basis for redress, the actual amount paid will depend upon the circumstances of the specific situation, and the Commission is therefore not in a position to answer more precisely on that aspect of the question.

Moreover, the Warsaw Convention also regulates air carrier liability in cases of delay, in particular by stating that 'the carrier shall be liable for damage occasioned by delay in the transportation by air of passengers, baggage or goods' (article 19).

(1999/C 370/054)

WRITTEN QUESTION E-0447/99

by José Valverde López (PPE) to the Commission

(4 March 1999)

Subject: The Environment Institute (Ispra) food analysis unit

The Ispra-based European Environment Institute has a food analysis unit which checks the quality of ingredients, additives and chemical products in general which are used in preparing food.

Will the Commission provide me with details of this unit's work in 1998?

Answer given by Mrs Cresson on behalf of the Commission

(22 April 1999)

The Commission would refer the Honourable Member to the reply it gave to his oral question H-139/99 during question time at Parliament's March I 1999 part-session ([1]).

In particular, the Commission would like to highlight some of the 1998 activities of the food products unit including validation of methods for the detection of genetically modified organisms (GMOs) in food; development of methods for the determination of vegetable fats in chocolate; participation in studies on migration of phthalates in toys; validation of methods concerning bovine spongiform encephalopathy (BSE) safety of feedingstuffs and enlargement of data bank on authentic wines (data on more than 10 000 wines).

In addition, the Commission is preparing a detailed report regarding the achievements of the unit in 1998 that will be available at the beginning of May 1999.

([1]) Debates of the Parliament (March I 1999).

(1999/C 370/055) **WRITTEN QUESTION E-0451/99**

by Giuseppe Rauti (NI) to the Commission

(5 March 1999)

Subject: Quality of food aid for Russia

What exactly was the nature of the sudden 'dispute' about the food aid supplied by the European Union to Russia? Because of the dispute the aid is now suspended.

According to the European press, Russia — which, as is known, was in drastic need of the aid — had asked for food that complied with the health rules in force there.

Other sources ('Le Figaro', p. 3 of 10 February 1999) indicate that Russia merely wished the quality of the food aid to be equivalent to that of products delivered as part of normal trade, which seems quite legitimate.

Can the Commission confirm — with full knowledge of the facts and appropriate data on the firms — that Union funds are being managed in such a way as to send the type of food in question to Russia, that no attempt has been made to force Russia to accept low-quality products and that there has been no cynical exploitation of the needs of the Russian people?

Answer given by Mr Fischler on behalf of the Commission

(20 April 1999)

The Commission would ask the Honourable Member to refer to the answer given to Oral Question H-130/99 by Mr Giansily at question time during the March 1999 ([1]) session of Parliament.

As stated in the memorandum signed on 20 January 1999 between the Community and the Russian Federation, the Commission undertook to supply goods of the minimum quality required for intervention buying-in.

In fact, apart from pigmeat and wholly milled rice, the products to be supplied to the Russian Federation are already held in the Community's intervention stores and must therefore have met those minimum quality requirements when bought into intervention.

The operators involved are responsible only for transporting those products from intervention warehouses to ports or designated border points, and not for supplying the products. The Commission laid down the quality criteria for pigmeat and wholly milled rice in the regulations opening the invitations to tender.

The surveillance companies designated by the Commission are responsible, among other things, for checking that the products from Community intervention stocks still meet the minimum quality required for intervention products and, on arrival in Russia, have not undergone any significant deterioration in quality during transport.

The minimum quality required for intervention is accepted for all commercial exports. The quality required by the Russian operators was far in excess of the quality that the Community could guarantee to supply.

(1) Parliamentary debates (March 1999).

(1999/C 370/056) **WRITTEN QUESTION E-0477/99**

by Susan Waddington (PSE) to the Commission

(5 March 1999)

Subject: Regulatory framework for natural cosmeceutical products

Manufacturers of cosmeceutical products — i.e. products which are neither a medical nor purely cosmetic product — are facing difficulties in gaining licences for their products as no regulatory structure exists at European level. Is the Commission aware of this problem, and what action would it consider taking to introduce a regulatory framework to enable such products to be sold across the single market?

Answer given by Mr Bangemann on behalf of the Commission

(19 April 1999)

The concept of 'cosmeceutical' products is not recognised in Community law; the Commission considers that this type of product should be classified within the framework of existing regulations, whether as a medicinal product, under Council Directive 65/65/EEC of 26 January 1965, on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products [1], or as a cosmetic product under Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products [2].

A product is classified as a medicinal product on the basis of its actual function (possessing therapeutic or curative properties) or on the basis of its presentation (the consumer believes that the product in question is a medicinal product, or the manufacturer presents it as such). In this case, authorisation must be obtained prior to placing on the market. On the other hand, curative or therapeutic properties must not be ascribed to a cosmetic product the function of which is exclusively or mainly to clean the various external parts of the human body, the teeth and mucous membranes of the oral cavity, to perfume them, to change their appearance, to protect them or to keep them in good condition, or to correct body odour. No authorisation prior to placing on the market is required for cosmetic products.

(1) OJ L 22, 9.2.1965.
(2) OJ L 262, 27.9.1976.

(1999/C 370/057) **WRITTEN QUESTION E-0478/99**

by Susan Waddington (PSE) to the Commission

(5 March 1999)

Subject: Fire safety regulations — hotels in Spain

Do European standards exist aimed at ensuring the harmonisation of fire safety standards in hotels throughout the Union? If yes, what are they and how are they being enforced?

Answer given by Mr Bangemann on behalf of the Commission

(30 April 1999)

The Commission is honoured to remind the Honourable Member of the answers it has already given with regard to fire safety in hotels. It thus requests the Honourable Member to refer to oral question H-1179/98 by Mr Watson during question time at the January I 1999 session of Parliament [1] and to written questions E-1423/97 [2], E-2500/M97 [3] and E-3477/97 by Mrs Pollack [4].

The Commission would also point out that, although at the moment there are no specific European standards with the intention of harmonising fire safety standards in hotels, several forms of action have been taken as part of the various Community policies in order to add to and assist the action taken by the Member States. For details of those activities will the Honourable Member please refer to the Commission's answer to written question P-854/98 by Mr Harrison [5].

(1) Parliamentary debates (January I 1999).
(2) OJ C 45, 10.2.1998.
(3) OJ C 11, 16.4.1998.
(4) OJ C 17, 8.6.1998.
(5) OJ C 13, 20.1.1999.

(1999/C 370/058) **WRITTEN QUESTION E-0497/99**

by Bartho Pronk (PPE) to the Commission

(5 March 1999)

Subject: Cross-border medical treatment

The Court has recently made a number of rulings relating to Articles 59 and 60 of the Treaty and Article 22 of Regulation 1408/71 with regard to obtaining medical treatment and/or medicines in a Member State other than the competent Member State [1].

1. Does the Commission know how many people use medical services in a Member State other than the competent Member State?

2. If not, does the Commission agree that further research is needed into this matter inter alia in order to see whether, as a consequence of the above rulings by the Court, it is necessary to amend Article 22 of Regulation 1408/71 [2]?

(1) Case C-158/96 (Kohll) and Case C-120/95 (Decker).
(2) OJ L 149, 5.7.1971, p. 2.

Answer given by Mr Flynn on behalf of the Commission

(3 May 1999)

Firstly, the Commission wishes to inform the Honourable Member that it does not have recent data on the number of persons who obtain medical treatment and/or medicinal products in a Member State other than the competent Member State.

The Commission shares the Honourable Member's opinion on the need for a study analysing the consequences of the case law of the Court of Justice, as enshrined in the Kohll and Decker judgments, for the social security systems of the Member States and for Community law. It will therefore take the necessary measures to launch such a study.

(1999/C 370/059) **WRITTEN QUESTION E-0502/99**

by Susan Waddington (PSE) to the Commission

(5 March 1999)

Subject: International Association for the Promotion of Cooperation with Scientists from the New Independent States of the Former Soviet Union (INTAS)

What is the relationship between the European Union and the International Association for the Promotion of Cooperation with Scientists from the New Independent States of the Former Soviet Union (INTAS)? Is it a recipient of Community funds, and if so how much?

Answer given by Mrs Cresson on behalf of the Commission

(16 April 1999)

Following the break-up of the former Soviet Union, the Community wished to provide urgently needed support to the scientists concerned by promoting co-operation with scientists from the Member States.

The third framework programme for research and technological development (RTD) which was in operation at that time did not foresee such urgent support. It was therefore decided to set up INTAS in 1993 as a pilot action outside the framework programme in the form of an intergovernmental 'association sans but lucratif' (ASBL) under private Belgian law. Members of INTAS are currently the Community, the Member States, Norway, Switzerland, Iceland and Israel.

In the fourth and the fifth framework programmes for RTD, INTAS has been mentioned as one of the instruments available to implement the specific programme in the field of cooperation with third countries and international organisations.

At present, INTAS is established for a period lasting until 31 December 2002. The role of the Commission is mainly to provide the funds for the financial assistance to projects and for the functioning of the secretariat; to follow-up and control all legal and financial aspects according to Community regulations; to chair the INTAS general assembly, in which the Community has a right of veto and to second a Commission official as secretary (a few further officials have been also seconded).

The INTAS budget 1993-1998 totalled € 121 millions of which € 111,5 millions were for scientific activities leaving 7,85 % for administration. Around 95 % of the budget is provided from the second activity of the fourth framework programme (INCO programme). The remaining 5 % come from the annual contribution of Switzerland plus the INTAS member states' additional voluntary contributions. In the fifth framework programme of the Community on science and technology, INTAS has allocated from the INCO 2 programme (international cooperation) € 70 millions of the € 112 millions intended for actions involving the states of the former Soviet Union.

(1999/C 370/060) **WRITTEN QUESTION E-0507/99**

by Klaus Lukas (NI) to the Commission

(8 March 1999)

Subject: Embezzlement in Bulgaria

1. Is there any truth in press reports that 20 members of the board of the foundation set up by the Commission to promote civil society primarily helped themselves to EU resources for the development of democracy?

2. Is there any truth in the claims that they diverted over ECU 200 000 of Phare resources to associations in which they themselves had a financial interest or on whose payroll they were? What stage have the inquiries reached?

3. Why has Parliament not yet been informed?

4. In what other applicant countries have there been similar cases of self-enrichment?

5. Why has the Commission once again failed in its duty to oversee moneys entrusted to it?

6. Who in disciplinary and hierarchical terms is responsible for this failure?

7. What steps have been taken against the guilty members of the foundation's board?

8. Has the Commission at least claimed reimbursement?

9. Will criminal charges be brought against those responsible?

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

(7 May 1999)

1. and 2. The Commission is not aware of any press reports regarding the diverting of Phare funds by the board of directors of the Bulgarian civil society development foundation (CSDF).

Three evaluation reports have been produced on the two Phare projects (of 1994 and 1996 respectively) implemented in the field of civil society and social issues in Bulgaria, which involved a total amount of € 2,7 million granted to the CSDF. These include a report by the Court of auditors (of October 1998), a report by OMAS (the external monitoring and assessment service for the Phare programme) of November 1998, and a report by Charities aid foundation (of November 1998). None of these reports on the Commission's monitoring and evaluation of projects relating to this assistance has pointed to any kind of irregularity or misuse of funds.

It should be noted that programmes relating to assistance in the field of civil society and social issues are implemented through CSDFs in a number of candidate countries. This is due to the fact that these provide an appropriate mechanism for managing assistance to non-governmental organisations (NGOs) and that they have provided a suitable umbrella organisation covering NGOs representing a large variety of political positions.

This being said, the general pattern has been that CSDFs in the applicant countries, including the Bulgarian CSDF, have had running-in difficulties in establishing organisational and implementation procedures. Thus, even though the above-mentioned reports on the Bulgarian Phare projects are generally positive, they raise the issue of methodology concerning the appointment of the board of directors as well as the need to refine the provisions and procedures to prevent conflicts of interest in cases where board members and experts evaluating grant applications have links with NGOs applying for grants.

This issue was addressed by the Commission already in early 1997, when it acted upon the need to improve the provisions and procedures aimed at preventing conflicts of interest. The statute and regulation of the CSDF were amended and the rule was introduced that each person involved in the decision making process had to declare a possible conflict of interest and would be excluded from the decision-making process in such cases.

Moreover, the Commission has also taken into consideration the detailed comments and recommendations included in the above-mentioned reports, which were issued in late 1998, i.e. after the 1998 Phare project in this field was programmed, and has redesigned the 1998 projects accordingly.

3. to 6. In view of the above reply that no misuse or diversion of Phare funds has occurred in the context of these Phare programmes, and given the generally positive assessment of the relevant Bulgarian projects by the Court of auditors, OMAS and Charities aid foundation, the Commission has not deemed it necessary to inform the Parliament.

In terms of responsibility for the correct implementation of the projects, the Commission took action to strengthen the prevention of possible conflicts of interest already before the above reports were issued in late 1998, and the recommendations made have fully been taken into consideration in the context of the 1998 programming exercise.

As to the other applicant countries, no cases of self-enrichment have been reported.

7. to 9. Again, in the light of the above given replies, no action has been taken against individual members of the board of directors of the CSDF, and no criminal charges have been brought against them. Neither has it been necessary for the Commission to claim any reimbursement of funds.

(1999/C 370/061) **WRITTEN QUESTION E-0512/99**

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

(8 March 1999)

Subject: Flights to the islands of Pantelleria and Lampedusa

As of 25 October 1998 Alitalia no longer has flights from Sicily to Pantelleria and Lampedusa, two islands which are closer to Africa than to Sicily and which are now being even further isolated from Italy and from Europe.

Since Alitalia withdrew from these two islands, Air Sicilia has taken over and, having the monopoly, sells return tickets from Sicily at 300 000 lire each. Market research has estimated the real cost of a return ticket from Pantelleria to Sicily, given a plane that is 70 % full, to be 100 000 lire per person.

The disproportionate cost of the flight, the diminishing supply and Air Sicilia's limited sales network (it is currently impossible to book seats via the usual IATA systems) have led to a decline in the number of visitors of over 2 500 since 25 October 1998. This year looks set to see a drop in demand equivalent to 30 000 passengers out of a total of 200 000 passengers transported each year.

1. Does the Commission consider the prices charged by the current carrier (Air Sicilia) to be justified or does it, on the contrary, not believe that such prices might lead to considerable job losses on the two islands, curbing the growth in tourism?

2. In view of the peripheral position of the two islands and the social nature of such flights, does the Commission not consider that low-cost flights to and from Sicily should be guaranteed?

3. Why, after the Pantellerian authorities had been persuaded to set up a company to manage Pantelleria Airport, did Alitalia (and Air Sicilia, for that matter) not avail itself of its services (which would have considerably lowered the cost of flights)?

4. What does Europe intend to do for the inhabitants of these two islands, which Italy appears to have forgotten about?

Answer given by Mr Kinnock on behalf of the Commission

(23 April 1999)

Council Regulation (EEC) 2408/92 of 23 July 1992 [1] on market access to intra-Community air routes allows public service obligations to be declared on certain routes to regional airports. According to the applicable provisions, it is for Member States, and not the Commission, to decide whether to impose public service obligations, on routes that are considered to be vital for the economic development of a region. The conditions must be necessary to ensure the adequate provision of air services on that route in accordance with certain standards which airlines would not assume if they were solely considering their commercial interest.

If the authorities consider them to be appropriate, this mechanism can include the imposition of price limits to ensure that fares are affordable for all passengers, notably to promote tourism and the economic development of the peripheral region.

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 imposition 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.

(1) OJ L 240, 24.8.1992.

(1999/C 370/062)

WRITTEN QUESTION E-0521/99

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

(8 March 1999)

Subject: Environmental impact report on the Atlantic motorway in Vigo (Galicia, Spain)

Whilst pointing out a number of significant shortcomings unearthed in the environmental impact assessment, the environmental impact statement on the aforementioned project declared it viable, provided that certain activities were undertaken to counteract the runoff and loose surface on the slope of Mount Madroa. The project's failure to comply with that condition led to large-scale landslides and flooding on the slope, and to a revised project providing for a sizeable increase in the surface area covered and the volume of land excavated. As a result, the project under way at present differs greatly from the one examined in the environmental impact assessment.

The changes made to the mountain slope have exerted a considerable impact on the environment — including a reduction in woodland, microclimatic changes, a visible deterioration in the landscape and an increasingly loose surface — and present a clear risk to the population.

1. Is the Commission aware of the situation described above?

2. Does it not take the view that Directive 85/337/EEC (1) on the assessment of the effects of certain public and private projects on the environment is being infringed, and that the competent authorities ought to carry out a new environmental impact assessment, given the marked difference between the new features of the project and those initially contained therein?

3. During the public consultation stage, citizens were neither made aware of, nor able to give their point of view on, the activities which might affect them at a later stage. Does the Commission consider this a breach of their right to be provided with information of any kind on environmental matters, as laid down in Directive 90/313/EEC (2) on the freedom of access to information on the environment?

(1) OJ L 175, 5.7.1985, p. 40.
(2) OJ L 158, 23.6.1990, p. 56.

Answer given by Mrs Bjerregaard on behalf of the Commission

(15 April 1999)

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

2. The Commission has opened a file on the matter raised by the Honourable Members and will look into any failure to comply with Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment. The Spanish authorities have been asked to comment.

3. Article 3 of Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment stipulates that public authorities are required to make available information relating to the environment to any natural or legal person at his request and without his having to prove an interest. Going purely by what the Honourable Members have described, the Commission is unable to establish whether the Spanish authorities have received an application for access to information to which they have failed to respond appropriately.

(1999/C 370/063) **WRITTEN QUESTION E-0523/99**

by Jan Mulder (ELDR) to the Commission

(8 March 1999)

Subject: Interview in the 18-25 December 1998 issue of 'Nederlands Gemeente' magazine with Mr Landaburu, Director at the Commission, on Member States' net contributions

In its 18-25 December 1998 issue, the magazine 'Nederlands Gemeente' published an interview with Mr Landaburu, Director at the Commission's DG for Regional Policy and Cohesion. According to the title of the article, this senior EU civil servant criticises the Netherlands, saying that 'the net payers are very arrogant'.

1. Does the Commission endorse the statements made by Mr Landaburu, assuming they were correctly represented?

2. Does the Commission consider that it is part of the duties of a Commission official to make statements on the attitude of individual Member States as regards their contribution to the EU budget?

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

(27 April 1999)

1. The remarks attributed to the Director-General for Regional Policy and Cohesion were made at an informal meeting with a group of journalists from the regional press concerned principally with negotiations on Agenda 2000 and the many difficulties which were then in evidence. At no time during the discussion was there any intention to denigrate the Member States in the way referred to, but mention was certainly made of the 'hard line' being taken by the net contributors and of the fact that their interpretation of the concept of stabilisation differed diametrically from that of the 'cohesion countries'.

2. In the interests of transparency and information to the press, and hence to the European citizen, it does not appear inappropriate to refer to the content and difficulty of the discussions between the Member States on both the revenue and expenditure sides of the Community budget.

(1999/C 370/064) **WRITTEN QUESTION E-0524/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it called on the Commission 'to draw up a study on the situation in the fish product canning industry and aquaculture in the European Union, covering companies, trends in the industry in the last few years in the various Community countries, data on production, origin of raw material, volume of exports and imports, employment, technical and health standards, tariff arrangements and, in general, on the law applicable to the industry and codification of that law'.

Can the Commission say what measures it has taken to comply with Parliament's request as regards drawing up the requested study and codifying the law applicable to the fish product canning industry?

[1] OJ C 210, 6.7.1998, p. 295.

(1999/C 370/065) **WRITTEN QUESTION E-0525/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) ([1]), in the conclusions to which, inter alia, it called on the Commission 'to put forward proposals to the Council and Parliament to include a special plan of action and an overall support framework for the fish product canning industry, taking account of the present structural policy and the new regional policy guidelines for the period 2000-2006, the principles of which are being debated at the moment, and that will aim to provide the necessary financial support to secure a Community canning sector that is competitive in a global economy'.

Can the Commission say what measures it has taken with a view to putting forward the proposals requested by Parliament?

([1]) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/066) **WRITTEN QUESTION E-0527/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) ([1]), in the conclusions to which, inter alia, it urged the Commission 'to carry out a detailed analysis of Community tariff law affecting fish product preserves and aquaculture, with the aim of abolishing any advantages in access to the Community market that are no longer justified'.

Can the Commission say what measures it has taken to comply with Parliament's request and what results have been obtained thus far?

([1]) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/067) **WRITTEN QUESTION E-0528/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) ([1]), in the conclusions to which, inter alia, it declared that 'in the event that the general interest of the Union's external trade relations or the development cooperation policy require maintaining certain imports that involve market access on terms that mean unfair competition for Community preserves, the latter should be declared sensitive products and compensatory aid should be allocated to the industry'.

Can the Commission say what measures have been taken to comply with Parliament's request, and what results have been obtained?

([1]) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/068) **WRITTEN QUESTION E-0529/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it demanded 'that inspections of products from third countries be stepped up, in accordance with Council Directive 91/493/EEC laying down the health conditions for the production and placing on the market of fishery products [2], so that products from such countries are not subject to less stringent health requirements than Community produce'.

Can the Commission provide Parliament with information on the result of the measures taken to comply with the request made by the latter at its part-session?

[1] OJ C 210, 6.7.1998, p. 295.
[2] OJ L 268, 24.9.1991, p. 15.

(1999/C 370/069) **WRITTEN QUESTION E-0530/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it took the view that 'the Union should develop a supply policy that meets the real needs of the Community processing industry as a whole, supporting the Community fleet and guaranteeing access to the raw material needed at any time in the best conditions that the world market can supply'.

Can the Commission say what measures have been taken to comply with Parliament's request?

[1] OJ C 210, 6.7.1998, p. 295.

(1999/C 370/070) **WRITTEN QUESTION E-0531/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it urged the Commission 'to encourage promotion campaigns for Community fish product preserves, advertising their origin, quality, production safeguards and high nutritional value, to enable consumers to appreciate the excellence of Community products'.

Can the Commission say what measures have been taken to comply with Parliament's request?

[1] OJ C 210, 6.7.1998, p. 295.

(1999/C 370/071) **WRITTEN QUESTION E-0532/99**

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

(8 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the conclusions to which, inter alia, it urged the Commission 'to propose the initiatives needed to set up a Community-level reference laboratory to safeguard the quality of Community products and products originating from third countries freely marketed on Union territory, and their compliance with technical and health standards'.

Can the Commission say what measures have been taken to comply with Parliament's request?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/072) **WRITTEN QUESTION E-0533/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the conclusions to which, inter alia, it urged the Commission and those responsible in the Member States 'to tighten up standards and improve the machinery for controlling fish products marketed on Union territory, verifying in a reliable manner that fresh and processed fishery products comply with the law on rules of origin'.

Can the Commission say what measures have been taken to comply with Parliament's request, and what results have been obtained?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/073) **WRITTEN QUESTION E-0534/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the conclusions to which, inter alia, it stated its support for 'the promotion of quality products, including raw materials that can be added to the various canning preparations, such as canning liquids, and in particular olive oil, for which it calls for measures to ensure that the price of olive oil is in line with the international price, in order to maintain the competitiveness of this kind of preparation, a symbol of the quality of the Community's canning industry', and called, in this context, 'for the mechanism of olive oil refunds for the industry under the COM for olive oil to be maintained and increased'.

Can the Commission say what measures have been taken to comply with Parliament's request?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/074)

WRITTEN QUESTION E-0535/99

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it urged the Commission 'to promote and provide financial support for innovative methods and research into new production systems, new products, processing of species which at present have no commercial value and new forms of preparation and presentation'.

Can the Commission say what measures it has adopted to comply with Parliament's request?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/075)

WRITTEN QUESTION E-0537/99

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it declared that 'the sardine industry represents an economic activity of major importance for many Community regions' and pointed out that the sector is in a state of crisis, which requires the urgent adoption of protection measures, such as:

> (...) provision of the necessary funds for the period 2000-2006 to assist restructuring of the industry, in addition to the appropriations provided for under the present Structural Funds.

Can the Commission say what measures have been taken to comply with Parliament's request and tackle the grave crisis in the sardine canning industry?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/076)

WRITTEN QUESTION E-0538/99

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it declared that 'the sardine industry represents an economic activity of major importance for many Community regions' and pointed out that the sector is in a state of crisis, which requires the urgent adoption of protection measures, such as:

> (...) establishment of a compensatory allowance for sardines, for the Community canning industry and the maintenance of balanced storage aid, to prevent price fluctuations in the market as a result of seasonal flows in product supply for the canning industry. Such aid will need to be paid direct to canners as and when they can justify payment of the minimum production price.

Can the Commission say what measures have been taken to comply with Parliament's request and tackle the grave crisis in the sardine canning industry?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/077) **WRITTEN QUESTION E-0539/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the conclusions to which, inter alia, it declared that 'the sardine industry represents an economic activity of major importance for many Community regions' and pointed out that the sector is in a state of crisis, which requires the urgent adoption of protection measures, such as:

> (...) launching a Community-wide campaign, backed up by the necessary funds, to promote the consumption of sardines and products such as sardine preserves and sardine 'pâtés', bearing in mind the high nutritional value of this product.

Can the Commission say what measures have been taken to comply with Parliament's request and tackle the grave crisis in the sardine canning industry?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/078) **WRITTEN QUESTION E-0540/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the conclusions to which, inter alia, it declared the tuna canning industry is the most important Community canning sector in terms of employment and the volume of trade, and that to encourage the huge growth prospects in this sector there is a need:

> (...) to ensure there is a proper supply of the necessary raw material (fresh, frozen and ribs of tuna), giving priority to the Community fleet and opening new quotas for imports only when these are strictly needed for the Community industry.

Can the Commission say what measures have been adopted to comply with Parliament's request and thereby encourage the growth prospects in the Community tuna canning industry?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/079) **WRITTEN QUESTION E-0541/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) (1), in the

conclusions to which, inter alia, it declared the tuna canning industry is the most important Community canning sector in terms of employment and the volume of trade, and that to encourage the huge growth prospects in this sector there is a need:

(...) to ensure that compensation is granted to third countries for the purposes laid down in Community provisions, sustainable development (ACP), the fight against drugs (GSP-drugs, Andean Pact), and that countries which enjoy privileged access to the Community market do not operate in social dumping conditions.

Can the Commission say what measures have been adopted to comply with Parliament's request and thereby encourage the growth prospects in the Community tuna canning industry?

(1) OJ C 210, 6.7.1998, p. 295.

(1999/C 370/080) **WRITTEN QUESTION E-0544/99**

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

(12 March 1999)

Subject: Fish product canning industry and aquaculture in the European Union

At its June 1998 part-session the European Parliament debated and adopted the own-initiative report on the fish product canning industry and aquaculture in the European Union (A4-0137/98) [1], in the conclusions to which, inter alia, it called on the Commission, 'in view of the fact that canning preserves a food's nutritional properties and facilitates its storage and transport under optimum conditions, to promote the inclusion of Community canned goods in its policy of humanitarian food aid to needy countries'.

Can the Commission say what measures have been taken to comply with Parliament's request?

(1) OJ C 210, 6.7.1998, p. 295.

Joint answer
to Written Questions E-0524/99, E-0525/99, E-0527/99, E-0528/99, E-0529/99, E-0530/99, E-0531/99, E-0532/99, E-0533/99, E-0534/99, E-0535/99, E-0537/99, E-0538/99, E-0539/99, E-0540/99, E-0541/99 and E-0544/99
given by Mrs Bonino on behalf of the Commission

(3 May 1999)

With respect to the question of a study on the situation of the canning industry, in its 1999 work programme the Commission provides for the submission of a proposal for a Regulation on the collection of basic fisheries data. This would also provide for the collection of certain economic data on the processing industry, including the canning industry.

Concerning aid for the fishery and aquaculture product canning industry, the Commission would point out that this is part of the structural programmes in the fisheries and aquaculture sector. Such programmes almost always contain sections on 'processing and marketing of products', 'promotion' and 'pilot projects'. The management authority designated by the Member State is responsible for choosing individual projects, including those to assist the canning industry. It must be emphasised that any support from public funds for promotional campaigns centred on the Community origin of a particular product would constitute discrimination contrary to the Community's international commitments, above all within the framework of the WTO.

The Community's tariff rules follow on from its trade policy. They include preferential tariff arrangements granted either on an autonomous basis (such as the generalised system of preferences (GSP) or supply policy) or under an agreement such as the Lomé Convention or free trade agreements. These tariff

reductions are revised on a regular basis, either with regular updates in the case of tariff quotas and autonomous tariff suspensions or in accordance with a procedure laid down in the legal instrument introducing the reductions (GSP, Lomé Convention, Europe Agreements, etc.). Accordingly new GSP arrangements for the period 1 July 1999 to 31 December 2001 entered into force recently and the new Lomé Convention is being negotiated with the African, Caribbean and Pacific (ACP) states. Evidently any commercial advantages which are no longer justified are abolished in the course of these revisions and renegotiations.

The Community's development cooperation policy may involve privileged access to the Community market for products from beneficiary countries. Products imported within this framework are subject to the same constraints and legal requirements as those produced in the Community, and so the simple fact that they benefit from a tariff reduction does not amount to unfair competition. If certain products originating in a third country are more competitive because of lower labour costs for instance, a compensatory aid system would not necessarily make Community industry more competitive. Such a system would, moreover, be contrary to the Community's international commitments.

The Commission is in the process of reviewing the list of third countries from which the import of fishery products is authorised for human consumption, as laid down in Commission Decision 97/296/EC of 22 April 1997 drawing up the list of third countries from which the import of fishery products is authorised for human consumption [1] (last amended by Commission Decision 99/136/EC of 28 January 1999 [2]). Only those countries which have provided guarantees that fishery products exported to the Community meet the health requirements laid down for the protection of consumer health by Community legislation are included in the list. In order to verify that the hygiene provisions in these third countries are at least equivalent to those governing the production and placing in the market of Community products, the Commission carries out checks on the competent authorities. These include evaluation of the legislation, the competent authority and its inspection services as well as hygiene conditions during the production, storage and dispatch of fishery products intended for the Community.

The Commission also carries out inspection and control missions to monitor the performance of the authorities, including inspections of individual establishments to assess compliance with the relevant legislation on the spot. The decision on which third countries are to be visited by Commission inspectors is made on the basis of risk assessment procedures centred on consumer health protection criteria. The Commission is currently involved in an intensive programme of visits to third countries with the aim of evaluating the performance of the authorities responsible for enforcing the health standards for fishery products as laid down in Community legislation, particularly Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products [3] and Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs3. The inspection of third countries in the field of fishery products and live bivalve molluscs has been considered a priority in the framework of the mission programme for 1999. About 30 missions in this field have already been planned for the first half of 1999. A total of approximately 50 missions are expected to be carried out during 1999.

As part of the reform of the common organisation of the market in fishery and aquaculture products, the Commission proposed total or partial tariff suspensions on an autonomous basis for an unspecified duration for species which the Community either cannot supply or can supply only in insufficient quantities, to ensure more competitive and stable supply conditions for the processing industry.

With regard to the reference laboratories, the Honourable Member is referred to the answer given by the Commission to his Written Question No 3971/98 [4].

A political debate was started more than a year ago on the question of how to improve the operation of preferential tariff arrangements, in particular with regard to the application and monitoring of rules of origin. The Commission expressed its opinion in its July 1997 communication on the management of preferential tariff arrangements, the Internal Market Council in its conclusions of 18 May 1998 and Parliament in Mr Nordmann's report adopted on 21 October 1998. The Commission proposed a programme of reform of the preferential tariff arrangements (some of which is already underway) which takes account of the overall issue.

In the recent reform of the common organisation of the market in olive oil (Council Regulation (EC) 1638/98 of 20 July 1998 amending Regulation No 136/66/EEC on the establishment of a common organisation of the market in oils and fats ([5])), the Council followed the Commission's proposal that it maintain the principle of granting a production refund for olive oils used to manufacture certain preserves. The level of the refund is fixed taking into account the world price of olive oil. This is essentially fixed in the Community which, with 80 % of world production, is the principal operator in this sector. Since there have been no export refunds for almost a year now (except for a short period in September 1998 when refunds were granted at ECU 10 per 100 kg), the Commission decided to adjust the level of refunds for olive oil used in the manufacture of preserves. This moved steadily from ECU 67,18 per 100 kg in January 1998 to ECU 44 per 100 kg in November 1998 to take account of the market situation while maintaining a significant amount of refund in order to continue to support this specific sector.

With respect to possible compensation for canning facilities facing crisis, the Honourable Member is referred to Article 17(1)(c) of the proposal for a Council Regulation laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector ([6]).

The Community canning industry largely relies on imports to meet its raw materials requirements. To allow this sector to compete with products manufactured in third countries, import duties on tuna as a raw material have been suspended entirely (except for loin of tuna). A compensatory allowance for tuna was introduced in 1970 to compensate Community producers for disadvantages arising from the import arrangements for tuna as a raw material destined for the processing industry. If import prices fall producers are granted an allowance under certain conditions which guarantees a certain level of income for products sold in the Community. This allowance system rests on a Community production price which is fixed each year by the Council following a proposal from the Commission and is based on the average price over the previous three marketing years. As the Honourable Member pointed out, loin of tuna is also one of the raw materials used by the Community canning industry. This product is not covered by the compensatory allowance and is subject to a tariff duty of 24 %. The canning industry uses this raw material more and more, and has to obtain its supplies on the international market to meet its growing requirements. Limited tariff quotas were opened in 1997 (1 000 tonnes at 12 %), 1998 (1 200 tonnes at 9 %) and 1999 (1 200 tonnes at 6 %).

To help the Community canning industry compete with third countries more successfully, the Commission proposed a partial suspension of the tariff duty on an autonomous basis within the framework of the reform of the common organisation of the market.

With regard to the tariff concessions under the Lomé Convention and under the GSP 'Drugs' scheme for tuna, imports under preferential tariff arrangements have a positive impact on the producers of these products in the beneficiary countries. Since these arrangements boost job creation by providing an alternative economic activity to growing drugs and encourage development, they would appear justified.

The Commission gives priority to the purchase and transport of canned products within the framework of its emergency food aid measures for third countries. In accordance with the provisions of the framework partnership contract, the operational partners are responsible for purchasing products and services, and for shipment, transport and storage. Humanitarian organisations have to take the necessary steps to ensure that foodstuffs are in line with local customs and needs as much as possible and are the most suitable in terms of quality, cost, period of validity and availability. The contract also stipulates that humanitarian organisations should place their orders preferably in the country in which the operation is being carried out or in other countries in the region. If products are not available or are too expensive, orders may be placed in the Community or, failing this, in developing countries. In exceptional cases, orders may be placed in other developed countries for technical reasons, for reasons of quality, unavailability on the above markets, shortage or costs of transport.

(1) OJ L 122, 14.5.1997.
(2) OJ L 44, 18.2.1999.
(3) OJ L 268, 24.9.1991.
(4) OJ C 325, 12.11.1999.
(5) OJ L 210, 28.7.1998.
(6) COM(98) 728 final, OJ C 16, 21.1.1999.

(1999/C 370/081)

WRITTEN QUESTION E-0547/99

by Ursula Stenzel (PPE) to the Commission

(12 March 1999)

Subject: Emergency aid

For the last few weeks, the Alpine regions of Italy, France, Austria and Switzerland have been struck by heavy avalanches. The regions of the Tyrol and Vorarlberg in Austria in particular have been hit the most heavily by the disasters. The largest avalanche disaster in Austria since the Second World War occurred yesterday afternoon in the small village of Galtür in the Tyrol. Up to now sixteen people have been found dead, including two small children, and more than 30 people are still missing. Unfortunately, the number of victims is expected to rise. The village, a locality of 700 inhabitants, has been severely damaged by the large masses of snow.

In its 1999 budget the EU made funds available in budget heading B4-330 for civil protection and environmental emergencies. Does the Commission see any possibility of making funds for reconstruction from this budget heading available to the regions and villages concerned, including the Tyrolean mountain village of Galtür, which is so badly affected?

Answer given by Mrs Bjerregaard on behalf of the Commission

(30 April 1999)

Budget heading B4-3300 'Civil protection' does not permit intervention either in the rebuilding of disaster areas or for granting economic or emergency aid.

The Commission would remind the Honourable Member that, in 1997, Parliament deleted heading B4-3400, which enabled emergency assistance to be granted to disaster victims. In this connection, the Honourable Member is requested to refer to the answer given to written question P-763/99 by Mr Cornelissen [1].

[1] OJ C 348, 3.12.1999, p. 129.

(1999/C 370/082)

WRITTEN QUESTION E-0552/99

by Anita Pollack (PSE) to the Commission

(12 March 1999)

Subject: Development aid

Why is EC aid to middle income countries allegedly three times more than for low income countries on a per capita basis? Are there any plans to re-focus EC development aid on poverty eradication and to shift resources, from 2000 to 2006, toward low income countries?

Answer given by Mr Pinheiro on behalf of the Commission

(6 May 1999)

The Honourable Member is right that the proportion of aid to the poorest countries has declined over recent years. The Community is committed to fostering the campaign against poverty in the developing countries. The Commission is naturally concerned that this shift should not undermine that campaign, and therefore intends to keep under close review the proportion of Community aid devoted to the poorest countries.

The problem of ensuring coherence and effectiveness in development aid strategy, which lies at the heart of the Honourable Member's question, is nevertheless complex. Allocation of aid cannot depend solely on poverty levels. Factors such as historical or cultural ties, foreign policy objectives, political and economic stability, the quality and extent of the partnership, and the level of development of civil society inevitably enter into the equation, as both the Council and the Parliament have recognised. It should also be emphasised that local absorption capacity and the prevailing degree of good governance in the country or

region are crucial factors in determining the effectiveness of co-operation, and that these factors are not easily influenced by donors.

In the last decade, following new policy objectives laid down by the Member States and supported by the Parliament, there has been an expansion of Community aid programmes to the Mediterranean, to Latin America and to Eastern Europe. This has indeed led to a decline in the share of aid devoted to low income countries (from 75 % to 56 % of the total between 1986 and 1996). However, the monetary value of aid made available to these countries increased by 31 % in the same period. Furthermore, the proportion of Community aid to least-developed countries remains higher at 34 % than the average for Member States (32 %). In terms of aid per capita, Community aid in 1996 amounted to ECU 2 per capita in the least-developed countries, compared with ECU 1,4 per capita for lower middle income countries.

In this context it is worth recalling that the allocation of Community aid to least-developed countries is not a measure of the overall effort being devoted to poverty alleviation, since it does not take account of Community partnership programmes being implemented in middle income countries (for example, in Latin America), many of which retain persistent and important pockets of poverty despite their higher level of prosperity. In addition, these countries are the main beneficiaries of economic co-operation agreements which contribute to their development by helping them to create an environment more favourable to investment, international trade and technology transfer, thereby adding to their own capacity to combat poverty.

For the future, the new financial perspectives adopted by the European Council in Berlin foresee a very limited increase of 0,22 % per year in real terms, rising from € 4 550 million in 2000 to € 4 610 million by 2006. This does not take account of Community development aid for African, Caribbean and Pacific (ACP) countries which is provided by the separately-funded European development fund (EDF). Until 2001 the current 8th EDF (worth 15 000 million euro over a five year period) will be the source of most commitments in this area. Projections after that date depend on decisions regarding the amount and the functioning of the post-Lomé financial arrangements. The Commission intends to make a proposal on the financial envelope for these arrangements in the next few months.

One of the central planks in the Commission's approach to the post-Lomé negotiations is to gear the future partnership with the ACP states (which include the majority of less developed countries (LDCs)) to the central objective of reducing poverty. This will be based on the guidelines produced by the development aid committee of the Organisation for economic co-operation and development (OECD), and will certainly involve a re-focusing of resources towards the poorest countries.

Finally, in this context it is worth noting that the regular review of programmes and, where necessary, the re-allocation of funds to the central objective of poverty reduction is already taking place as far as the ACP countries are concerned. The Commission has recently introduced an annual review system designed to monitor the overall picture of Community aid allocation to each beneficiary and to make re-allocations where necessary. This system will be combined with a mid-term review of all ACP country agreements (national indicative programmes) during the course of this year, which will enable uncommitted or under-employed aid allocations to be re-focused towards low-income countries even before the new phase of financing foreseen for the period 2000 to 2006.

(1999/C 370/083) **WRITTEN QUESTION E-0560/99**

by John Iversen (PSE) to the Commission

(12 March 1999)

Subject: New procedure for allocating funds from ISPO

In November 1998 the Department of Information and Media Sciences applied for funding from ISPO to hold a conference on the subject of the information and media society. The department received a favourable response to its application and was even encouraged to expand the conference and increase the amount of the sum applied for. The organisers then began planning the conference which involved over 100 people from more than 18 different countries.

On 1 December 1998 ISAC/ISPO gave an assurance that it would subsidise a conference in Århus in February 1999 to the extent of ECU 48 000.

A letter from Martina Haak makes it clear that ISPO will be including the conference on its home page. Suddenly, on 4 February 1999, a letter is sent to Århus University informing them that the Commission is withdrawing its pledge. This is explained in greater detail in a letter from Jörg Wenzel to Professor Per Jauert on 5 February 1999. It further transpires that Århus University has incurred expenditure totalling DKR 127 000 on the conference that was not held.

How does the Commission intend to compensate Århus University for expenditure relating to the conference?

Answer given by Mr Bangemann on behalf of the Commission

(30 April 1999)

The University of Aarhus contacted the Information society promotion office(ISPO) in autumn 1998 seeking support for a workshop or conference on the topic 'Local media and the information society' they were planning. A formal grant application was received only on 20 November 1998, and on 1 December, the preliminary analysis performed by ISPO on the content and approach for the proposed conference was concluded with a favourable opinion on the possible allocation of the requested grant of 49,5 % of the budgeted expenses. The application was then submitted by ISPO to the further stages of the decision procedure in the Commission.

Following contacts from the organizers in order to know about the processing of their request, the preliminary favourable opinion of ISPO was informally transmitted to the University of Aarhus on 2 December, explicitly stating however that no notice of final acceptance could be given before an official Commission decision was taken, and that this would still take some time (possibly until the end of December). This opinion was not an official Commission decision on the request, and has never been presented to the University of Aarhus in such a manner.

Furthermore, in the context of the contacts with the organizers, the ISPO secretariat confirmed that a hyperlink to the conference webpage would be put on the ISPO website, a common practice for many other conferences and events on information society (IS) topics, which is fully in line with the objectives assigned to ISPO when established by the Commission. The ISPO homepage is simply a dissemination tool which aims to give as broad a picture as possible of information society related activities in the Community, and access to further information in other websites, by establishing hyperlinks when appropriate. It is important to understand that a link to a conference webpage from the ISPO homepage, cannot be taken as proof of a Commission commitment towards an event. Such links are often set upon request from organizers, independently of any financial support.

It was also suggested that the conference organizers included a representative from a project lead by the city of Stockholm in an effort to bring forward activities that could be of interest to the participants and enhance the conference programme.

On 1 January 1999, new rules on the allocation of grants from the Commission came into force. In respect of this procedure, the present application was presented to the Grants evaluation committee at its first meeting on 1 February. Following the committee's conclusions the competent services concluded in the non attribution of the requested grant. This was notified on 4 February 1999 to the University of Aarhus, more than 3 weeks before the planned event.

As no written official confirmation had been communicated to the organizer and if, as is now stated to be the case, the Commission's financial contribution was essential for the implementation of the conference, it would have appeared advisable for the organizer to postpone the final organizational activities, until an official commitment from the Commission had been given. Regretfully this was not the case, and the organizers claim to have suffered a loss. The Commission cannot be considered as liable for this loss, as the expenses incurred have been made without any official commitment or instructions from the Commission, and it is not evident that the University of Aarhus has taken the best course of action in order to avoid the losses, when the grant for the realization of the conference on 25-26 February 1999 was declined.

The Commission regrets that this event could not take place, even if it fitted in principle into the aims of the ISPO work programme.

The Commission also wishes to confirm that in the framework of the new harmonized and more transparent procedures for allocation of grants, a call for applications for grant under the Promise programme adopted by the Council on 30 March 1998 ([1]) to promote IS in Europe, managed by ISPO, should be published in the Official journal in the coming weeks.

Finally, the Commission expresses the hope that this incident will not hinder a fruitful co-operation with the University of Aarhus in the future.

([1]) OJ L 107, 7.4.1998.

(1999/C 370/084) **WRITTEN QUESTION E-0563/99**

by Roberta Angelilli (NI) to the Commission

(12 March 1999)

Subject: Reorganization of CONI (the Italian National Olympic Committee) and protecting jobs

On 29 January 1999 the Italian cabinet considered a draft legislative decree on reorganizing the Italian National Olympic Committee. The decree provides for a form of reoganization which really amounts to wholesale privatization of the structures of CONI, hiving it off from the various sports federations. This could put many jobs at risk, as well as seriously jeopardizing the effective running of the organization.

Moreover, the privatization of these structures would not result in any less cost to the public purse; it would simply mean that the lucrative revenue from competitions and lotteries related to sporting activities (such as the football pools or other competitions) would be transferred to private individuals.

Can the Commission state:

1. whether it considers that the wholesale privatization of CONI and the federations should at least take place more gradually, with particular attention being paid to safeguarding jobs;
2. whether the privatization process might run counter to the 'European Sports Charter' adopted in Rhodes in 1992 at the VIIth Conference of European Sports Ministers;
3. whether such privatization might deny the poorer members of society the right to practise sport, given the lack of public structures managed by bodies other than CONI;
4. how it views this matter overall?

Answer given by Mr Oreja on behalf of the Commission

(5 May 1999)

It is for the Italian Government to reply to the question put by the Honourable Member.

However, since the reorganisation of the Italian National Olympic Committee involves privatisation, it comes within the scope of Directive 77/187/EEC ([1]) relating to the safeguarding of employees' rights in the event of transfers of undertakings. This Directive requires the transferee to maintain the same working conditions as those prevailing under the transferor.

Within the meaning of the Directive, the transfer of an undertaking does not in itself constitute grounds for dismissal by the transferor or the transferee (Article 4(1)), but this provision does not stand in the way of dismissals that may take place for economic, technical or organisational reasons entailing changes in the work-force.

Under these circumstances, it is the national law transposing Directive 77/187/EEC, as interpreted by the European Court of Justice, which determines the legal consequences of this case.

([1]) OJ L 61, 5.3.1977.

(1999/C 370/085) **WRITTEN QUESTION E-0568/99**

by Roberta Angelilli (NI) to the Commission

(12 March 1999)

Subject: Update on the URBAN programme in Rome

Having regard to my previous questions E-2221/97 (1) and E-3436/98 (2) and to the answer given to the latter by Commissioner Wulf-Mathies on 25 January 1999, can the Commission provide further information on the reported delays by the municipality of Rome in implementing the URBAN programme and on the arrangements for the use of the funds? In particular, can it provide specific figures relating to the URBAN programme in Rome and other Italian cities?

(1) OJ C 82, 17.3.1998, p. 46.
(2) OJ C 320, 6.11.1999.

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

(3 May 1999)

At the end of 1998, the municipality of Rome had committed 28 % of the URBAN budget available to it and spent some 8,4 %.

A table, sent directly to the Honourable Member and to Parliament's Secretariat, shows the relative position for all the Italian URBAN municipalities (the figures are provisional).

The Honourable Member may wish to note that the budget available to Rome was reduced in November 1998 by 346 000 euro in view of the delays in implementation, but that current forecasts show a recovery of the delays by the end of April when a commitment level of 70 % is expected.

(1999/C 370/086) **WRITTEN QUESTION E-0570/99**

by José Barros Moura (PSE) to the Commission

(12 March 1999)

Subject: Export from Portugal to Spain of bulls to be used in bullfights

As a follow-up to my two earlier questions (E-3620/98 and E-0151/99), and with reference to the Commission's reply of 22 January 1999 to my question E-3620/98 (1), would the human health concerns which allegedly justify imposing the embargo on bullfighting bulls as well (even though they are fed on pasture rather than on contaminated animal feed) not be entirely assuaged if Spain were to adopt the same procedure as the one followed in Colombia in respect of livestock imported from Spain, i.e. the incineration of the carcass after the bullfight?

The 26 January 1999 of the '6 Toros 6' magazine contains an authoritative report to the effect that Spanish livestock may now be infected too, for which reason it should perhaps not be used for fights in Spanish bullrings. Was it not an identical fear of contamination which led to the extension of the embargo to include livestock raised in Portugal?

(1) OJ C 320, 6.11.1999.

Answer given by Mr Fischler on behalf of the Commission

(20 April 1999)

The Commission has not been able to confirm the information provided by the Honourable Member that Spain has decided to incinerate all fighting bulls after the bull fights. According to the information obtained by the Commission, most fighting bulls in Spain are normally destined for human consumption after the bullfights.

According to information available to the Commission concerning the rearing of fighting bulls, feed intake is based on natural feed, but calves may receive additional feed at the age of eight months and compound feed may be provided to bulls for fighting six months before the events.

The Commission is not aware of any evidence that Spanish fighting bulls might be infected with bovine spongiform encephalopathy. If the Honourable Member has such information, the Commission would be grateful to receive it.

Furthermore, the Commission would like to repeat that any request to exempt fighting bulls from the general ban to move live bovine animals out of Portugal must be examined in the light of possibilities to prevent fraud and taking into consideration inter alia the control measures in place in the Member State of destination.

(1999/C 370/087)

WRITTEN QUESTION P-0583/99

by Patricia McKenna (V) to the Commission

(3 March 1999)

Subject: Commissioner Monti's membership of the Executive Committee of the Trilateral Commission

In the light of the answers given by the Commission to my questions P-3880/98 [1], E-3903/98 [2] and H-0933/98 [3], which suggest that the reason that the Commissioner did not declare his membership of the Bilderberg Group Steering Committee was either because that was before he became a Commissioner (even though the declaration he actually made covered previous roles), or that it was simply a private gathering (i.e. with no formal legal structure), will the Commission explain why the Commissioner also failed to declare that he is currently, and has been for some considerable time, a member of the Executive Committee of the Trilateral Commission, a properly constituted body with formal memberships, which also requires members to retire when they take up official duties?

(1) OJ C 182, 28.6.1999, p. 131.
(2) OJ C 207, 21.7.1999, p. 145.
(3) Verbatim report of proceedings of the European Parliament (November 1998).

Answer given by Mr Santer on behalf of the Commission

(8 April 1999)

Mr Monti has been a member of the executive committee of the Trilateral Commission (Europe) from 1988 to 1997.

The Trilateral Commission (Europe) does not require members to retire when they take up official duties.

Mr Monti did not declare this membership because the declaration presented by members of the European Commission concerns positions held in firms and foundations and the Trilateral Commission is neither.

(1999/C 370/088)

WRITTEN QUESTION E-0587/99

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Request for information following written question E-0370/98

Further to the reply of 27 March 1998 to my written question E-0370/98 [1], will the Commission list those non-governmental organisations whose concerns over nuclear transports have been submitted to the Standing Working Group of Experts on the Safe Transport of Radioactive Materials over the past five

years? What concerns were expressed by the NGOs and what action was taken by the Standing Working Group or the Commission in response to these concerns?

(1) OJ C 310, 9.10.1998, p. 55.

Answer given by Mr Papoutsis on behalf of the Commission

(3 May 1999)

As far as details of the workings of the Standard Working Group of Experts on the Safe Transport of Radioactive Materials is concerned, the Honourable Member of Parliament is invited to refer to the answer given by the Commission in response to Written Question P-3454/98 by Ms Bloch von Blottnitz (1).

Consequently, even if the group is regularly called upon to examine considerations put forward by certain non-governmental organisations in the course of its duties, the subjects treated, as well as the views expressed, are confidential.

(1) OJ C 320, 6.11.1999.

(1999/C 370/089) **WRITTEN QUESTION E-0590/99**

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Council Directive 96/29/Euratom in respect of the environmental implications of the deregulation of controls over radioactivity

What representations has the Commission received on the Council Directive 96/29/Euratom (1) in respect of the environmental implications of the deregulation of controls over radioactivity? What information does it have concerning steps taken by EU Member States in transposing the Basic Standards Directive into national law?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(29 April 1999)

Council Directive 96/29/Euratom laying down basic safety standards for the health protection of the general public and workers against the dangers of ionising radiation contains the main features of the proposal made by the Commission, based on the opinion of the group of scientific experts referred to in Article 31 of the Euratom Treaty.

Directive 96/29/Euratom replaces Directive 80/836/Euratom (1) as amended by Directive 84/467/Euratom (2) and the Commission believes that it offers better protection to workers and members of the public, based on updated scientific advice, in line with the recommendation of the relevant international organisations. This new directive cannot be considered as deregulating this area. On the contrary, several additional requirements have been introduced whose scope has been extended to cover exposure to natural radiation.

In spite of the care that the Commission put into preparing the proposed directive and into the negotiations with the institutions that led to its adoption, the Directive, like any other piece of legislation, is subject to criticism by individuals or interest groups. An overview of the criticisms was presented at the workshop entitled 'Survey and evaluation of criticism of basic safety standards for the protection of workers and the public against ionising radiation' organised by the Parliament in Brussels on 5 February 1998, and is contained in the document of the same name published by Parliament.

Finally, only the Netherlands have already incorporated major parts of Directive 96/29/Euratom into their national laws. That Directive is to be transposed by 13 May 2000. Denmark has transposed some individual provisions of the Directive.

(1) OJ L 246, 17.9.1980.
(2) OJ L 265, 5.10.1984.

(1999/C 370/090)

WRITTEN QUESTION E-0591/99

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Commission studies on radioactive waste management and nuclear safeguards

Will the Commission list each of the instances since 1995 when (a) United Kingdom and (b) Irish Government experts have contributed to Commission studies on (1) radioactive waste management and (2) nuclear safeguards and physical protection measures for plutonium? Will the Commission publish a list of the relevant studies in the Official Journal?

Answer given by Mr Papoutsis on behalf of the Commission

(3 May 1999)

With respect to radioactive waste management and during the period in question, British and Irish government experts, within the usual meaning of the term, have only been active on standing and ad hoc committees, alongside experts appointed by the other Member States. These committees have various roles such as programme management, contract evaluation, and assistance in drafting of reports on specific topics. They have not been involved in studies as such.

However, during this period the Commission has financed numerous studies on various aspects related to radioactive waste and remediation of contaminated areas. These studies have been performed by external contractors selected, in the main, following open calls for tender. Over 20 of these study contracts were awarded to British companies, and British companies were probably involved as subcontractors in many others. British companies and organisations have also been involved in more than 20 research contracts concerning radioactive waste management in the fourth research and technological development (RTD) framework programme. Some of these companies either had, or still have, a majority British government shareholding (e.g. British nuclear fuels Ltd. (BNFL), United Kingdom atomic energy authority (UKAEA)), or represent offices within the British civil service structure (e.g. National radiological protection board (NRPB)). It is not clear whether the contractors' staff in these cases should be regarded as government experts, and in any case a list of all such staff will probably run to several hundred names. However, the results of all study contracts following an open call procedure are available to the public, and reports are normally published in the EUR report series. A full list of titles and contracting companies can be provided if necessary.

Nuclear safeguards is performed by the Commission under Chapter VII of the Euratom Treaty, the implementation of which is defined in Commission Regulation (Euratom) no 3227/76 of 19 October 1976 concerning the application of the provisions on Euratom safeguards [1]. National authorities or experts have not been requested to participate in Commission safeguards studies.

[1] OJ L 363, 31.12.1976.

(1999/C 370/091)

WRITTEN QUESTION E-0592/99

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Notification from the Japanese authorities of plans to send highly enriched uranium spent fuel to the US via EU ports

Have the Japanese authorities, since January 1998, sought permission, or otherwise notified the Commission of plans to send highly enriched uranium spent fuel to the United States via ports in the European Union?

Answer given by Mr Papoutsis on behalf of the Commission

(30 April 1999)

The Commission has no legal competence to authorise the transport of nuclear material into or out of the territory of the Community. That responsibility rests with the competent authorities of the Member States concerned.

As far as Euratom safeguards is concerned, there is no obligation for notifications or reports to be sent to the Commission for the transit of nuclear material via ports in the Community. A declaration is only required if the material is unloaded from the ship or the airplane for interim storage in a nuclear installation of the Community before it is shipped to its final destination.

(1999/C 370/092) **WRITTEN QUESTION E-0594/99**

by Nuala Ahern (V) to the Commission

(12 March 1999)

Subject: Illegal import or export of radioactive materials into or out of the EU in 1998

How many instances were reported to the Euratom authorities of alleged illegal import or export of radioactive materials into or out of the European Union in 1998? What investigations were made into each respective allegation and will the Commission give details of those instances that were substantiated?

Answer given by Mr Papoutsis on behalf of the Commission

(3 May 1999)

The Commission wishes to remind the Honourable Member that, according to the Euratom Treaty, there is no legal obligation for Member States to inform the Commission on legal or illegal imports or exports of radioactive substances. However, if the radioactive substances are also to be classified as nuclear materials in the sense of Article 197 of the Euratom Treaty, they automatically become subject to Euratom safeguards under chapter VII of the Euratom Treaty. In some cases, the supply rules laid down in chapter VI also apply. Therefore any illegal appearance of nuclear material on the territory of the Community must be reported to the Commission.

The majority of the instances in 1998 do not involve nuclear materials but only radioactive substances, sealed sources and contaminated scrap metal. Member States are legally not obliged to inform the Commission about cases of illegal practices involving radioactive substances. Furthermore, while investigations by public prosecutors or court proceedings are under way no detailed information on cases of illicit traffic can be given to the Commission. However, the Commission received information on three cases of illicit trafficking with radioactive substances within the Member States in 1998. Moreover, as far as nuclear materials are concerned, three other instances were reported to the Commission on the basis of chapter VII of the Euratom Treaty. Two instances involved low-enriched uranium and the third case depleted uranium.

For details of these instances the Honourable Member should contact the competent authorities of Germany, Italy and the United Kingdom as the Commission, pursuant to Article 194 of the Euratom Treaty, is not at liberty to disclose further details.

(1999/C 370/093) **WRITTEN QUESTION E-0596/99**

by Ian White (PSE) to the Commission

(12 March 1999)

Subject: Growth hormone rBST

1. Will the Commission insist that the relevant committees study all evidence concerning the impact on both animal and human health of the growth hormone rBST when the company that owns this drug applies for a licence to sell it for use within the EU?

2. Will the Commission follow the precautionary principle when the issue of granting the licence to sell the bovine growth hormone rBST is brought up?

Answer given by Mr Fischler on behalf of the Commission

(4 May 1999)

The Commission asked for an opinion from the specific veterinary committee on animal health and animal welfare, as well as from the scientific committee on public health, regarding the use of BST. Each of the two scientific committees has recently issued a scientific opinion relating to their specific tasks. The opinions are available on the Commission's Europa server. Based on these conclusions of the scientific opinions, the Commission, with a view to a decision being taken on this matter, will submit a report and a proposal on the future of the moratorium on bovine somatotrophin (Council Decision 94/936/EC) [1] to the Council and the Parliament.

(1) OJ L 366, 31.12.1994.

(1999/C 370/094) **WRITTEN QUESTION P-0599/99**

by Frédéric Striby (I-EDN) to the Commission

(3 March 1999)

Subject: Registration and taxation of Alsatian recreational craft

As far as the registration of vessels in France is concerned, recreational craft in international waters are subject to a flag tax; while in inland waterways, as in Alsace, they are subject to the VNF (French inland waterway traffic) tax. Given that the canal connecting the Rhone and the Rhine which also provides a link between northern and southern Alsace can no longer be used, Alsatian recreational craft are now compelled to use the Canal d'Alsace. The latter is governed by an international charter and, despite the fact that Alsatian recreational craft sailing to Strasbourg, Colmar or Mulhouse are merely passing through, they are obliged to pay the flag tax to the customs authorities, and are thus subject to double taxation, while vessels flying foreign flags are exempt.

Is the Commission aware of this double taxation? What representations does it intend to make to the French State in this matter?

Answer given by Mr Kinnock on behalf of the Commission

(27 April 1999)

The Commission is not aware of the situation described by the Honourable Member. It would point out, however, that since registration or circulation taxes on certain means of transport (including pleasure crafts) are not yet harmonised in the Community, Member States are free to introduce or maintain such taxes provided they do not give rise to any infringement of Community law and in particular of Article 95 of the EC Treaty. This latter article forbids Member States to introduce or maintain tax systems where the taxation on imported products and that on similar domestic products is calculated in a different manner on the basis of different criteria which leads to higher taxation being imposed on the imported products. On the basis of the information provided, the system of dual taxation which is levied on certain vessels appears only to affect domestic means of transport and does not, therefore, infringe Community law.

(1999/C 370/095) **WRITTEN QUESTION P-0603/99**

by Umberto Bossi (NI) to the Commission

(4 March 1999)

Subject: Italian government proposal to shorten the working week to 35 hours

The principles governing working time are laid down in Directive 93/104/EC, which sets out the basic guidelines that Member States have to observe ([1]). By virtue of the subsidiarity principle, each individual country may adjust its domestic legislation to meet its particular requirements, provided that it does not overstep the prescribed maximum limits.

Italy, however, has not yet transposed the Directive, and infringement proceedings have accordingly been instituted against it.

At present the Italian Government is attempting to push through a law to shorten the working week to 35 hours, not least with the aim of limiting the damage inflicted by the infringement proceedings and escaping the resulting penalties.

Does the Commission not believe that, unless it is offset by tax or financial measures, a statutory reduction in the working week will raise labour costs for firms, in practice deterring them from hiring new workers?

Does it not believe that a shorter working week imposed by law (without wage cuts or compensation for firms) will increase the price of final products?

Does it consider that, if a Member State legislates to shorten the working week, its products will be placed at a disadvantage on the internal market and the market will therefore be disrupted?

([1]) OJ L 307, 13.12.1993, p. 18.

Answer given by Mr Flynn on behalf of the Commission

(16 April 1999)

The working time Directive required Member States to adopt implementing laws, regulations and administrative provisions by 23 November 1996 and to inform the Commission thereof. To date the Commission has not received the required information from Italy and has accordingly decided to bring the matter before the Court of justice ([1]).

Provided that the minimum standards laid down in the Directive are adhered to, there are no further legal requirements at Community level. It should be noted, however, that in the employment guidelines for 1999 'The social partners are invited 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'.

The economic effects of reductions of working time are complex. The Commission has, however, recently published a critical review of fourteen studies on this issue ([2]). The report concludes that a generalised and uniform reduction of working time would have a limited impact on employment and unemployment. The Commission is forwarding a copy of this study to the Honourable Member and to the Secretariat of the Parliament.

Nevertheless, under certain circumstances, reductions and adaptations of working time may have a favourable impact on employment where they are negotiated between the social partners particularly at local level.

([1]) See IP/98/628. Case C-386/98.
([2]) Working time: Research and development 1995-1997 A review of literature commissioned by the European Commission and the European Foundation for Living and Working Conditions, published by DGV/D.2.

(1999/C 370/096) **WRITTEN QUESTION E-0608/99**

by Paul Rübig (PPE) to the Commission

(12 March 1999)

Subject: Slovakia's participation in the fifth framework research programme

The Commission deems seven applicant countries (Estonia, Poland, Hungary, Latvia, Lithuania, the Czech Republic and Slovenia) suitable to take part in the fifth framework programme for research and technological development.

Slovakia has not yet been mentioned, although known data on the country paint a positive picture of its economic performance and its participation therefore seems on the cards.

On what criteria did the Commission base its assessment?

Why has Slovakia not yet been included in the proposal and when will it be included?

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

(21 April 1999)

The Commission approved a proposal concerning Slovakia's application to take part in the fifth framework programme on 24 February. The reason why some countries were included earlier than others is that Slovakia, Bulgaria and Romania sent the Commission their official letters of confirmation later than the other seven applicant countries mentioned by the Honourable Member.

(1999/C 370/097) **WRITTEN QUESTION E-0609/99**

by Herbert Bösch (PSE) to the Commission

(12 March 1999)

Subject: Support for newspapers and periodicals in the EU

Many publications carry reports on the European institutions. It would be interesting to know to what extent European aid is given to this sector.

Can the Commission therefore say:

1. whether financial support is provided for publications in the EU;

2. if so, which newspapers or periodicals receive support from the Commission;

3. what the budgetary allocation for these publications is?

Answer given by Mr Oreja on behalf of the Commission

(7 May 1999)

1. There is no system whereby the Commission subsidises the press or publishers, apart from a small programme to assist with translation costs of literary works in lesser used languages.

2. The Commission does however buy space in publications where necessary as, for example, to advertise open competitions. It also purchases quantities of certain publications for its own use. In the course of their information work certain Commission representations have provided assistance to journals for extra copies of issues or supplementary pages relating to European matters. Expenditure of these kinds would come from a number of different budget headings.

3. The choice of publications in which to purchase advertising space would be designed to maximise national coverage. They would not be chosen by virtue of the extent or nature of their treatment of Community matters.

(1999/C 370/098) **WRITTEN QUESTION E-0610/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(12 March 1999)

Subject: Project in Stemnitsa (Arcadia) as part of the regional operational programme for the Peloponnese

Replying to my Written Question E-2365/98 (1) on the damage which the project in question would cause to the traditional architecture of the village of Stemnitsa in Arcadia, the Commissioner responsible, Mrs Wulf-Mathies, stated that: '...the procedures for awarding public contracts and for assessing the environmental impact were followed correctly.'

More recent reports — which I believe are now also available to the Commission — reveal that this answer was based on wrong information, because it has emerged that the regional authorities possess documents revoking all the decisions previously authorising the project. According to the Greek Ombudsman, the rules governing the municipal road improvement project in Stemnitsa in Gortynia were probably not followed correctly, since neither a preliminary regional planning authorisation nor an environmental impact study was carried out, the village which is a listed historical site, will be arbitrarily spoilt and information submitted for planning the car park turns out to be flawed.

Does the Commission possess any supplementary information which it wishes to divulge? What measures does it intend to take in view of the above?

(1) OJ C 142, 21.5.1999, p. 11.

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

(20 April 1999)

The Commission informed the Honourable Member in its letter of 9 February 1999 that, in view of new information received from the Greek ombudsman, it had approached the national authorities once again regarding the project referred to in Written Question E-2365/98 (1).

For the time being, pending additional information, the Commission and the regional authorities have agreed to exclude the part of the project relating to the watercourse from Community part-financing.

(1) OJ C 142, 21.5.1999, p. 11.

(1999/C 370/099) **WRITTEN QUESTION E-0611/99**

by Carlos Pimenta (PPE) to the Commission

(12 March 1999)

Subject: Ratification and implementation of the Aarhus Convention by the European Community

The European Community signed the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters in Aarhus, Denmark on 25 June 1998, after having made a statement indicating its intention to apply the Convention to its own institutions.

1. When is the Commission going to transmit the Convention for ratification to the Council and Parliament?

2. What declarations on the application of the Convention to Community institutions, if any, are going to be presented when ratifying the Convention?

3. What policy is the Commission pursuing to bring Community legislation in conformity with the Convention? What are the concrete measures and when are they going to be taken in relation to existing and future legislation in the sphere? What is the timetable for the whole procedure?

4. In particular, what binding instruments is the Commission initiating to oblige the institutions to provide access to information and public participation?

5. In what way is the Commission working for the early entry into force of the Convention?

Answer given by Mrs Bjerregaard on behalf of the Commission

(3 May 1999)

1. In accordance with customary practice, the Commission will make a proposal for the necessary 'concluding act' to the Council and the Parliament once any necessary amendments have been made to Community legislation to ensure it is aligned to the provisions of the Convention.

2. It is too early to say what declarations, if any, will be made on the application of the Convention to Community institutions, when ratifying the Convention.

3. and 4. The Commission is currently making an intensive assessment of the relevant Community legislation with a view to deciding what amendments, if any, need to be made. So far as access to information in the Member States is concerned, Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment [1] is currently being revised. Further, so far as access to information of the Community institutions is concerned, the Commission is working on the implementation of Article 255 of the EC Treaty (as amended by the Treaty of Amsterdam). It is anticipated that a legislative proposal will be made following entry into force of the Amsterdam Treaty. So far as public participation in environmental decision-making is concerned, the Commission is in the course of examining the Community legislation which may be affected and which may need to be amended.

5. 16 ratifications are needed before the Convention may enter into force. The Commission attaches great importance to ratification of the Convention and is working intensively to put the Community in a position to ratify as soon as legally possible. However, this will take some time, given that Community legislation must first be aligned so far as possible to the provisions of the Convention, to ensure legal transparency and certainty.

[1] OJ L 158, 23.6.1990.

(1999/C 370/100) **WRITTEN QUESTION E-0612/99**

by Bernie Malone (PSE) to the Commission

(12 March 1999)

Subject: Double taxation agreements

Is it the Commission's policy to scrutinise double taxation agreements to ensure that there is no discrimination on the basis of nationality? Is the Commission aware of the provision in the Ireland-UK double taxation convention dealing with taxation of a foreign income dividend? Does the Commission consider this position to be discriminatory?

Answer given by Mr Monti on behalf of the Commission

(27 April 1999)

Member States are responsible for the negotiation and conclusion of bilateral double taxation agreements. Such agreements must respect Community law, in particular the basic freedoms and the non-discrimination principle. The Commission does not systematically scrutinise national tax legislation and double taxation agreements, but it examines their compatibility with Community law when a case is brought to its attention.

It is understood that both the United Kingdom and Ireland have recently amended their laws concerning the tax treatment of dividends. It is also understood that a protocol to the Convention between Ireland and the United Kingdom entered into force from 1 January 1999 for corporation tax purposes and will come into force on 6 April 1999 for income tax purposes and that this includes a new article dealing with the tax treatment of dividends.

(1999/C 370/101) **WRITTEN QUESTION E-0616/99**

by Peter Crampton (PSE) to the Commission

(12 March 1999)

Subject: International fishing agreements

Can the Commission list the current EU international fishing agreements, whether active or not, with the expiry date? What negotiations for renewal are currently in progress? Are there any new negotiations in progress or planned for countries with which the EU has not had a fishing agreement?

Answer given by Mrs Bonino on behalf of the Commission

(5 May 1999)

The European Community currently has fisheries agreements with Angola (expiring on 2 May 1999), Argentina (23 May 1999), Cape Verde (5 September 2000), The Comoros (27 February 2001), Côte d'Ivoire (30 June 2000), Estonia (31 December 2006), Gabon (3 December 2001), The Gambia (30 June 1996), Greenland (31 December 2000), Guinea-Bissau (15 June 2001), Equatorial Guinea (30 June 2000), Faeroe Islands (12 March 2003), Iceland (11 January 2004), Latvia (5 February 2003), Lithuania (12 October 2003), Madagascar (20 May 2001), Morocco (30 November 1999), Mauritius (30 November 1999), Mauritania (31 July 2001), Norway (16 June 2003), Poland (bilateral agreement with Sweden) (31 December 2005), Guinea (31 December 1999), Russia (bilateral agreement with Sweden and Finland) (31 December 2002), São Tomé and Príncipe (31 May 1999), Seychelles (17 January 2002) and Senegal (30 April 2001).

Negotiations are planned to renew the protocols to the agreements with São Tomé and Príncipe, Guinea and Mauritius, which are set to expire in the course of this year. The possible extension of the Protocol to the Fisheries Agreement between the European Community and Angola is also under examination. In addition, the negotiations entered into in November 1997 to renew the Protocol to the Fisheries Agreement with The Gambia, which have been stalled since June 1996, might be resumed in the course of this year. Exploratory discussions will take place in 1999 with the Argentine and Moroccan authorities with a view to identifying new forms of cooperation in the fisheries sector.

The Commission also has a negotiating mandate to try and conclude agreements with Mozambique, Namibia, South Africa, Tanzania, Russia and Poland.

(1999/C 370/102) **WRITTEN QUESTION E-0621/99**

by Robin Teverson (ELDR) to the Commission

(12 March 1999)

Subject: Airline slots

Is the Commission aware that the potential open commercial trading of slots at airports by airlines will lead to smaller regional services being squeezed out of major hub airports due to commercial pressure? Is this not contrary to the policies of regionalisation and transport access by air on a region to region basis?

Answer given by Mr Kinnock on behalf of the Commission

(28 April 1999)

The Commission is in the process of preparing a proposal to amend Council Regulation (EEC) 95/93 of 18 January 1993 in order to optimise the use of slots and giving particular consideration to the advantages

and disadvantages of introducing a fair mechanism in order to facilitate slot movements. Various means of reinforcing the position of new entrants, including regional carriers, and making the existing Regulation more easily enforceable are also being considered.

(1999/C 370/103) **WRITTEN QUESTION E-0623/99**

by Josep Pons Grau (PSE) and María Sornosa Martínez (PSE) to the Commission

(12 March 1999)

Subject: Breeding, training and ownership of 'aggressive' breeds of dog

In recent weeks there have been press reports in various Member States concerning attacks by dogs.

These sad and regrettable incidents, which have sometimes proved fatal, have generated a wave of fear and indignation which could have unfortunate consequences if the temptation to introduce 'knee-jerk' legislation is not resisted, given how little is known about these cases.

Clearly, the possibility of being attacked by a powerful animal which has been turned into an aggressive beast by lack of training, abandonment or ill-treatment poses a risk to the public, particularly the elderly and children. However, there is also the danger of placing all the blame on the animals themselves, forgetting the responsibility borne by negligent owners, breeders, trainers, salesmen, etc. and dividing the canine world into aggressive and non-aggressive breeds, which might lead to calls for the wholesale extermination of certain breeds. Furthermore, there is a serious legal vacuum in this area at Community level and in most Member States.

What is needed is protection for the public and for dogs alike to ensure harmonious relations in a society in which humans and dogs have lived side by side for centuries.

The ownership of dogs of this kind has quadrupled in countries such as Spain and animal welfare organizations have warned that these dogs could be abandoned and left to run wild on the streets if their ownership goes out of fashion.

Does the Commission not consider that a directive is urgently needed to regulate the breeding, training, use, sale, ownership and keeping of potentially aggressive animals?

Does it not consider that it is vital to introduce a total ban on the organization of dog fights and that the penalties should be extended to those who organize, attend and profit from them?

Answer given by Mr Fischler on behalf of the Commission

(23 April 1999)

The Commission agrees with the Honourable Members that it is not acceptable that these sad and regrettable incidents with aggressive dogs take place.

The main purpose of Community welfare rules is the protection of farm animals in the field of farming, transporting and slaughtering. General rules apply for the keeping of farm animals as well as more detailed legislation for the keeping of laying hens, calves and pigs. Council discussions on the upgrading of the current directive on farming of laying hens and on the inclusion of animal husbandry practices in the field of the biological farming are in an advanced state. Rules do also exist for the protection of animals during transport (Council Directive 91/628/EEC of 19 November ([1])). This Directive applies also to the transport of dogs, especially Chapter III of the Annex of the Directive.

Community rules also exist in respect of dogs used for experimental and scientific purposes covered by Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (2).

As for the Honourable Members' question on breeding of dogs, reference has to be made to the national legislation of the Member States, as this area lies within the competence of the Member States. Therefore the Commission does not have the intention at the present time to propose special legislation in the area of dog breeding.

(1) OJ L 340, 11.12.1991.
(2) OJ L 358, 18.12.1986.

(1999/C 370/104) **WRITTEN QUESTION E-0626/99**

by Umberto Bossi (NI) to the Commission

(12 March 1999)

Subject: Restoration of the Tower of Pisa

Could the Commission state whether European funds have been used for the various programmes of restoration work on the Tower of Pisa?

If they have, could it provide details of the amounts involved, the type of funds used and the schedule of payments?

Answer given by Mr Oreja on behalf of the Commission

(5 May 1999)

The Commission would inform the Honourable Member that the tower of Pisa has received two financial contributions in the framework of the Commission's action and programme in favour of the preservation of architectural heritage of exceptional importance.

A financial contribution of € 50 000 was granted in December 1997 for the realisation of methodological research on the most appropriate restoration method to preserve the stones, which have suffered by the eight centuries long and anomalous conditions of the monument due to its inclination. This financial contribution was not in any way linked with the works concerning the static problems of the tower.

The good results achieved through this research are applicable to intervention methodologies for other monuments throughout Europe. This first experimental step convinced the Central restoration institute of Rome and the University of Pisa, through the committee for the safeguard of the Tower, to put forward a proposal for a European restoration laboratory in the framework of the Raphael programme. The proposal was approved at the end of 1998 in the amount of € 271 327 (a first instalment has been paid, and the second and final instalment will be paid on completion of the project by the middle of the year 2000).

(1999/C 370/105) **WRITTEN QUESTION E-0627/99**

by Cristiana Muscardini (NI) to the Commission

(12 March 1999)

Subject: Community funds and 'Sviluppo Italia'

As is widely known, Legislative Decree 1/99 provides for the setting up of a holding company, Sviluppo Italia, and the transfer thereto of Government shares in companies that are already operational in order to create a single group with the aims laid down in Article 1 of that decree. The legislative decree also provides for the subdivision of activities into 'development services' and 'financial services', for which two companies controlled by Sviluppo Italia will be responsible.

Public funds of Community origin, intended specifically for the 'financing' of business promotion programmes and for depressed areas, are being used as start-up (risk) capital and operational funding by a single entity which, though formally private (incorporated as a public limited company — S.p.A), is actually under Government control, and there is a possibility of the funds being used for purposes other than those laid down for them.

Given that no distinction is drawn in accounting terms between activities conducted to satisfy public interest requirements and business activities, Sviluppo Italia's operating companies will be in a dominant position on the development services and financial services market.

The Sviluppo Italia group is incorporated under private law and therefore does not offer the safeguards and guarantees of a body established under public law.

Could the Commission state whether the above arrangements conflict with Community rules on Structural Funds, State aids and competition?

Answer given by Mr Van Miert on behalf of the Commission

(16 April 1999)

The technical means chosen by a Member State to manage the structural funds are under the competence of the Member State itself. Therefore, the choice to merge all the Member State's holdings in a single company, constituted as a joint stock company, is not relevant under Community state aid rules.

The EC Treaty does not prejudice the rules in Member States governing the system of property ownership (see Article 222). In this sense, the creation, by a Member State, of a holding in the form of joint stock company operating on the market does not, per se, infringe Community competition rules.

In any case, the competitive activities possibly performed by Sviluppo Italia will be subject to the Community competition rules, and in particular to those regarding state aid.

(1999/C 370/106) **WRITTEN QUESTION E-0628/99**

by Daniela Raschhofer (NI) to the Commission

(12 March 1999)

Subject: Service point — bank charges on exchange transactions

Following the introduction of the Euro and increased charges for currency exchange transactions, banks in four countries are being investigated. The Commission has set up its own service point, where citizens can register complaints about excessively high charges.

Against this background:

1. What criteria were used to decide which banks would be investigated?

2. Is it true that banks are making arrangements among themselves about the charges?

3. Why are no Austrian banks being investigated?

4. If the investigation were extended to include Austrian banks, which ones would be affected?

5. Do any grounds for suspicion exist against Austrian banks?

6. Where is the service point (in one of the relevant Member States or in Brussels)?

7. How can citizens find out where to address their complaints?

8. Was the opening of this service point publicised? If so, where and when?

9. Since the service point was set up, how many complaints have been received on average per day and per week?

10. What problems and questions are raised most frequently by complainants?

11. Which countries do the complaints come from?

12. What problems relating to Austria have been brought to its attention?

Answer given by Mr Monti on behalf of the Commission

(30 April 1999)

1. and 2. The choice of banks at which the investigations were conducted was based on operational considerations, including their size and importance and the resources available. The investigations were carried out in order to ascertain whether European banks were acting in collusion to fix conversion charges. In addition, the Commission on the same day delivered written requests for information to seventeen banking federations in eight Member States, including Austria. The documents obtained under both procedures are currently being analysed for any evidence of concerted action to fix conversion charges. The Honourable Member will appreciate that it is not possible at this stage for the Commission to prejudge the outcome of its investigations.

3. to 5. The fact, however, that investigations were not conducted in Austria does not necessarily mean that Austrian banks are outside the scope of the Commission's enquiries.

As regards the other points made by the Honourable Member, first of all, it should be noted that the 'hot lines' set up by the Commission are not directly related to the competitive investigation to which points 1-5 refer. In fact, the Commission decided to open two e-mail addresses and two fax lines on which citizens can bring to the Commission's attention difficulties which they experience such as cases of non-compliance with the legal framework for the euro (for example if the official conversion rate is not applied) or with the recommandation on banking charges for banknote exchanges and payment transactions in the context of conversion to the euro. In this way, the Commission hopes to gain more insight into practical problems arising. This was done with a view to working towards improvements in payment systems, independently from the competition investigation opened by the Commission. As regards the Honourable Member's specific questions, the answers are as follows.

6. The information received by the Commission on its fax and e-mail lines does not go to a particular new 'service point', but to the Directorate general for internal market and financial services (DG XV) and the Directorate general for consumer policy and consumer health protection (DG XXIV) in the context of their ordinary structure and work. All the information is gathered in the same database. There are no other reception points, in particular not at national level.

7. and 8. The e-mail addresses and fax numbers were announced in press release IP 99/90 issued by the Commission on 5 February 1999.

9. During the first six weeks of operation, on average 15 e-mails and 10 faxes per week were received.

10. Provisional results indicate that about one third of complaints concern cross-border transfers (high fees are in the foreground; some messages concern long delays). High fees for cashing cheques are also the subject of many complaints. The greatest portion of the complaints however addresses problems related with the new fees for banknote exchanges. In this regard, many messages show disappointment that these fees have not disappeared or clearly decreased, while some consider that they even have risen. The Commission will publish more complete figures in April 1999.

11. and 12. Most messages were received from Belgium, Germany, France, Italy, the Netherlands and Austria. As regards Austria, neither the number nor the type of complaints deviate noticeably from those received from the other Member States.

(1999/C 370/107) **WRITTEN QUESTION E-0630/99**

by Encarnación Redondo Jiménez (PPE) to the Commission

(12 March 1999)

Subject: Agriculture: Cyperus esculentus L. (chufa)

Chufa, Cyperus esculentus L., a crop commonly grown in Valencia (Spain), is now facing a severe threat from exports from non-member countries, and so too, therefore, is the production of horchata (tiger nut milk), a typical Valencian drink. In 1995 approximately 1 280 000 kg of chufa, for which the customs code number is 07149090, were imported from Côte d'Ivoire, Burkina Faso, Mali, and Niger.

Why are there no figures, expressed in kilograms, on chufa imports after 1995?

Since the Commission does not know what entry points (ports and customs posts) have been used in recent years for chufa production from non-member countries, will it take steps to monitor chufa imports in the future?

If it does not take any measures for the above purpose, how does it intend to deal with the problem of aflatoxins, which are highly damaging to human health?

Supplementary answer
given by Mr Fischler on behalf of the Commission

(6 May 1999)

Customs code CN 0714 90 90 is a residual tariff code. It covers a variety of root and tuber products with a high starch or inulin content, fresh or chilled, frozen or dried, including chufa (Cyperus esculentus L.). It is not therefore possible to establish exact figures for the volume of chufa traded under this code. However, examination of the statistics shows that if the whole volume imported under customs code CN 0714 90 90 related to edible chufa, 1 280 tonnes would have been imported into Spain in 1995, 1 537 tonnes in 1996, and 1 472 tonnes in 1997.

In 1997, Mali was the biggest exporting country. It exported 1 239 tonnes to the Community, of which 1 213 tonnes went to Spain. Imports from Mali have risen sharply, from 229 tonnes in 1995 and 761 tonnes in 1996. The following table details the import figures for 1996 and 1997. On the basis of incomplete figures, the trend in 1998 is similar to that in 1997.

(tonnes)

Country of export	Import quantity in 1996		Import quantity in 1997	
	EU-15	Spain	EU-15	Spain
Mali	761	737	1 239	1 213
Côte d'Ivoire	672	564	40	35
Niger	170	147	152	152
Burkina Faso	70	70	53	53

Given the volume and value of trade in chufa, even if it is regarded as the only product covered by code 0714 90 90, the creation of an additional specific code would not appear to be warranted, especially since this would create additional administrative constraints on small producers.

Nor is there any specific Community plant health legislation for chufa. It is however covered by the general provisions of Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products ([1]), as last amended by Directive 98/2/EC ([2]).

Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs [3] also applies in this case. Control includes checks on maximum pesticide residues laid down by Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables [4], as last amended by Commission Directive 98/82/EC [5].

Commission Regulation (EC) 1525/98 of 16 July 1998 amending Regulation (EC) 194/97 setting maximum levels for certain contaminants in foodstuffs [6], lays down maximum levels for aflatoxins in certain foodstuffs. Since the Commission does not have any information showing that edible chufa can be contaminated by aflatoxins, it has not fixed any maximum aflatoxin limits for this product. If data were submitted, the Commission would not hesitate to have this information examined and, where necessary, take any measures required to protect public health.

(1) OJ L 26, 31.1.1977.
(2) OJ L 15, 21.1.1998.
(3) OJ L 186, 30.6.1989.
(4) OJ L 350, 14.12.1990.
(5) OJ L 290, 29.10.1998.
(6) OJ L 201, 17.7.1998.

(1999/C 370/108)

WRITTEN QUESTION E-0637/99

by Hanja Maij-Weggen (PPE) to the Commission

(16 March 1999)

Subject: Torture in Zimbabwe

Is the Commission aware that two journalists on the 'Zimbabwe Standard' have been detained and tortured by the military police?

Can the Commission confirm that on 29 January the EU made approaches to acting Minister of Foreign Affairs Shamuyari?

Does the Commission know the outcome of this affair?

Answer given by Mr Pinheiro on behalf of the Commission

(15 April 1999)

The Commission is aware of the arrest and torture, by the Zimbabwe military, of two journalists of the weekly newspaper 'The Standard', and can confirm that a joint demarche of the Union, United States, Canada, Australia, New Zealand, Japan and Norway took place on 29 January 1999 to acting Foreign affairs minister Shamayarira. The Commission participated in this demarche.

In a television interview of 20 February 1999, President Mugabe condoned the behaviour by explaining that the military had acted in defence of Zimbabwe's national interest. He also criticized the independent press and some sectors of civil society. In reaction, Member States and the Commission summoned Zimbabwean ambassadors in European capitals on 24 February 1999. On that occasion, the Commission reiterated the concerns expressed in the demarche of 29 January 1999, expressed its disappointment over the content of President Mugabe's televised speech and recalled that no official answer to the demarche had been provided.

Foreign Minister Mudenge replied on 5 March 1999 to the Union demarche in a meeting with Union ambassadors and the Commission's head of delegation in Harare. The minister repeated the official position that the military had acted in defence of the country. However, he also emphasized Zimbabwe's commitment to human rights and expressed his conviction that what had happened would remain an 'isolated incident'. This was, according to the minister, confirmed by the government's full cooperation in court hearings concerning the detention and alleged torture.

The Commission is encouraged by the continued functioning and independence of the Zimbabwean judiciary, but it will follow closely the evolution of the situation. At the initiative of the Commission, the Africa working group of the Council has scheduled a special meeting on Zimbabwe on 29 April 1999.

(1999/C 370/109)

WRITTEN QUESTION E-0638/99

by Hanja Maij-Weggen (PPE) to the Commission

(16 March 1999)

Subject: Arrest of a human rights activist in Indonesia

Is the Commission aware of the arrest of a peaceful human rights activist, Mr Izack Windesi, together with eight others, in Irian Jaya?

Is the Commission prepared to ask the Indonesian authorities for clarification of the charges brought against these people and of the trial proceedings?

Answer given by Mr Marín on behalf of the Commission

(19 April 1999)

The Commission is informed that Iszack Windesl was arrested in February 1999 in Irian Jaya with a number of other militants and is still in custody. The Commission is currently trying to collect as much further information as possible, in cooperation with the Member States, with a view to approaching the Indonesian authorities on this case.

(1999/C 370/110)

WRITTEN QUESTION E-0642/99

by Gerhard Schmid (PSE) to the Commission

(16 March 1999)

Subject: Denmark's ban on lead crystal imports

1. Does the Commission know whether lead in ionic form can be released from lead crystal?

2. What is the Commission's assessment of the notification of an 'Order concerning a ban on the import, sale and manufacture of lead and certain products containing lead' by the Danish Government in the light of the ban on importing lead crystal that it contains?

Answer given by Mr Bangemann on behalf of the Commission

(30 April 1999)

While lead-crystal products are being manufactured at very high temperatures, their lead content becomes an integral part of the glass matrix, and displays a high degree of chemical and physical stability. Leaching of the lead is currently covered by an (ISO) standard governing the release of lead from lead crystal tableware. It sets limits of 2,50 parts per million (ppm) of lead (Pb) for large holloware and 5,00 ppm of Pb for small holloware.

A revised standard is currently being prepared and will set limits of 0,75 ppm of Pb for large holloware and 1,50 ppm of Pb for small holloware. The International Crystal Federation has already adopted these new levels as voluntary standards which are being applied and met.

Indeed, on 31 December 1998, as part of the procedure laid down by Directive 98/34/EC of 22 June 1998, consolidating Directive 83/189/EEC and its successive amendments, which lays down a procedure for the provision of information in the field of technical standards and regulations [1], the Danish authorities notified the Commission of a draft decree banning the import, sale and production of lead and of certain products containing lead.

The notification procedure laid down by the above Directive is intended to prevent any unjustified barriers to trade between the Member States. A particular aim of the draft decree covered by the Danish authorities' notification is to ban the import of certain crystal products that contain lead. The effect of that ban is to prevent the placing on the Danish market of crystal products that have been legally produced or marketed in the other Member States. Such a barrier may be considered to be incompatible with Article 30 of the EC Treaty unless it is demonstrated that it is proportionate and justified in objective terms and, in this instance, is intended to protect human health or the environment.

At this stage the matter is still under discussion and the Commission has still not adopted any final position.

(1) OJ L 204, 21.7.1998.

(1999/C 370/111) **WRITTEN QUESTION E-0643/99**

by Gerhard Schmid (PSE) to the Commission

(16 March 1999)

Subject: Cost of the EU driving licence

A charge is usually made for the issue of the new EU driving licence by the relevant authorities in the Member States.

1. Is it generally compulsory to exchange old driving licences for the new EU licence?

2. Does the Commission know how much is charged in each of the Member States for the issuing of the new EU licence?

3. How does the Commission explain the sometimes considerable differences in the amounts charged in the Member States for the issue of the new driving licence?

Answer given by Mr Kinnock on behalf of the Commission

(4 May 1999)

1. Council Directive 91/439/EEC of 29 of July 1991 on driving licences (1) lays down detailed provisions regarding the issue of driving licences stipulating that:

> 'Member States shall introduce a national driving licence based on the Community model described in Annex I, in accordance with the provisions of this Directive.'
>
> 'Driving licences issued by Member States shall be mutually recognised. '
>
> 'Where the holder of a valid national driving licence takes up normal residence in a Member State other than that which issued the licence, the host Member State may apply to the holder of the licences its national rules on the period of validity of the licences, medical checks and tax arrangements and may enter on the licence any information indispensable for administration.'

As of 1st July 1996, all Member States introduced a new driving licence model in accordance with the provisions of this Directive. However, the issuing of driving licences remains a national competence. Accordingly, the adoption of the new Community model does not imply that existing valid licences have to be renewed. That is for each Member State to decide individually. Clearly, the Directive indicates that all licences issued by a Member State should be mutually recognised, including those driving licences issued before 1st July 1996 and which are not in conformity with the Directive's provisions.

2. The cost for the issuing of a new Community licence is also a matter of national competence. In practice, every Member State charges a different amount for the issuing of a new driving licence, ranging from approximately 12,5€ to 84€.

3. The considerable differences in the amounts charged in the Member States for the issue of a new driving licence, reflect the different costs per Member State for the theoretical test, the practical test, the medical checks, the cost for administering this process and the subsequent issue of the document itself.

(1) OJ L 237, 24.8.1991.

(1999/C 370/112) **WRITTEN QUESTION E-0644/99**

by Karl-Heinz Florenz (PPE) to the Commission

(16 March 1999)

Subject: The EU's climate protection policy

At the Third Conference of the Parties to the Framework Convention on Climate Change in Kyoto in December 1997 the European Union pledged to reduce CO_2 emissions by 8 % as compared to the 1990 levels by the year 2010. The Federal Republic of Germany is responsible for the largest share of these emissions.

The German Federal Government has now made the 'irreversible' abandonment of nuclear energy one of its aims. In this connection Chancellor Schröder stated in his Government Declaration that Germany would use a new energy-producing mixture of hard coal and brown coal.

What consequences will this energy policy objective of the German Federal Government have on the European Union's ability to honour its pledges in the context of the Kyoto Climate Protection Agreement? How does the Commission assess the trend introduced in Germany of abandoning nuclear energy in the context of the worldwide need for climate protection provisions?

Answer given by Mrs Bjerregaard on behalf of the Commission

(28 April 1999)

At Kyoto the Member States and the Community agreed to an emission reduction target of −8 % by 2008-2012 relative to 1990 levels for a basket of six greenhouse gases and not just for carbon dioxide(CO_2). In the Community Germany accounts for the largest share of Community greenhouse gas emissions and in 1990 its emissions of the three most significant greenhouse gases — (CO_2), methane and nitrous oxide — amounted to 1204 million tonns (Mt) of CO_2 equivalent which is 28,6 % of total Community emissions. The German government also has a national target of reducing its CO_2 emissions by 25 % on their 1990 level by 2005.

Under Article 4 of the Kyoto Protocol the Member States and the Community have the possibility of meeting the Kyoto emission reduction target they agreed jointly. In this context, the Member States agreed at the Environment Council in June 1998 on an internal burden sharing of the Community −8 % target. Germany agreed to a target of −21 % in the internal burden sharing. In 1995 Germany's greenhouse gas emissions were around 12 % below its 1990 emissions.

In meeting Germany's commitments under the Kyoto Protocol the major effort will come from the development and implementation of its national policies. Each Member State will develop policies and measures that are most cost-effective in meeting its commitment. Policies and measures at the Community level will also be necessary to support and complement national efforts.

As for the consequences for climate policy of the abandonment of nuclear energy in Germany, the position of the Commission has always been that balancing policy objectives such as the role of nuclear in the energy mix with climate change objectives is the responsibility of Member States. The consequences of a decision by Germany to phase out nuclear energy on its climate commitments and policy will be for the German government to assess. The Commission in its recent communications on climate has shown that significant reductions in greenhouse gas emissions across all sectors can be achieved through greater energy efficiency, demand-side measures, the use of renewables and flexible mechanisms.

It is difficult at present to assess the impact on climate protection of any trend away from nuclear generated electricity in Germany since the information on how an eventual shift away from nuclear might take place is not yet established.

(1999/C 370/113) **WRITTEN QUESTION E-0649/99**

by Cristiana Muscardini (NI) to the Commission

(16 March 1999)

Subject: Uncontrolled increase in EU immigration

The EU is currently bearing the brunt of a huge wave of immigration; some countries, however, because of their geographical position, are less able than others to control the flow of immigrants. Since several countries, such as Italy, have immigration laws that are incapable of even partially responding to the real needs of both EU and non-EU citizens, and until such time as political union can be achieved, could the Council not lay down rules to ensure that migratory flows are subject to the same controls in all Member States?

Answer given by Mrs Gradin on behalf of the Commission

(7 May 1999)

The Commission agrees with the assessment that the control of migratory flows at Union level will be one of the main objectives to be met in connection with the implementation of the Amsterdam Treaty.

Specifically, under Article 62(1) and (2) of the EC Treaty (ex Article 73j), the Council is to adopt measures on the crossing of the Member States' external borders, including in particular standards and procedures to be followed by Member States when carrying out checks at external borders and rules on short-term visas.

Likewise, under Article 63(3)(a) and (b) of the EC Treaty (ex Article 73k), the Council is to adopt measures on immigration policy in the areas of conditions of entry and residence, illegal immigration and illegal residence.

Moreover, the implementation of the Protocol integrating the Schengen acquis into the framework of the European Union will provide the Union with a series of instruments developed previously in the context of intergovernmental cooperation.

Accordingly, it would seem that the legal framework which exists following the entry into force of the Amsterdam Treaty will effectively allow legally binding standards for immigration and border controls to be adopted at Union level.

(1999/C 370/114) **WRITTEN QUESTION E-0679/99**

by Richard Corbett (PSE) to the Commission

(26 March 1999)

Subject: Evaluation of the need for an Environmental Impact Assessment

Where the Habitats Directive 92/43/EEC [1] requires an Environmental Impact Assessment wherever there is a 'likelihood' that a development might damage a protected area, it is necessary for an initial assessment to be made as to whether there is any such likelihood. In these circumstances, what is the Commission's view of the situation arising when a development takes place without even such an initial assessment having been carried out or where it is carried out only after the development in question? Is the Commission aware of the case of the upgrading of the bridges on the Southport Coastal Road which developed the capacity of the road to take traffic through a protected area? Is the Commission aware that the assessment carried out by the responsible agency, English Nature, that this development would have no negative impact on the protected areas, was not given until several months after the event, and even then,

only in response to persistent questioning by environmental groups? Does the Commission feel that the letter and the spirit of the Habitats Directive have been fully applied in this case?

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

Answer given by Mrs Bjerregaard on behalf of the Commission

(23 April 1999)

The Honourable Member refers to Article 6(3) of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive'). The Honourable Member is referred to the Commission's reply to his previous written questions E-2868/98 and E-2869/98 (1) that set out the wording of Article 6(3) of the Habitats Directive and made it clear that the article is concerned with 'a plan or project' which is 'likely to have a significant effect' on a designated site (Special area of conservation (SPA) or Special protected area (SAC). Any such plan or project 'shall be subject to appropriate assessment of its implications for the site in view of the site's conservation interests'.

The Commission is aware of the complaint in relation to the upgrading works to two existing bridges on the Southport coast road. The Commission has been actively investigating the complaint since its receipt in June 1998. The Commission is not aware of any relevant scientific evidence that has been supplied by the complainants or the United Kingdom that demonstrates there is likely to be a significant effect on the site's conservation interests, as a result of the works to the bridges. The Commission notes that the Southport coast road has been present since the 1960s.

The Commission is aware that the British authorities are currently consulting on a draft conservation strategy for the Sefton coast candidate SAC that has been prepared by the relevant British authorities. This demonstrates that they are aware of their obligations under the Habitats Directive. If the Honourable Member is concerned about the procedural aspects of this case at the national authority level, he is reminded that there may be national remedies available.

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.

(1) OJ C 142, 21.5.1999, p. 50.

(1999/C 370/115) **WRITTEN QUESTION E-0682/99**

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

(26 March 1999)

Subject: 1999 tariff quotas for tuna loins

On 18 February 1999, the Commission made an oral statement proposing a tariff quota for tuna loins for 1999 of 2500 tonnes at 6 %.

The proposal was based on the following points:

(a) the Commission has carried out a study on the available supply of tuna loins on the international market. It found that supply was as follows: GSP countries: 30 000 tonnes; ACP countries: 10 000 tonnes; EU countries: 10 000 tonnes;

(b) Community industries require approximately 59 000 tonnes, leaving a deficit of 9 000 tonnes;

(c) the Commission was influenced by the arguments put forward by an Italian firm which stated that it had lost competitiveness in both domestic and international markets, putting at risk jobs in the Italian canning industry.

The Commission pointed out that as the labour costs involved in the production of tuna loins in third countries were considerably lower than those in the EU, it was obliged to guarantee the competitiveness of the Italian canning industry, and to arrest the decline in its share of the canned tuna market.

The Commission's position is untenable and unfair, as it damages the interests of the vast majority of the Community's tuna processing firms, specifically those in Spain, France and Portugal, and some Italian firms. The Commission's proposal is quite clearly unacceptable from any viewpoint.

Given that the fish processing industry is a fundamental pillar of the common fisheries policy, which contributes to the supply of food products which are in deficit in the EU countries and for which there is increasing demand and a positive outlook for future consumption and growth, and given that the European Union must develop a policy of supply which meets the real needs of Community processing industries, supports the Community fleet and guarantees access to the necessary raw material in the best possible conditions for all its members, will the Commission comment on the collapse of the principle of preference which has led to this measure which benefits just one part — not even the whole — of the sector in one Community country, in a way that is clearly detrimental to the interests of the majority of the EU's tuna processing industry, and therefore contrary to the principle of solidarity which should inform Community policies?

Answer given by Mrs Bonino on behalf of the Commission

(3 May 1999)

The Commission is unaware of the study mentioned by the Honourable Member. In view of the conflicting statistical data, the Commission will draw up a supply balance for tuna loins by the end of this year.

The Commission has not received any request from any Italian company on this subject. The official request for the opening of an autonomous quota for tuna loins was submitted by the Italian authorities.

The opening of autonomous tariff quotas in no way implies the abandonment of the Community preference principle. The quotas have been opened for a limited quantity and period. Moreover, the modest quota proposed by the Commission, equivalent to 5 % of imports, is subject to a customs duty of 6 %, i.e. one of the highest rates proposed by the Commission under its overall proposal for the opening of autonomous quotas for certain fishery products.

In this proposal, the Commission took account of the principle of solidarity governing Community policies, recognising that the Italian canning industry occupies a not inconsiderable place in the Community canning industry in terms of volume of production and employment and that part of that industry is manifestly facing serious competitiveness problems.

It is not up to the Commission to choose between the various industrial strategies in the Member States. All Community operators should be able to source their supplies in the best possible conditions without ignoring the overall production situation in the Community.

(1999/C 370/116) **WRITTEN QUESTION E-0683/99**

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

(26 March 1999)

Subject: 1999 tariff quotas for tuna loins

Due to the large number of jobs it provides and the revenue it generates, the tuna canning industry is the most important branch of the Community canning sector in economic and social terms. Will the Commission therefore clarify its reasons for suggesting new imports of a semi-processed product, i.e. tuna loins from South-East Asia, a move which also represents the first step towards liberalisation of the tuna canning sector?

Is the Commission aware that, given the market conditions in this area, this would mean the total distortion of the Community tuna processing industry, and that in order to avoid job losses in an uncompetitive firm, an infinitely higher number of jobs would be sacrificed in other areas of the European Union?

Answer given by Mrs Bonino on behalf of the Commission

(3 May 1999)

As the Honourable Member himself pointed out in his question E-540/99 [1], tuna loins have become a raw material in their own right in canned tuna production. In some Member States, tuna loins currently account for 60 % of raw materials used in preserve production.

The opening of a limited autonomous tariff quota is designed to facilitate raw material supplies to the Community canning industry. In no way does this measure constitute a step towards the liberalisation of the tuna canning sector. The Commission has made no such proposals, neither under its proposals on the opening of autonomous tariff quotas nor in the context of the reform of the common organisation of the markets in fishery and aquaculture products.

With regard to a possible destabilisation of the tuna canning industry, the Commission takes the view that current market conditions are unlikely to cause major difficulties arising from the opening of a quota equivalent to only 5 % of Community imports of this product. On the other hand, it is convinced that this quota will enable the industry to improve its competitiveness in relation to exports from third countries. Strengthening competitiveness is all the more necessary in view of the major job losses seen in some Member States, with some companies disappearing altogether.

(1) See page 55.

(1999/C 370/117) **WRITTEN QUESTION E-0684/99**

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

(26 March 1999)

Subject: 1999 tariff quotas for tuna loins

Given that the capacity for the supply of tuna loins, under favourable tariff conditions, from GSP, ACP and Community countries is approximately 129 500 tonnes, enough to supply the European market at current levels of demand, and taking into account the fact that in 1997 Europe imported 38 940 tonnes of tuna loins and that therefore demand was comfortably met, will the Commission clarify the quantitative criteria on which it bases its proposal to open a tariff quota for 1999 which is untenable in view of the quantities currently available, at a time when delegations from some EU countries are even prepared to reach a compromise to create contractual arrangements based on international prices between the fishing industry and those sectors of the Italian processing industry which may require such arrangements, so guaranteeing the supply of raw material?

Answer given by Mrs Bonino on behalf of the Commission

(4 May 1999)

The Commission cannot confirm the figure put forward by the Honourable Member for the quantities of tuna loins available from Community countries, 'GSP-Drugs' States and the ACP States. The figures given to the Commission by the Member States producing tuna loins are much lower than those cited by the Honourable Member.

When the Commission drew up its proposal to open autonomous tariff quotas, it took account of the Member States' requests and the state of the Community market.

In the case of the tariff quota for tuna loins, the Commission noted that the Community did not produce enough tuna loins to meet its needs. Indeed, the Community canning industry has to make increasing use of imports from third countries. This observation was confirmed by figures provided on 15 January 1999 by the Spanish producer group 'Asociación Nacional de Fabricantes de Conservas de Pescado y Marisco' (Anfaco). Their statistics show that Spain, the main Member State producing tuna loins, is itself unable to supply its canning industry fully.

The Commission would also point out that, when imports from countries enjoying preferential treatment (the ACP and 'GSP-Drugs' States) take place in accordance with the rules of origin — to which the Honourable Member rightly attaches great importance — they are still insufficient to supply the Community canning industry.

(1999/C 370/118) **WRITTEN QUESTION E-0686/99**

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

(26 March 1999)

Subject: 1999 tariff quotas for tuna loins

The current structure and mechanisms for the supply of tuna loins to EU countries reflect the legitimate interests of the Community fleet in a balance that has been achieved with great difficulty.

Will the Commission therefore explain why it has requested the opening of a new tariff quota which is completely at odds with the interests of the Community fleet, in that its natural market will be drastically reduced?

Answer given by Mrs Bonino on behalf of the Commission

(7 May 1999)

The Commission does not consider that the opening of a quota, for a short period of time and a limited quantity, and subject moreover to tariff duty of 6 %, is likely to undermine the interests of Community shipowners or reduce their Community market share as regards supplies of tuna.

Indeed, the Community fleet disposes of a substantial part of its production in non-member countries in the light of requirements on the world market. It is significant in this respect that the fleet reduced its deliveries to the Community market by 15 % in 1998 as compared with 1996, and by 36 % in the case of yellowfin tuna, which is the species most sought after for high-quality canning.

(1999/C 370/119) **WRITTEN QUESTION E-0688/99**

by Fernand Herman (PPE) to the Commission

(26 March 1999)

Subject: Situation of the starch industry and its industrial clients in the European Union

In my oral question O-0025/96 [1] I drew the Commission's attention to the fact that the European starch industry was no longer capable of supplying its customers (the paper, fermentation and biotechnology industries, etc.) satisfactorily, inter alia because of the low level of refunds.

Commissioner Fischler replied, in plenary session in Strasbourg on 15 February 1996, that the Commission would do all it could to guarantee our industry a satisfactory competitive position vis-à-vis its competitors in third countries.

Today I note that during more than half of the three-year period that has elapsed since February 1996 production refunds have been insufficient.

As a result, a number of European businesses have located units that use starch as a raw material outside the European Union, some of them in an industry with excellent prospects — biotechnology.

In order to dispel some of the uncertainties that have dogged the European starch industry for a long time and to remedy the harm that inevitably results from such uncertainties, could the Commission:

- give assurances that the system of refunds on the use of starch will be maintained and improved,
- confirm the principle whereby starch production refunds will cover the difference between maize prices in the European Union and those on world markets?

(1) European Parliament debates 4-475 (February 1996).

Answer given by Mr Fischler on behalf of the Commission

(29 April 1999)

The Commission endorses the undertaking it gave in Strasbourg in plenary session on 15 February 1996.

The Commission has always been mindful of the need to ensure the competitiveness of the starch industry and sectors downstream in the Community, like the biotechnology industry that uses starch and starch products as a raw material.

Under the refund scheme, very large and increasing quantities of starch and processed starch products amounting to up to 3,5 million tonnes of starch equivalent are disposed of each year.

The Commission does not agree that production refunds were inadequate in the period referred to by the Honourable Member.

The way the refund is calculated must reflect the real difference between the world and Community market prices for agricultural raw materials used in the manufacture of starch. This principle has always been applied to ensure the Community industry's competitiveness as far as the prices of the raw material used are concerned. In practice, the only reference market is the one for maize.

The Commission will maintain this market management instrument as long as there is a significant difference between prices on the world and Community markets.

(1999/C 370/120) **WRITTEN QUESTION E-0689/99**

by Amedeo Amadeo (NI) to the Commission

(26 March 1999)

Subject: Imports of mushrooms

Given that an Italian company has been importing pickled mushrooms and uncooked mushrooms from China for the last three years, can that company also be authorized to import mushrooms in brine for the year 2000?

What is the authorized quantity of imported mushrooms in brine?

How is this quantity calculated?

Answer given by Mr Fischler on behalf of the Commission

(28 April 1999)

The question put by the Honourable Member concerns imports within the tariff quota for preserved mushrooms of the genus Agaricus falling within CN codes 0711 90 40, 2003 10 20 and 2003 10 30.

Commission Regulation (EC) 2125/95 of 6 September 1995 opening and providing for the administration of the quota (1), as last amended by Regulation (EC) 2493/98 (2), lays down specific provisions for ensuring that the quantities available — including 22 750 tonnes for products originating in China — are shared out fairly among the various traders in the Community. Part of these quantities is reserved for 'traditional importers', as defined in Article 4(1)(a) of the Regulation.

A company cannot claim recognition as a 'traditional importer' on the basis of imports that are not within the scope of the Regulation, but can always, within the quota, qualify for certain quantities as a 'new importer' if it fulfils the conditions laid down in Article 4(1)(b) of the Regulation.

Apart from the above-mentioned quota there is no quantitative limit on imports of the products in question.

(1) OJ L 212, 7.9.1995.
(2) OJ L 309, 19.11.1998.

(1999/C 370/121) **WRITTEN QUESTION E-0690/99**

by Esko Seppänen (GUE/NGL) to the Commission

(26 March 1999)

Subject: Official use of language by the EU

In the answer to my written question P-0024/99 (1), what do the letters 'Sir' before Commissioner Leon Brittan's name mean? Are they part of the EU's official linguistic usage?

(1) OJ C 289, 11.10.1999, p. 135.

Answer given by Mr Santer on behalf of the Commission

(27 April 1999)

In matters of personal titles, the Commission follows the rules and customs of each Member State.

(1999/C 370/122) **WRITTEN QUESTION E-0691/99**

by Esko Seppänen (GUE/NGL) to the Commission

(26 March 1999)

Subject: Licensing requirement for Wassenaar exports

In the reply to my written question (P-0024/99) (1), Commissioner Leon Brittan states that on 2-3 December 1998 the parties to the Wassenaar Agreement decided to relax controls on encryption products. However, if such products exceed 64 bits, they require an export licence. This means that the EU Member States are consenting to restrictions on trade in encryption products imposed by the USA, allowing them to be applied even to civil products in a manner which is to the advantage of US enterprises and espionage services.

How can the Commission use Article XXI of the GATT Agreement to justify the fact that these products are subject to export licences and the requirement that transactions be notified, given that the products concerned have no military applications?

(1) OJ C 289, 11.10.1999, p. 135.

Answer given by Sir Leon Brittan on behalf of the Commission

(21 April 1999)

Agreement in the Wassennaar arrangement on the control of encryption products with a key length of more than 64 bits was reached by consensus of all participating states, including the 15 Member States.

Controls on encryption aim to avoid unwanted military or terrorist use of such products. A licensing obligation does not signify a ban on export but rather a control by the competent authorities with a view to ascertaining that the end-use is for legitimate purposes.

(1999/C 370/123) **WRITTEN QUESTION E-0692/99**

by Sebastiano Musumeci (NI) to the Commission

(26 March 1999)

Subject: Measures to support swordfish fishing in the Mediterranean

The recent proposal by the Council of Fishery Ministers prohibits all Community vessels from using driftnets for swordfish fishing with effect from 31 December 1999.

However, the Council has granted a derogation to vessels fishing in the Baltic, enabling them to carry on board, as well as nets of the authorized length of 2 500 metres, additional nets of up to 21 kilometres, and even 3 000 metres of spare length.

Such a difference in treatment compared with other Member States clearly penalizes Mediterranean fishermen, and the proposal to ban driftnet fishing will mean that the Italian restructuring plan cannot be put into practice.

Can the Commission say what steps it intends to take to avoid unfair measures and, while bearing in mind the need to preserve fish stocks, ensure that one of the few genuinely productive sectors of the Sicilian and Mediterranean economy does not suffer any further damage?

Answer given by Mrs Bonino on behalf of the Commission

(21 April 1999)

The measures adopted by the Council on the phasing-out of driftnets [1], are not applicable in the Baltic given the special characteristics of the salmon fisheries of this sea. The threat for the non-targeted populations posed by driftnet fishing is very low.

As far as the Italian plan for the re-conversion of driftnets is concerned, the Council had already given its formal support to it before the adoption of the above-mentioned regulation [2]. Moreover, the Council has recently adopted a new decision [3], applicable to all Community vessels engaged in driftnet fishing for large migratory species (first of all swordfish and tunas). The conditions for the re-conversion have been clarified for the Italian fisheries and extended to other Member States.

(1) Council Regulation (EC) 1239/98 of 8 June 1998 amending Regulation (EC) 894/97 laying down certain technical measures for the conservation of fishery resources, OJ L 171, 17.6.1998.

(2) Council Decision 97/292/EC of 28 April 1997 on a specific measure to encourage Italian fishermen to diversify out of certain fishing activities, OJ L 121, 13.5.1997.

(3) Council Decision 99/27/EC of 17 December 1998 on a specific measure to encourage diversification out of certain fishing activities and amending Decision 97/292/EC, OJ L 8, 14.1.1999.

(1999/C 370/124) **WRITTEN QUESTION E-0694/99**

by Sebastiano Musumeci (NI) to the Commission

(26 March 1999)

Subject: Infringement proceedings in respect of oil

The infringement proceedings initiated by the EU against Italian Law No 313/98 on the labelling of oils, also known as the 'Made in Italy' Law, appear totally unwarranted, given that the law in question does not serve to create trade barriers but is aimed at safeguarding the quality and typical nature of the product and at guaranteeing food safety for consumers.

The EU's Management Committee for Oils and Fats drastically reduced the estimated quantity of olive oil production for the 1997/98 marketing year owing to the sharp rise in Spanish production, and this has had serious repercussions for Italy, one of the leading producer countries.

Given that the unacceptably large cuts (of around 40 %) in Community aid for the 1997/98 marketing year will exacerbate the serious crisis already facing the olive oil sector.

Can the Commission say:

- Whether it agrees that it should revoke the infringement proceedings initiated against Italy in respect of the application of Law No 313/98, and
- Whether it has the political will to work with the Italian Government to renegotiate Community aid for olive-growing for the 1997/98 marketing year in order to alleviate the effects of the serious crisis already affecting the market and prices?

Answer given by Mr Fischler on behalf of the Commission

(5 May 1999)

The Commission considers that the infringement proceedings initiated against Italy are well-founded, as the law mentioned by the Honourable Member was approved contrary to the provisions of Council Directive 83/189/EC on 'technical standards' (amended inter alia by Directive 88/182/EC, and consolidated by Directive 93/84/EC) and contrary to the provisions of Article 10 of the EC Treaty (ex Article 5). Italy did not react to the reasoned opinion that the Commission addressed to it.

The Commission does not share the opinion of the Honourable Member on the consequences of the reduction in aid on olive growers' income. Indeed, in the case of small producers (producing less than 500 kilograms of olive oil), there was no reduction in aid; and these producers account for more than 60 % of all Community olive growers (75 % in Italy). As for the large producers, their income comes from the sale of oil, which depends on the quantities produced, and from production aid, which is the result of multiplying the unit amount of aid by the quantities produced. Because of production in the 1997/98 marketing year, the large producers did not suffer significant losses of income. Moreover, this problem was discussed in the Council meeting on 28 and 29 September 1998 and the Council did not consider it necessary to take action further to the Italian request.

(1999/C 370/125) **WRITTEN QUESTION E-0717/99**

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Spain does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/126)

WRITTEN QUESTION E-0718/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final (1), laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Portugal does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/127)

WRITTEN QUESTION E-0719/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final (1), laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Italy does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/128)

WRITTEN QUESTION E-0720/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final (1), laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in France does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/129)

WRITTEN QUESTION E-0721/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Belgium does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/130)

WRITTEN QUESTION E-0722/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in the Netherlands does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/131)

WRITTEN QUESTION E-0723/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Luxembourg does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/132)

WRITTEN QUESTION E-0724/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Great Britain does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/133)

WRITTEN QUESTION E-0725/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Ireland does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/134)

WRITTEN QUESTION E-0726/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Denmark does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/135)

WRITTEN QUESTION E-0727/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Sweden does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/136)

WRITTEN QUESTION E-0728/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Finland does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/137)

WRITTEN QUESTION E-0729/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final [1], laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Germany does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/138)

WRITTEN QUESTION E-0730/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final (1), laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Austria does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

(1999/C 370/139)

WRITTEN QUESTION E-0731/99

by José García-Margallo y Marfil (PPE) to the Commission

(29 March 1999)

Subject: Structural Funds

The regions whose level of income per inhabitant is less than 75 % of that which corresponds to the average Community inhabitant are classed as 'Objective 1 regions' and are entitled to substantial Community aid.

In order to work out whether this threshold has been crossed or not, the draft Council Regulation, COM(98) 0131 final (1), laying down general provisions on the Structural Funds, stipulates that the figures corresponding to the last three years on which Eurostat has information will be taken into account.

Currently, only the figures corresponding to the financial years 1994, 1995 and 1996 are available.

What regions in Greece does the Commission expect not to be classed as Objective 1 regions for this three-year period?

(1) OJ C 176, 9.6.1998, p. 1.

Joint answer
to Written Questions E-0717/99, E-0718/99, E-0719/99, E-0720/99, E-0721/99, E-0722/99, E-0723/99, E-0724/99, E-0725/99, E-0726/99, E-0727/99, E-0728/99, E-0729/99, E-0730/99 and E-0731/99
given by Mrs Wulf-Mathies on behalf of the Commission

(5 May 1999)

The Commission will decide on the list of regions eligible for Objective 1 in the period 2000-06 once the Council has adopted the general regulation governing the Structural Funds. The proposal presented by the Commission on 19 March 1998 states that the Objective 1 regions will be those at NUTS level II whose gross domestic product (GDP) per capita, measured in purchasing power parities and calculated on the basis of the last three years available, is less than 75 % of the Community average. The data used for this purpose will relate to the years 1994, 1995 and 1996.

In addition, the Commission has proposed that the most remote regions and the areas qualifying for Objective 6 in the period 1995-99 should also be eligible for Objective 1.

The table sent direct to the Honourable Member and to the Secretariat-General of Parliament lists the regions in each Member State which, based on the Commission proposal, will be eligible for Objective 1 in the period 2000-06. Any region not included in this table will not be eligible for this Objective.

(1999/C 370/140) **WRITTEN QUESTION E-0732/99**

by Gerhard Schmid (PSE) to the Commission

(29 March 1999)

Subject: Nuclear Power Stations and the Millennium Bug

1. Has the Commission taken any action in support of the Member States' efforts to resolve the Year 2000 problem in nuclear power stations? If so, what?

2. Have any details emerged, in the context of the nuclear safety programme under Phare and Tacis, as to the approach being taken in Eastern Europe to the Year 2000 problem in nuclear power stations? If so, what action has been taken as a result?

Answer given by Mrs Bjerregaard on behalf of the Commission

(6 May 1999)

1. All Member States with operating nuclear power plants (NPPs) have programmes to address the year 2000 (Y2K) problem. Regulatory authorities are reviewing these programmes and are monitoring their execution. Most NPP operators report that they will be Y2K ready by June 1999. The Commission is in contact with relevant industrial groups for information on their activities. It has provided for discussion of the Y2K issue with Member States' regulators in relevant working groups and so promotes best regulatory practice. There is not a perceived need to increase the Commission's activities with respect to Y2K compliance of nuclear installations in the Member States, since they are already addressing the issue.

2. The countries of Central and Eastern Europe and the New Independent States are reportedly taking measures. However it appears that the level of awareness and action is not homogeneous. The World association of nuclear operators (WANO) considers that it is currently hard to judge where adequate action has been undertaken, other than in the Czech Republic, Slovakia and Hungary. WANO is encouraging the more experienced of its Western members to second experts to Eastern NPPs.

The International atomic energy agency (IAEA) plans to organise an assessment over the next three to four months. The assessment teams are expected to report back in May or June 1999 and a clearer picture of the needs will emerge then. Considering the tight time scale and the absence of any mandate for the Community to take an initiative, the Commission will focus its main efforts on supporting IAEA work. The Commission will make best use of the TACIS on-site assistance programme with Community nuclear operators, who will be fully integrated into the IAEA scheme. Discussions are taking place with the IAEA to further assess the practicalities of Community support. In addition to supporting IAEA assessment teams, the Commission will investigate whether resources could be put in place to address needs identified by these teams.

In the framework of the TACIS on-site assistance programme, the issue has already been taken up by one contractor (at Leningrad NPP). At the Commission's request, the issue was also addressed at the last on-site assistance meeting organised by WANO in November 1998. In December 1998, the Commission requested TACIS on-site assistance contractors to ensure the Y2K compliance of equipment delivered under Community programmes. In early 1999, the Commission initiated a new inquiry with all the

Community utilities involved in the on-site assistance programme to raise awareness. The most recent on-site assistance contracts include a provision to address the issue at the specific sites.

The Commission has also raised the awareness of Eastern European nuclear regulatory authorities through discussions in the Concert group and is considering requests for support from the Slovakian and Bulgarian regulators.

The Commission intends to bring this matter to the attention of the forthcoming European Council in Cologne.

(1999/C 370/141) **WRITTEN QUESTION E-0741/99**

by Alessandro Danesin (PPE) to the Commission

(29 March 1999)

Subject: Mountain areas and the Structural Funds

Despite the scale of the resources involved, planning for the Structural Funds for 2000-2006 has not provided for specific measures for mountain areas with problems (peripheral location, difficult terrain, cost of living, environmental protection etc.) that cannot be resolved by measures under Objectives 2 and 5b, under which many areas are to be abandoned in order to channel funds to Objective 1.

SMU and crafts businesses operating in mountain areas have never enjoyed a specific support policy that recognises their particular situation and their valuable role as a source of economic development and employment in peripheral areas.

SMU in these areas are penalised from the outset, when they are set up and when they are in operation, because of the difficult environmental conditions they are forced to work in, and the greater burdens in terms of time, costs and operating restrictions they are forced to shoulder.

1. Does the Commission consider that SMU operating in mountain areas should be protected in some way;

2. Does it consider that the new planning for Structural Funds could provide an opportunity to allocate funds to help boost the SMU and crafts businesses located in mountain areas?

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

As regards the extent to which it has taken into account the particular characteristics of mountain areas in formulating future Community agricultural and structural policy, the Commission would point out that, although the need to simplify this policy makes it difficult to define an Objective for 'mountain areas' or to allocate funds specifically to such areas, the Agenda 2000 package offers them many promising opportunities.

The general framework proposed by the Commission is well adapted both to the multipurpose role of these areas and to their diversity. The reorganisation of rural development policy, as provided for in the draft Council Regulation on support for rural development from the European Agricultural Guidance and Guarantee Fund, should lead to better integration between the various existing instruments, whilst also introducing a large degree of decentralisation in their implementation.

In terms of programming, the Commission proposes maintaining Objective 1, which provides for support by means of integrated programmes for less developed regions and will probably (as is currently the case) cover a significant number of mountain areas. Outside Objective 1 regions, the new rural development policy will enable all areas to receive support under the measures in the rural development programmes. In addition, the implementation of appropriate regional programmes will make it possible to take better account of the specific characteristics of the various Community areas, which should be of particular benefit to mountain areas.

More particularly, small and medium-sized enterprises (SMEs) and crafts businesses will continue to receive processing and marketing aid and may also be eligible for aid under the measures for the adjustment and development of rural areas. This will cover a significant proportion of the areas of activity in which such firms are active and should have a particular impact in mountain areas due to the particularly acute demand for such assistance. In addition, the draft Commission guidelines on the Structural Funds programmes for the period 2000-06 [1] give priority to SMEs as the vehicle for regional economic development and employment.

[1] SEC(99) 103 final.

(1999/C 370/142)

WRITTEN QUESTION E-0745/99

by Anita Pollack (PSE) to the Commission

(29 March 1999)

Subject: Fisheries and sustainability

Does the Commission ensure that PESCA funding is used to support nature conservation objectives? If not, why not?

Answer given by Mrs Bonino on behalf of the Commission

(23 April 1999)

Funding from the PESCA operational programme is not provided directly for nature conservation schemes, as that is not its goal, but a number of PESCA measures have positive repercussions on the conservation of natural resources.

These include the protection of overexploited species and marine ecosystems through support for schemes to channel fishing effort towards new species and new fishing zones and for pilot projects for monitoring the impact of fishing effort and the mapping of the sea bed, alongside support for improvements in and facilities for extensive fishfarming and for environmentally-friendly fishfarming methods (new waste recycling processes and extensive sea bed mussel farming)and training for fishermen in sustainable fisheries management.

PESCA represents therefore an important source of funding for innovative projects which seek to combine the goal of an economically viable sector with the safeguarding of fish stocks and marine ecosystems and to test new strategies for the sustainable management of sea fisheries and fishfarming.

(1999/C 370/143)

WRITTEN QUESTION E-0749/99

by Anita Pollack (PSE) to the Commission

(29 March 1999)

Subject: Cryptosporidium

Does the Commission have any research (or is there any in progress) on the infectivity of type 1 cryptosporidium as distinct from that of type 2?

Answer given by Mrs Cresson on behalf of the Commission

(30 April 1999)

The Commission is funding, within the Biomed 2 programme, a project on cryptosporidiosis [1] which started on 1 May 1997 with a duration of 36 months.

Although cryptosporidium infection in people with intact immune function is asymptomatic or self-limited, infants and immunodeficient individuals are at severe risk from infection. Transmission takes place person-person or animal-person, often via contaminated water. At present, there are no effective diagnostic

systems available to discriminate among parasite isolates of different origin. The project focuses on the development of effective genetic markers by the cloning of the cryptosporidium polymorphic genes and by the establishment of a cryptosporidium isolate bank. After one year, the project collaborators reported to the Commission the identification of two genetically distinct groups, genotype 1 (or H) exclusively associated with human infection, and genotype 2 (or C) associated with both human and animal infection. Human faecal samples from several outbreaks in United Kingdom were analysed and it was found that type 1 was responsible, almost exclusively, for the waterborne transmission whereas type 2 was confined to the animal infection (both natural and experimental). It was also found that most cryptosporidial infection in acquired immune deficiency syndrome (AIDS) patients occurred in those who had been Human immunodeficiency virus (HIV) infected by the sexual route.

In the fifth framework programme for research and technological development (1998-2002) ([2]), research on risk assessment and the development of new diagnostic tests for infectious diseases will be a high priority in the key action 'Control of infectious diseases' of the thematic programme 'Quality of life and management of living resources'.

([1]) Contract: BMH4-CT97-2557, 'Molecular typing of Cryptosporidium parvum: monitoring of strain variation in AIDS patients and identification of transmission routes in parasite outbreaks'.

([2]) OJ C 137, 7.6.1997.

(1999/C 370/144)

WRITTEN QUESTION E-0753/99

by Roberta Angelilli (NI) to the Commission

(29 March 1999)

Subject: Funds for Torrita di Siena

The Regional Council of Tuscany's Resolution 424 of 3 November 1993 proposed that part of the municipality of Torrita di Siena be added to the list of less-favoured agricultural areas. Numerous letters were sent to the competent bodies, including those of the EU, from agricultural associations in the area seeking information on the requirements that must be met in order to be added to the list. Years have gone by and numerous requests have been sent, yet still no reply has been received.

Will the Commission therefore say:

1. whether it believes that those concerned have been waiting too long for the necessary explanations about the procedure to follow, as the Regional Council has already given its approval based on Directive 75/268/EC ([1]);

2. what procedures should be followed under Directive 75/268/EC in order for Torrita di Siena to be added to the list of less-favoured agricultural areas;

3. whether it believes that the improvement of Torrita di Siena is in the general interest and is beneficial, and that funds should be provided as a matter of urgency to safeguard the rural heritage?

([1]) OJ L 128, 19.5.1975, p. 1.

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

The request for classification of a part of the 'Commune of Torrito di Siena' as a less-favoured area to which the Honourable Member refers, is included in a set of requests from Italian regions which have been notified to the Commission.

For reasons of efficiency, and to conform to procedures applied to other Member States, it was agreed between the Italian authorities and the Commission to treat all requests for modification and extension of less-favoured areas together. These requests concern about 160 communes in four Italian regions.

Community legislation (Council Regulation (EC) 950/97 of 20 May 1997 on improving the efficiency of agricultural structures [1]), stipulates that when Member States communicate to the Commission the boundaries of the areas proposed for classification as less-favoured areas, they shall equally submit all relevant information on these areas. The Commission then proceeds to the technical examination and, possibly, to the classification of the concerned areas. Up to this moment the information provided by the Italian authorities has not been sufficient to examine the eligibility of those areas, and to proceed to their approval.

Soon it will be impossible for the Commission to classify the areas under the current rules. Concerning the new rules under the draft Council regulation on rural development [2] the responsibility for classification of less-favoured areas will lie with the Member State.

(1) OJ L 142, 2.6.1997.
(2) OJ C 170, 4.6.1998.

(1999/C 370/145)

WRITTEN QUESTION E-0764/99

by Alexandros Alavanos (GUE/NGL) to the Commission

(29 March 1999)

Subject: Failure by Greece to incorporate Court judgments on water pollution into national law

The Commission has decided to take measures against Greece for its non-compliance with Article 7 of Directive 76/464 [1] on pollution caused by certain dangerous substances discharged into the aquatic environment and its failure to incorporate into national law Court judgments C-232/95 and C-233/95 on the pollution of Lake Vegoritis.

Will the Commission say:

1. which paragraph(s) of Article 7 was/were infringed, and

2. whether it is aware of the reasons for the delay by Greece in incorporating the directive and the Court judgments into national law?

(1) OJ L 129, 18.5.1976, p. 23.

Answer given by Mrs Bjerregaard on behalf of the Commission

(6 May 1999)

Article 7 of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community requires Member States to establish emission reduction programmes for the substances of list II as defined in the annex of this Directive. This requires Member States to identify all discharges into waters which are liable to contain list II substances (Article 7, paragraph 1); establish quality objectives for list II substances which are discharged (Article 7, paragraph 3); introduce an authorisation system for these discharges which sets emission limit values based on the quality objectives (Article 7, paragraph 1); include, where necessary, specific provisions governing the composition and use of substances and products (Article 7, paragraph 4); and set deadlines for the implementation of the programmes (Article 7, paragraph 5)

Directive 76/464/EEC must be implemented by all Member States. As Greece has not established the programmes under the Directive, the Commission, responsible for the implementation of the Community legislation in all Member States, brought the matter before the Court of justice, on the basis of Article 226 EC Treaty (ex Article 169). The Commission does not know the reasons why Greece failed to fulfil the obligations under Directive 76/464/EEC.

By a decision dated 11 June 1998, the Court of justice declared that, by failing to establish programmes including quality objectives and setting deadlines for their implementation in order to reduce the pollution of the waters of Lake Vegoritis and its tributary, the River Soulos, and of the waters of the Gulf of Pagasitikos, by the dangerous substances within List II of Directive 76/464/EEC, Greece has failed to fulfil

its obligations under that Directive, in particular Article 7. A letter of formal notice on the basis of Article 171 EC Treaty was sent to Greece on 18 December 1998.

The Greek authorities notified to the Commission on 11 January 1999 measures taken in order to implement the above mentioned decision of the Court of justice. The analysis of these measures is underway.

(1999/C 370/146) **WRITTEN QUESTION E-0765/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(29 March 1999)

Subject: Construction of new rail link between Lianokladi and Domokos

There are reportedly two proposals for a new rail link between Lianokladi and Domokos, one comprising a tunnel of 23 kilometres at a total cost of DRS 260 billion and the other which provides for an 11 kilometre tunnel with the rest of the line overground at a total cost of Drs 160 billion. In addition, under the second proposal, the new railway station for Lamia would be situated at a distance of 2 kilometres from the centre of the town, whereas under the first proposal, the existing station at Lianokladi would continue to serve the town of Lamia, which is 9 kilometres away.

The Commission:

1. Is aware of the proposed options for the construction of the rail link between Lianokladi and Domokos?
2. What are its views on the cost and social benefit of the proposals?
3. What is its estimate of the probable total duration of the work?

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

(5 May 1999)

The Commission is aware of the various proposals for the new railway line between Lamia or Lianokladi, and Domokos. This section of the main Athens-Thessaloniki railway line is mountainous and the projected new railway line will undoubtedly be very expensive and technically very difficult.

With this in mind the Monitoring Committee for the Railways Operational Programme for the period 1994-99, which is part-funding the studies of the section in question, decided at the beginning of 1999 to study the proposals before taking any decision.

The Greek authorities are currently preparing this study so that the alternative routes can be effectively compared from the technical, economic and social standpoints. This phase should finish towards the end of this year or in early 2000, so allowing the final decisions to be taken in time for the next programming period in 2000-06.

(1999/C 370/147) **WRITTEN QUESTION E-0766/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(29 March 1999)

Subject: Athens-Thessaloniki rail link

The 2nd CSF provides for the construction of a new railway line between Tithoreas and Lianokladi (50 km) and the electrification of the Athens-Thessaloniki line, reducing the journey to 4 hours 20 minutes. The 2nd CSF is now coming to an end and there has been no real progress on either of these two projects. The journey between Athens and Thessaloniki still takes 6 hours and, at the present rate of progress, the 2nd CSF will not have met its targets even by the year 2006.

The Commission:

1. In it's view, what are the reasons for these delays?

2. How does it intend to intervene in this situation?

3. What does it envisage for the 3rd CSF, given the likelihood that the 2nd CSF will be eight years behind schedule in meeting its targets?

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

(5 May 1999)

It is true that, in the rail-transport sector in Greece, the principal objective of both the Community Support Framework (CSF) for 1994-99 and the Cohesion Fund is to carry out civil engineering, electrification and signalling work on the Athens-Thessaloniki line, with a view to reducing the journey time from 5h 50 in 1994 to 4h 20 around the year 2000.

Almost all the projects provided for under the Operational Programme (OP) for the rail network are currently under way, but only the minor ones are scheduled for completion by 2001. The major project involving construction of a new 50-kilometre line between Tithorea and Lianokladi and, in particular, the Kallidromo project, which is being part-financed by the European Regional Development Fund, should be completed around 2005 according to the Greek authorities' latest estimates.

The construction of the new Evangelismos-Leptokaria line and the electrification of the entire Athens-Thessaloniki line, which are being part-financed by the Cohesion Fund, are expected to be completed in 2004-05. Consequently, the objective of reducing the journey time between Athens and Thessaloniki, which chiefly depends on the completion of the Kallidromo project and the electrification process, will not be achieved in 2000.

This delay is mainly due to the slowness of the process of setting up Ergose and the length of time taken for it actually to become operational (approximately 3 and 4 years respectively after the launch of the OP), as well as an accumulation of failings at the time when it was set up.

The Commission will very soon begin discussions with the Greek authorities concerning the problems and prospects of rail projects part-financed by Community Funds in Greece. These discussions will cover both the CSF for the current programming period and the preparation of the next period (2000-06).

(1999/C 370/148) **WRITTEN QUESTION E-0767/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(29 March 1999)

Subject: Archaeological excavations at Pydna, prefecture of Pieria

Ancient Pydna in the prefecture of Pieria was the oldest town in 5th century Macedonia A number of important archaeological finds have been unearthed during construction of the new railway line, the second section of the road between Katerini and Thessaloniki and the natural gas pipeline. Owing to a lack of finance, there has been no systematic excavation hitherto, merely 'salvage' operations to tie in with the needs of these major public works.

If the Commission received a request, would it consider continuing the excavations in a more systematic fashion and setting up a museum in the area to exhibit the finds for the benefit and development of the region?

Answer given by Mr Oreja on behalf of the Commission

(5 May 1999)

Archaeological excavations as such cannot be cofinanced by the Raphael programme or the Community's Structural Funds. However, projects to enhance archaeological sites with a view to attracting more visitors and thereby promoting tourism in the regions concerned may be eligible under the Structural Funds.

A project to enhance the Pydna archaeological site (including the building of a museum) could be eligible if it contributed to the development of Central Macedonia. It should be pointed out that it is for the national authorities to propose projects to be financed under operational programmes.

(1999/C 370/149) **WRITTEN QUESTION E-0774/99**

by Marjo Matikainen-Kallström (PPE) to the Commission

(29 March 1999)

Subject: Tacis project A2.01/96 concerning the provision of a training simulator for the No 2 unit of the Medzamor nuclear power establishment (Armenia)

The Commission has issued an invitation to tender for the provision of a training simulator for the no. 2 unit of the Medzamor (Armenia) nuclear power station. However, the possibility has been mooted of awarding the tender directly to a consortium which does not have the relevant product ready and which indeed has yet to develop the product. The development of an appropriate programme will take years.

The APROS programme was planned in Finland from 1986. APROS is a versatile programme which has been widely used in training simulator applications. At least 50 different APROS applications have been in use.

The APROS programme's credentials are supplied by the power stations at Kozloduy, Paksi and on the Kola Peninsula. The Kola power station in particular is very similar to the one at Medzamor. APROS has been in use in incident analyses since January 1995 and as a training simulation application since December 1997. The completed and tested training simulator on the Kola peninsula proves that a training simulator based on APROS is a powerful and cost-effective alternative for Medzamor too.

An invitation to tender will at least guarantee that all sides' strong points are taken into account, that resources are used for this project in a cost-effective manner and that aid money is not spent on product development. A tender procedure will also ensure that the EU's principles of competition and transparency are put into practice.

Does the Commission intend to put this project out to tender so that all interested parties may participate?

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

(5 May 1999)

The Phare and Tacis programmes for nuclear safety have supplied multi functional training simulators for all reactor sites of the type VVER 440 in the New independent states (NIS) and the Central and Eastern European countries (CEECs). The project was awarded by a tendering process in 1994. The Armenian plant of Medzamor was in the beginning not incorporated from that supply due to the fact that it was shut down at the time after the 1988 earthquake.

When the Armenians decided to restart the plant, the international community decided to try to get an urgent commitment on behalf of the Armenian authorities to shut the plant down as soon as possible, while at the same time assisting Armenia in operating it as safely as possible during the remaining operation time.

It was in this context that the supply of a simulator for Medzamor was decided. The basic software was already developed for other relevant plants. Due to the urgency of the situation, the most practicable solution was to supply the equipment and software from the same supplier of all other VVER multi-functional simulators. Hence the Commission took the decision to proceed in that way.

(1999/C 370/150) **WRITTEN QUESTION P-0775/99**

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

(16 March 1999)

Subject: Construction of radio masts by Delta Radio in the North Sea

Delta Radio intends to build two 400 m high radio masts in the North Sea off the province of Zealand, just outside the Netherlands 12 mile zone. Delta Radio intends use these masts to broadcast chiefly to the United Kingdom using the 171 kHz frequency. This frequency has been allocated under the International Telecommunications Convention for broadcasts to The Netherlands. Delta Radio has chosen this location because the procedures for establishment in the North Sea are considerably simpler than those on land, and in particular because the environmental impact assessment procedure does not apply there.

1. Since the Netherlands Government was far too late in adopting a law on the establishment of the Exclusive Economic Zone, it hardly has any instruments at its disposal to prevent Delta from carrying out its plans. To what extent do the European directives on environmental impact assessments and on habitats offer the possibility of opposing the construction of such a radio station?

2. Does the EU have any means at all of regulating the construction of buildings, installations etc, at sea between EU Member States but outside their territorial limits, or can anyone set up installations at sea regardless of damage to fisheries and birds, risks to shipping etc?

3. Delta Radio 171 BV is registered as a Netherlands company. It has opted to beam its broadcasts from extraterritorial waters to the UK. Which legal system applies?

4. Is Delta Radio entitled to use a frequency allocated to The Netherlands for broadcasts to the UK?

5. Does the Commission propose to consult with Member States bordering the Wadden Sea, the North Sea and the Mediterranean Sea on the need for legislation to regulate such plans and to prevent the principles of regional planning such as the environmental impact assessment directive from being circumvented?

Answer given by Mr Bangemann on behalf of the Commission

(23 April 1999)

1., 2. and 5. The Honourable Member refers to Delta Radio's intention to build two 400 metre high radio masts in the North Sea off the province of Zeeland, just outside the Netherlands' 12 mile zone and raises the interpretation of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment as amended by Directive 97/11/E [1] (environment impact assessment (EIA) Directive) and Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive [2]).

In its exclusive economic zone in the North Sea close to Zeeland, the Netherlands has not proposed any Natura 2000 site as mentioned in Article 4 of the Habitats Directive; nor is it evident that the conservation interests envisaged for protection under that Directive are here at stake. However, in general, if the planned activity is likely to have a significant effect on a site protected under the Habitats Directive and would lead to the deterioration of natural habitats and the habitats of species as well as disturbance of the species protected by the Directive, the Habitats Directive then applies, even if it concerns the exclusive economic zone of a Member State.

The planned activity is not mentioned in the EIA Directive and is therefore not regulated by that Directive. However, if a certain activity did fall under the scope of the EIA Directive, being mentioned in either Annex I or II of that Directive, then the Directive would in principle also apply to the exclusive economic zone of a Member State. Member States then have to make this activity subject to development consent and an assessment with regard to its effects.

3. Given its transboundary aspects, the situation the Honourable Member describes is likely to come under free movement of services as defined in the EC Treaty.

4. Delta Radio may use the 171 kHz frequency to broadcast to the United Kingdom provided that (1) it has obtained a broadcasting licence from the Dutch authorities and (2) the Dutch authorities have completed appropriate co-ordination with the United Kingdom to avoid harmful interference. If these conditions are met, there is no technical (i.e. frequency management) reason to prohibit Delta Radio from broadcasting to the United Kingdom.

(1) OJ L 73, 14.3.1997.
(2) OJ L 206, 22.7.1992.

(1999/C 370/151)

WRITTEN QUESTION E-0779/99

by Cristiana Muscardini (NI) to the Commission

(29 March 1999)

Subject: Privatisation and monopoly in the dairy sector

The company Parmalat has recently acquired a series of Italian companies operating in the dairy sector, ranging from Polenghi to the Rome milk depot in Italy, and has begun a policy of expansion abroad, particularly in Brazil. These acquisitions have led to an increase in the company's level of debt and a de facto monopoly in the milk sector.

Since the Commission rightly intervened at the time of the first sale of the Rome milk depot, which it considered to be an instance of state aid, will it say whether it now intends to intervene in order to stop an acquisition that will create a monopoly, or at the very least a dominant position, in the dairy sector which will be contrary to the interests of consumers and the principle of free competition?

Answer given by Mr Van Miert on behalf of the Commission

(4 May 1999)

Under the Merger Regulation [1] the Commission has sole competence for all concentrations, i.e. mergers, acquisitions and full function joint ventures, which have Community dimension, that is, involving enterprises whose turnover meets the thresholds prescribed in the Merger Regulation. Below these thresholds Member States may apply their own merger laws.

All concentrations to which the Merger Regulation applies must be notified to the Commission before they are put into effect.

The Commission investigates all notified concentrations to assess whether or not they will create or strengthen a dominant position which significantly impedes competition in the common market or a substantial part of it. According to the result of this investigation, the Commission adopts a decision on the compatibility or incompatibility of the concentrations with the common market.

As regards the acquisitions by the undertaking Parmalat mentioned by the Honourable Member, the Commission has so far not received any notification thereof. Indeed, these acquisitions would have no Community dimension, and the Commission is aware that the Italian competition authority (Autorità Garante della Concorrenza e del Mercato) is carrying out investigation procedures on them. In particular, the authority has already decided to close the procedure on the acquisition of the Rome milk depot, while as regards Polenghi the examination is still pending.

The Commission suggests the Honourable Member could address a similar question to the Italian competition authority.

(1) Council Regulation (EEC) 4064/89 of 21 December 1989, OJ L 395, 30.12.1989; corrected version OJ L 257, 21.9.1990; as last amended by Council Regulation (EC) 1310/97 of 30 June 1997 amending Regulation (EEC) 4064/89 on the control of concentrations between undertakings, OJ L 180, 9.7.1997; corrigendum in OJ L 40, 13.2.1998.

(1999/C 370/152)

WRITTEN QUESTION P-0780/99

by Gerhard Hager (NI) to the Commission

(16 March 1999)

Subject: Financing of political parties

As indicated, inter alia, in the Tsatsos report (A4-342/96), and as has been the practice for many years, European political parties receive funding from the Community.

However, I cannot clearly identify the grants paid in the budget. I should therefore like to put the following questions to the Commission:

1. How much Community funding is allocated to European political parties in the budget for 1999?
2. Which parties received grants, and how much is paid in each case?
3. What is the required legal basis for this in primary and secondary Community legislation?
4. Were the appropriations increased in the 1999 financial year with a view to the European elections, and if so, by how much?
5. What preconditions must a party meet in order to qualify for EU funding?
6. How much money is budgeted for the individual political groups in Parliament, broken down into staff expenditure, administrative expenditure and travelling expenses?

Answer given by Mr Liikanen on behalf of the Commission

(4 May 1999)

Following the Tsatsos report an item was established in the Parliament Section of the general budget (item 3710) to provide funding for political parties. In the 1998 and 1999 budgets this item received only a token entry.

Point 6a of the Tsatsos report notes that a basic instrument would have to be adopted to give effect to this item. The budget remarks on item 3710 cite Article 191 of the EC Treaty (former Article 138a) as the legal basis in primary law.

Only the administration of Parliament, as authorising officer of Section I — Parliament — of the budget, can answer the Honourable Member's question regarding the breakdown of appropriations between the parliamentary political parties

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(1999/C 370/153)

WRITTEN QUESTION E-0782/99

by John Iversen (PSE) to the Commission

(6 April 1999)

Subject: Aid for shipyards in the EU

On 26 January 1999 the Danish shipyard Aarhus Flydedok A/S went bankrupt with the loss of some 2000 jobs. The bankruptcy is bound up with the unfair conditions of competition in the shipbuilding industry. Shipyards in some Member States apparently still receive state aid whereas other have to manage on market terms, which does not seem to fit in with the objectives of EU policy. The most recent example of

this is the German shipyard Meyer Werft, which has succeeded in concluding a agreement to build two ships for Indonesia on the basis of developing country resources.

1. What initiatives does the Commission intend to take to put an end to state aid in this sector in the EU?

2. How are OECD negotiations proceeding between the EU, the USA, Japan and Norway on abolishing state aid for shipbuilding?

Answer given by Mr Van Miert on behalf of the Commission

(3 May 1999)

1. The possibilities to grant state aid to the shipbuilding industry within the Community have gradually been reduced in the past years. Furthermore, the Commission monitors closely the state aid granted to this sector. Unfortunately, the Organisation for economic cooperation and development (OECD) agreement has not entered into force as expected. Therefore, the Commission in 1998 proposed to the Council Regulation (EC) 1540/98 of 29 June 1998, establishing new rules on aid to shipbuilding ([1]). According to this Regulation which entered into force on 1 January 1999, contract related aid for shipbuilding will come to an end on 31 December 2000. The Regulation continues to permit operating aid in the form of development assistance to developing countries. However, it imposes stricter conditions than those previously in force in the seventh shipbuilding Council Directive 90/684/EEC of 21 December 19990 on aid to shipbuilding ([2]). In fact, to avoid development aid being used as hidden operating aid to a yard, the Member State must now demonstrate to the Commission that the offer of development assistance is open to bids from different yards. Furthermore, it should be noted that all development aid must be notified individually and approved by the Commission. In all cases the Commission must verify the particular development content of the aid in order to ensure that the project contains genuine development aid.

2. The prospects of ratification of the OECD shipbuilding agreement by the American Congress are not very encouraging. The option of exploring the possibility to implement the OECD agreement among 'the four' (without the United States) has been opposed by the Community industry and not supported by a majority of Member States. Alternative options will be discussed during the next meeting within the working party no6 of the OECD, on 31 May 1999.

([1]) OJ L 202, 18.7.1998.
([2]) OJ L 380, 31.12.1990.

(1999/C 370/154) **WRITTEN QUESTION E-0788/99**

by Graham Mather (PPE) to the Commission

(6 April 1999)

Subject: Commission criticism of the Medicines Control Agency (UK)

The Commission has reportedly criticised the MCA, following a complaint from a section of UK industry, for its perceived failure adequately to enforce medicines legislation in 'borderline' areas of product classification between foods, cosmetics, medical devices and medicinal products. The UK has now brought forward new legislative proposals in this area.

1. What was the precise nature of the Commission's criticism of the MCA?

2. In the Commission's view, will the proposed UK legislation answer these criticisms?

3. Is the Commission satisfied that the new proposals will not unduly restrict the availability of certain products in the UK and thus disrupt the proper functioning of the internal market?

Answer given by Mr Bangemann on behalf of the Commission

(7 May 1999)

According to Article 1 of Council Directive 65/65/EEC of 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products [1], any substance or combination of substances presented for treating or preventing disease in human beings or animals shall be regarded as a medicinal product. Likewise, any substance or combination of substances which may be administered to human beings or animals with a view to making a medicinal diagnosis or to restoring, correcting or modifying physiological functions, has to be considered a medicinal product. As a matter of general principle, ready-prepared medicinal products may only be placed on the market of a Member State if the quality, safety and efficacy has been proven in a marketing authorisation procedure.

These basic provisions should have been implemented by Member States in their national legislation for many years. In the context of a complaint on a specific group of products, the Commission was, however, made aware that British law did not consistently implement the above rules with regard to all products (particularly certain 'health products') on the British market. The Commission, in its function as a guardian of Community law, was therefore obliged to ask the United Kingdom to align its national legislation regarding the classification of medicinal products with the provisions of Community law.

The British authorities have indicated that they intend to achieve the aim of full consistency with Community law by the swift adoption of proposed new regulations for processing the classification of medicinal products. The Commission expects that this aim will be achieved by the adoption of these new regulations and hopes that the full implementation of Community pharmaceutical legislation in the United Kingdom will contribute to the proper functioning of the internal market.

[1] OJ 22, 9.2.1965.

(1999/C 370/155) **WRITTEN QUESTION E-0790/99**

by Graham Mather (PPE) to the Commission

(6 April 1999)

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

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

In response to my Question E-3331/98 [1] about the 1996/97 financial year, the Commission stated it was not fully satisfied with the administration of CAP funds in the UK.

1. Is the Commission satisfied with the Intervention Board's administration of funds in the 1997/98 financial year?

2. Did the Commission find it necessary, through the clearance of accounts procedure, to refuse the reimbursement of expenditure made by the Intervention Board Executive Agency for this period, and how much expenditure was involved?

3. Will the Commission publish a summary report of the clearance of accounts procedure in relation to the UK for the 1997/98 and subsequent financial years?

[1] OJ C 207, 21.7.1999, p. 53.

Answer given by Mr Fischler on behalf of the Commission

(27 April 1999)

The reform of the clearance of accounts foresees that the procedure for the clearance of accounts is separated into two parts as from the 1996 financial year: a first decision on the clearance of accounts concerns the truth, completeness and accuracy of the annual accounts received (Article 5(2)b of Council Regulation (EEC) 729/70 of 21 April 1970 on the financial of the common agricultural policy (1) — the 'accounting clearance'), and a second aims to exclude from Community financing all expenditure which has not been executed in compliance with Community regulations (Article 5(2)c of Council Regulation (EEC) 729/70 — the 'compliance clearance').

1. Under the accounting clearance the Commission is generally satisfied with the administration of funds in the 1997/1998 financial year. There has been a noticeable improvement over the previous year and the National audit office, the certifying body for the United Kingdom, has given an unqualified opinion on the accounts of the paying agency.

2. The accounting clearance decision for the 1997/1998 financial year has not yet been taken. It should be taken by the Commission before 30 April 1999, and will be published. The work on the compliance clearance for the 1997/1998 financial year has now begun, but any decision will not be taken for some time. Once decisions are taken they will be published.

3. A summary report is produced to accompany each clearance of accounts decision. The reports are systematically transmitted to the commission de contrôle budgétaire (Cocobu) of the Parliament. The summary report for the accounting clearance of the 1997/1998 financial exercise will be produced at the time of the clearance. In the meantime, a copy of the summary report for the 1996/1997 accounting clearance (Article 5.2.b) is being sent separately to the Honourable Member and to Parliament's Secretariat.

(1) OJ L 94, 28.4.1970.

(1999/C 370/156) **WRITTEN QUESTION E-0794/99**

by Raimondo Fassa (ELDR) to the Commission

(6 April 1999)

Subject: Commission action to promote fair trade

Parliament has adopted a report on fair trade (A4-0198/98) which lays down clear defining criteria and a set of political priorities for enhancing and protecting this important form of cooperation.

Moreover, in the resolution on the 1999 Commission work programme (B4-1072/98) it adopted in December 1998, Parliament again called for a Commission initiative for a policy to support free trade based on Parliament's report.

Given the growing importance of free trade and the need for promotion and regulation to prevent any abuse and defend the consumer's right to transparent information as well as the rights of the producer and fair trade operator, what has the Commission done so far to act on the recommendations contained in Parliament's report?

What deadlines are there for the overall formulation of a policy to support free trade starting with proper certification?

Finally, can the Commission rapidly provide a list of the projects so far financed and clearly indicate the beneficiaries, the nature of the project and its duration?

Answer given by Mr Pinheiro on behalf of the Commission

(7 May 1999)

The Commission has welcomed the Parliament report on fair trade. It is in the process of finalising a communication on the subject, which will be ready for publication shortly. Following the publication of the document, a wide-ranging discussion is expected with all those involved and interested in fair trade. After this period of consultation, the Commission should then be in a position to formulate a comprehensive policy on fair trade.

Information on the projects financed by the Commission is sent directly to the Honourable Member and to Parliament's Secretariat.

(1999/C 370/157) **WRITTEN QUESTION P-0795/99**

by Reimer Böge (PPE) to the Commission

(22 March 1999)

Subject: Transport of animals for slaughter

In the 1999 budget of the European Union — Chapter B2-511 — there is a reference in the commentary to the expenditure of EUR 2 500 000 on the monitoring of animal protection provisions during the transport of animals for slaughter inside and outside the EU. This same entry appeared in the budgets for 1997 and 1998. Can the Commission explain why none of this money has yet been spent on this important matter even though there has been ample time to prepare suitable proposals?

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

The Commission created within the Directorate general for consumer policy and consumer health protection (DG XXIV) the Food and veterinary office with the task of carrying out controls in the Member States and in third countries, including controls on the application of the European legislation on animal welfare that are laid down in Council Directive 91/628/EC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC ([1]).

The Commission is examining solutions and administrative means to make available the amount in the budget line B2-511 to the Food and veterinary office to reinforce controls on the transport of slaughter animals inside and outside the Community.

([1]) OJ L 340, 11.12.1991.

(1999/C 370/158) **WRITTEN QUESTION E-0796/99**

by Paul Rübig (PPE) to the Commission

(6 April 1999)

Subject: Pre-packaging of milk in 180 ml bottles

Directive 75/106/EEC ([1]) on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids permits the pre-packaging of milk and milk products (apart from yoghurt) only in particular quantities, the smallest being 200 ml and 250 ml.

The smallest bottles available in Austria for the pre-packaging of milk are those of 250 ml. This quantity has proved too large, particularly for deliveries to nursery schools. Bottles with a capacity of 180 ml also exist, but these are strictly speaking intended for the pre-packaging of yoghurt. It would not be worthwhile

for the producers or for the schools' suppliers to purchase 200 ml bottles. The pre-packaging of milk in yoghurt bottles seems, on the other hand, to be an economically sensible solution.

Does the Commission see any way of interpreting or amending the Directive in order to permit the pre-packaging of milk in 180 ml bottles in the exceptional circumstances described above?

(1) OJ L 42, 15.2.1975, p. 1.

Answer given by Mr Bangemann on behalf of the Commission

(7 May 1999)

Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids sets out in Annex III the 'optional' (1) ranges of nominal volumes for all liquids (2). Member States may therefore in their national legislation transposing the directive allow the placing on the market of liquids with volumes not falling within these ranges (such as milk bottles of 180 ml) as long as the legal conditions on fair trade and consumer protection are respected.

As to Annex III itself, it can only be modified through a co-decision procedure on basis of a proposal of the Commission.

(1) This optionality is defined as follows in Article 5.1 'Member States may not refuse, prohibit or restrict the placing on the market of prepackages which satisfy the requirements of this Directive on grounds related to … the nominal volumes where these are set out in Annex III, column I'.
(2) except for specific alcohols for which the volumes are mandatory.

(1999/C 370/159) **WRITTEN QUESTION E-0797/99**

by Gerhard Hager (NI) to the Commission

(6 April 1999)

Subject: Exemption from turnover tax

Private establishments and private individuals provide significant social welfare benefits and, by taking over these tasks help the state in the performance of its duties. These benefits, which are in some cases labour-intensive and costly, are thus no longer provided by public-law establishments at public expense. The state saves considerable sums by no longer having responsibility for these tasks. Nevertheless Community law provides for a specific exemption from turnover tax only for such public law establishments (art. 13a of Sixth Council Directive 77/388/EEC (1) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes).

1. Is a Member State entitled to provide tax exemptions for natural persons in addition to the exemptions provided for in Community law?

2. How does the Commission justify this differing treatment in Community law between public-law establishments on the one hand and private establishments and/or persons on the other? Does the Commission feel that this distinction is still valid today?

3. Are there initiatives and efforts to extend the tax exemptions under Community law, and what form do these take?

4. If so, from whom do these initiatives come, and how far have they progressed?

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

Answer given by Mr Monti on behalf of the Commission

(7 May 1999)

1. The exemptions referred to in Article 13 of Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment [1], are to be strictly interpreted since they constitute derogations from the general principle that tax is to be levied on all economic operations carried out for consideration by a taxable person [2]. It follows that where a provision of Article 13(A)(1) refers to services provided by 'bodies' it cannot be applied to services provided by natural persons.

2. The wording of Article 13 reflects the situation at the time the Sixth Directive was adopted, when the services referred to by the Honourable Member were probably provided almost exclusively by bodies recognised as charitable by the Member State concerned. Since then the situation has changed a great deal and such services are increasingly provided by private establishments and individuals, which is leading to distortions of competition and calls for reconsideration of the merits of certain exemptions under Article 13 of the Sixth VAT Directive.

However, private establishments are not excluded a priori from the scope of the exemptions referred to by the Honourable Member. They may also qualify where they are recognised by the Member State concerned as charitable and meet any additional conditions imposed by the Member State in application of Article 13(A)(2).

3. and 4. The Commission has presented a working programme [3] for the introduction by stages of a common system of VAT better adapted to the requirements of a real single market. One of the pillars of this programme is the modernisation of the present VAT system, including the revision of the exemptions provided for in Article 13(A) of the Sixth VAT Directive to avoid distortions of competition such as those referred to by the Honourable Member and achieve a more neutral VAT system.

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(1) OJ L 145, 13.6.1977.
(2) Cf. Court of Justice judgements of 15 June 1989, Case 348/87, and 11 August 1995, Case C-453/93.
(3) COM(96) 328 final.

(1999/C 370/160) **WRITTEN QUESTION E-0798/99**

by Gerhard Hager (NI) to the Commission

(6 April 1999)

Subject: Screening in the field of justice and home affairs

To prepare for the accession of the candidate countries, screening in the field of justice and home affairs has now begun. The screening work should, I gather, be completed by the end of March. To simplify its work, the Task Force on Enlargement has divided the acquis into nine chapters: asylum policy, external borders, immigration, combatting organised crime, combatting drugs, combatting terrorism, police cooperation, customs cooperation and cooperation in the field of justice (civil and criminal law). In this connection the Commission has been asked to submit an overall report on the results of screening when the negotiations have finished at the end of March.

1. Will it be possible to submit this report, and if so, when?

2. If not, what arguments are there against submitting this data?

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

(7 May 1999)

The Commission confirms that the screening of the acquis under chapter 24: Co-operation in the fields of Justice and home affairs of the accession negotiations was completed by the end of March 1999 with the

six applicant countries, with which these negotiations have been opened. The Commission will inform the Parliament on the results of this screening in meetings with interested parliamentary committees as usual.

(1999/C 370/161)

WRITTEN QUESTION E-0800/99

by Gerhard Hager (NI) to the Commission

(6 April 1999)

Subject: Austrians in the Commission

People with whom I come into contact in my home Member State of Austria frequently ask me about the Austrian nationals employed at the EU institutions.

I should therefore be glad if you could answer the following questions:

1. How many Austrian nationals are employed at the Commission?
2. In which DGs are they employed (please provide a detailed list)?
3. How many of these Austrians are A, B, C or D grade officials respectively?
4. How many Swedes and Finns are employed at the Commission?

Answer given by Mr Liikanen on behalf of the Commission

(28 April 1999)

1. The Commission currently employs 285 Austrian citizens as officials or temporary staff paid from the operational and shared-cost research budgets.

2. Their distribution by Directorate-General appears in the table which is being sent direct to the Honourable Member and to Parliament's Secretariat.

3. As the summary at the end of that table shows, there are 125 A, 57 B, 57 C and 8 D officials. There are also 16 LA officials.

4. For the purposes of comparison, the number of Finnish and Swedish officials, also broken down by category, is given in the same table.

(1999/C 370/162)

WRITTEN QUESTION E-0802/99

by Gerhard Hager (NI) to the Commission

(6 April 1999)

Subject: EU buildings

Varying information appears from time to time in the press about the buildings owned by the EU institutions.

I should therefore like to ask the Commission:

1. Which buildings in Brussels, Strasbourg and Luxembourg are in the sole ownership of the EU institutions or the Commission?
2. What is the value of these buildings (broken down by individual building)?
3. Which buildings are partly owned by the EU?
4. What is the value of these buildings and what is the EU's share in their ownership?
5. By what contractual arrangements has the EU obtained the use of additional buildings which are not in the ownership of the EU but in which EU institutions' offices are situated?

6. How much is the EU required to pay in respect of these buildings (broken down by building and institution occupying it)?

7. Are there buildings owned by the EU which are used by other institutions? If so, what is the value of such buildings and what income does the EU gain from them?

Answer given by Mr Liikanen on behalf of the Commission

(5 May 1999)

In response to the Honourable Members'question, most of the information he has requested is available in Volume 1 'Total revenue' of the budget for 1999 in Part D Buildings of the European Union (tables 1 + 2).

The Commission in Brussels fully owns:

(Value — Euro)

Building	Value
Breydel	39 105 746
Loi 130	73 071 366
Cours St Michel 1	27 071 027
Haren (central kitchen)	9 905 838
Clovis Wilson (crèche)	18 806 559
Overijse (CIE)	1 252 468
	169 213 004

It is also acquiring over time (normally 27 years — however, in the case of Breydel II full ownership will occur in 1999) the following buildings (the value in brackets is that of the outstanding payments to be made):

(Value — Euro)

Building	Value
Belliard 232	(33 844 259)
Demot 24	(48 173 250)
Breydel II	(52 061 349)
Beaulieu 29/31/33	(73 180 547)
Charlemagne	(217 491 610)
Demot 28	(37 610 393)
Joseph II 99	(29 205 552)
Loi 86	41 280 596
Marie de Bourgogne	57 373 696
Montoyer 59	30 158 510
	620 379 762

For its other needs in Brussels, the Commission rents buildings on a contractual basis under Belgian law, generally for periods of 3, 6, 9 or 12 years. Three buildings are, however, rented on a 27 year lease. The total rental budget for 1999 is € 91 036 633.

It should be noted that the Commission continues to pay the rent for the Berlaymont (included in total) in exchange for the provision of 10 buildings for which the Belgian Régie des Bâtiments pays the rent.

These buildings are:

- Belliard 28
- Belliard 68
- Science 14
- Trèves 120
- Beaulieu 1, 5 and 9
- Beaulieu 24
- Triomphe

— Genève 12

— Genève 1 (A + D)

— Nerviens 85

The Commission in Brussels does not occupy any buildings which are the property of another Institution.

The Commission in Luxembourg does not own buildings.

The following buildings are rented in some case partially by the Commission (see % in brackets) and other institutions located in Luxembourg:

(Euro)

BUILDINGS	Annual rent 1998
Jean MONNET	13 868 552
Joseph BECH	8 523 532
WAGNER	1 246 586
EUROFORUM	3 987 658
CUBE	1 339 646
Bureau de passage	130 538
Stocks Howald 1 and 2	67 866
Foyer européen (31 %)	36 904
CPE (Crèche 34 % , Garderie 32 %)	377 683
	29 578 965

(1999/C 370/163) **WRITTEN QUESTION E-0805/99**

by Alexandros Alavanos (GUE/NGL) to the Commission

(6 April 1999)

Subject: UK funding of dam construction in Turkey

The UK authorities have approved funding for Turkish plans to build a series of dams on the rivers Tigris and Euphrates.

Given that:

(a) the joint management of water resources is highly important and that vital interests of the countries crossed by the two rivers are at stake,

(b) the construction of the dams will create a vast ecological disaster, thousands of the local population will be forced to abandon their homes, 15 towns and 52 villages with unique monuments will be submerged under water,

(c) Turkey is one of the few countries not to have signed the 1997 UN Convention on the settlement of border disputes between states sharing the same water resources,

(d) the Member States of the EU have signed the UN Convention on water resources and that, pursuant to Articles 130u(3) and 130v of the Treaty on European Union, the Community and the Member States must comply with the commitments and take account of the objectives they have approved in the context of the United Nations and other competent international organisations,

will the Commission say:

1. whether it considers that the manner in which Turkey is furthering this project fulfills the conditions laid down by the UN Convention on the joint management of water resources, regardless of the fact that Turkey has not signed the Convention, and

2. if not, what measures it will take, having due regard to the Articles of the Treaty on European Union, to prevent the UK from financing this project?

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

(6 May 1999)

As the Honourable Member says, Turkey has not signed the 1997 UN Convention referred to in his written question. Turkey cannot therefore be required to conform with its provisions.

Apart from this, the Community budget is not contributing to the project referred to by the Honourable Member. This being the case, the issue of UK funding for the project is a matter for the UK authorities.

(1999/C 370/164) **WRITTEN QUESTION E-0807/99**

by Nikitas Kaklamanis (UPE) to the Commission

(6 April 1999)

Subject: Turkish exports of steel products

Turkey has been exempted from the Community surveillance system for iron and steel products covered by the EEC and ECSC Treaties, despite opposition from Greece which duly lodged its objections with the competent management committee of the European Coal and Steel Community (ECSC).

The above exemption has had the effect of promoting exports of Turkish steel products, which are offered at low prices to the detriment of Member States' production. According to the latest statistics, Turkish exports of steel products increased by 105 % last year, delivering a devastating blow to Greek iron and steel in particular. Recently, Greece made an official request that Turkish exports of steel products should be subject to the Community surveillance system. Will that happen and when?

Has an assessment been made of the impact on Community production of steel products if the corresponding Turkish products infiltrate European markets?

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

(29 April 1999)

EC Treaty steel products originating in Turkey were excluded from the Community's prior surveillance regime in March 1998 and European coal and steel Community (ECSC) Treaty steel products were excluded in January 1999, when Turkey eliminated its remaining tariffs on steel imports from the Community.

The Community's steel imports from third countries generally increased dramatically in 1998, to around 23,5 million metric tonnes, around 45 % higher than in 1997. Community imports from Turkey increased by 66 % to around 1,7 million tonnes, and Greece's steel imports from Turkey increased by 90 % to 406 000 tonnes. Greece accounts for around 23 % of total Community steel imports from Turkey.

These developments took place when most of Turkey's steel products were still covered by prior Community surveillance, a system which provides advance information on probable import trends based on automatic licensing of imports. The inclusion or exclusion of countries in the prior Community surveillance system does not, therefore, explain the increase in imports during 1998. The increase in Community steel imports from third countries generally, including Turkey, is due to the turbulence on international steel markets resulting from the crises in South East Asia and Russia.

The Commission is closely monitoring the impact of the international financial crisis and has regular dialogue with a wide range of third countries, including Turkey, to discuss developments in the steel sector. The Commission and Turkey exchange detailed statistics on trade in steel products each month.

(1999/C 370/165) **WRITTEN QUESTION E-0811/99**

by Joaquín Sisó Cruellas (PPE) to the Commission

(6 April 1999)

Subject: Selection of 81 research facilities

The Commission has selected 81 research facilities in the European Economic Area that it considers to be the most important for high-quality research. A list of the said facilities has been published ([1]), with a view to helping European researchers gain access to them.

Can the Commission say:

1. What form the selection procedure has taken?

2. What selection criteria have been employed?

3. Whether support of any kind from the European Union is available for those European researchers interested in gaining access to the said facilities?

4. What the European Union is doing to promote research work within the Union? Are economic and/or other measures in place to support those individuals wishing to devote themselves to research work?

([1]) OJ C 36, 10.2.1999.

Answer given by Mrs Cresson on behalf of the Commission

(7 May 1999)

Contracts for researchers supported under the access to Large-scale facilities (LSF) activity of the Training and mobility of researchers (TMR) programme are intended to pay for the use of an existing facility by research teams (and individual researchers) who would not normally have access to the facility. Research teams will be eligible for support if they are conducting research in the Community or an associated state. Community financing is intended to cover 100 % of the travel and subsistence costs of entitled users coming essentially from countries other than that where the facility is located. Community financing also covers up to 100 % of the additional costs of providing users with access to the facility.

The process and the criteria under which successful proposals from research facilities have been selected can be found in the TMR work programme, published by the Commission in 1996 ([1]). More detailed information can be found in the information package and in the evaluation manual for the TMR-LSF activity, both of which are available on the TMR programme homepage on the Internet (http://www.cordis.lu/tmr/src/alsf1.htm).

More general information about the Improving human research potential (IHP) programme, which is the successor to the TMR programme, can be found in the IHP work programme which figures on the recently set up programme homepage on the Internet (http://www.cordis.lu/improving/home.html).

([1]) ISBN 92-827-7173-3.

(1999/C 370/166) **WRITTEN QUESTION E-0815/99**

by Graham Watson (ELDR) to the Commission

(6 April 1999)

Subject: VAT

What is the Commission's view of the anti-avoidance legislation being implemented in the UK? Does it run counter to the philosophy and basis of VAT?

Answer given by Mr Monti on behalf of the Commission

(26 April 1999)

The anti-avoidance measures recently announced in the British budget statement relate to specific problems of avoidance and abuse in the British value added tax system. On the basis of the information so far provided to the Commission, the measures do not appear to affect the basis of the tax or its underlying philosophies of equity and neutrality. This initial position is of course subject to review once the legislative process in the United Kingdom has been finalised.

(1999/C 370/167) **WRITTEN QUESTION E-0819/99**

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

(6 April 1999)

Subject: Illegal activities financed from the Structural Funds in Llançà (Gerona, Spain)

In its answer of 26 February 1998 to Written Question No P-0194/98 of 28 January 1998 [1], which brought the illegal activities undertaken with Community funding on the Grifeu promenade in the municipality of Llançà to its attention, the Commission undertook to obtain information from the Spanish authorities on the irregularities concerned and suggested the measures to be taken should the judgment which declared the activities illegal (No 247/97 of 12 December 1997) prove final.

Can the Commission provide information on the result of its contacts with the Spanish authorities?

[1] OJ C 304, 2.10.1998, p. 49.

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

(7 May 1999)

The Commission has been informed of a court decision declaring illegal work carried out in the municipality of Llança (Catalonia) by the Directorate-General for Ports and Coastal Areas of the Department of Regional Policy and Public Works of the Catalan Autonomous Government and part-financed by the Community under the Interreg II A programme for Spain and France. The Commission notes that the judge ordered the demolition of the structure, compensation for people whose property had been expropriated and the return of the land to its original owners.

Should this decision be made final, the Commission has suggested that the Spanish authorities cancel the part-financing and reallocate it to another project at the next meeting of the Monitoring Committee. The Commission therefore awaits new proposals from the Spanish authorities.

(1999/C 370/168) **WRITTEN QUESTION E-0831/99**

by Graham Watson (ELDR) to the Commission

(7 April 1999)

Subject: Habitats Directive and Birds Directive

The Somerset Levels and Moors are designated sites under the Habitats Directive and the Birds Directive. They form England's largest wetlands. The main industry in the area is dairy agriculture, which depends on excessive drainage of the wetlands to provide dry grazing land, intensive use of nitrate based fertilisers, deposit of nitrate rich silage and other such damaging practices.

What cooperation and policies exist involving the Directorate on the Environment and the Directorate on Agriculture to minimise conflict between traditional farming practices and environmental needs and to give encouragement and compensation to farmers for putting the environment first?

What advice and assistance do the two Directorates give to Member States to ensure compliance with the two Directives?

In addition, will the Commission state what steps the Commission has taken, or intends to take, given that there is prima facie evidence that the UK is failing to comply with its duties under the Directives in relation to the Somerset Levels and Moors?

The UK has apparently complied with its duties to provide a system of strict protection for species protected under Annex IV(a) of the Habitats Directive, by the introduction of the Conservation (Natural Habitats) Regulation 1994. This act makes it a criminal offence to disturb or interfere with species listed in Annex IV(a). What details has the Commission requested and/or received as to the extent of enforcement action taken by the agencies in the UK under the Regulations?

Answer given by Mrs Bjerregaard on behalf of the Commission

(5 May 1999)

An area called 'Somerset levels and moors', covering 6 388 hectares (ha), has been classified by the United Kingdom as a special protection area (SPA) under Article 4 of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ([1]). This area has not been proposed by the United Kingdom under Article 4(1) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([2]). While the SPA is extensive, there are several larger wetland SPAs in England (e.g. the Wash SPA covers 62 212 ha).

It is for the Member State to decide on the most appropriate measures to ensure the conservation of the bird species for which the Somerset levels and moors has been classified as a SPA. This may include agri-environment measures such as those provided under Council Regulation (EEC) 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside ([3]).

Part of the Somerset levels and moors have indeed been designated by the United Kingdom authorities under the agri-environment Regulation (EEC No 2078/92), as the 'Somerset levels and moors environmentally sensitive area (ESA)'. Payments are made to farmers in the ESA who choose to perform a range of environmental services, including maintaining water levels at the appropriate level for the environment, and managing ecologically valuable grassland. Grassland measures include the reduction or total cessation of fertiliser use.

A range of Community policies aim to minimise conflict between farming and the environment. Until now, the main approaches have been firstly the agri-environment Regulation already mentioned and secondly mandatory environmental legislation (such as pesticide legislation, and Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ([4])). The Agenda 2000 common agricultural policy (CAP) reform package introduces a new environmental protection requirement which will allow Member States to make the direct payments to farmers conditional on respecting specified minimum standards of environmental care.

The Directorates general for the Environment and Agriculture work closely together on these policies. For instance, the Agricultural Directorate general specifically consults the Environment Directorate general on all programmes under the agri-environment Regulation and the agreement of the latter is required before a programme can be approved. A recent Commission communication ([5]) 'Directions towards sustainable agriculture' describes the current integration of environmental concerns into agricultural policy.

The Commission is not aware that the United Kingdom is failing to comply with its duties under Directive 79/409/EEC in relation to the Somerset levels and moors. If the Honourable Member provides any evidence, the Commission will investigate this matter.

Member States have to report on the implementation of the measures under Council Directive 92/43/EEC within six years of its entry into effect (i.e. by June 2000). With regard to the protection of species listed in its Annex IV(a) Member States are required to supply the Commission every two years with a report on any derogations from this system of strict protection in accordance with the conditions laid down in Article 16 of the Directive.

(1) OJ L 103, 25.4.1979.
(2) OJ L 206, 22.7.1992.
(3) OJ L 215, 30.7.1992.
(4) OJ L 375, 31.12.1991.
(5) COM(99) 22 final.

(1999/C 370/169) **WRITTEN QUESTION E-0834/99**

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

(7 April 1999)

Subject: Competitiveness of the slate industry

In its answer to my previous Written Questions E-4009/97 and E-4011/97 [1], the Commission informed me that it was pursuing a policy of competitiveness for extractive industries in line with the approach set out in the communication on the competitiveness of the non-energy extractive industry and the Council's conclusions of 18 November 1993. The Commission also indicated that its communication on the competitiveness of the construction industry sets out four major strategic objectives and over 60 specific measures to improve the industry's competitiveness. The Commission further pointed out that, with the help of those involved in the industry, the Commission regularly publishes a directory on European minerals which is designed to increase market transparency both for consumers and producers, many of which are small and medium-sized enterprises (SMEs), and that it had invited the European slate sector association to collaborate on that directory.

Can the Commission say in which of those specific initiatives to improve competitiveness the Community slate industry has participated to date, and in what way, with particular reference to the Spanish slate industry?

Can the Commission say what action has been taken to encourage the participation of the Community slate industry in the above directory, and whether slate is now included in the directory?

(1) OJ C 196, 22.6.1998, p. 56.

Answer given by Mr Bangemann on behalf of the Commission

(26 April 1999)

The Honourable Member is referred to the Commission's reply to Written Question P-4009/97 [1] as far as action by the Commission to improve the competitiveness of the Community non-energy extractive industry in general, including the slate industry, is concerned.

The follow-up to this action includes a regular review of the Community extractive industry by the plenary group for the supply of raw materials, which is made up of representatives of industry, the Member States and the Commission. The Community mining industry is represented in this group among others by Euromines, whose European slate producers' association, Euro Slate, became an associate member this year. Euro Slate represents the French, German, UK and Spanish slate producers. Euro Slate was invited by the Commission to take part in the last meeting of the plenary group in Brussels on 15 December 1998, but was not represented at the meeting.

The European Minerals Yearbook, which is produced under the auspices of the Commission in order to improve the transparency of the market concerned [2], includes a chapter devoted entirely to the slate industry. The Commission will be starting this year on a revision of this publication, which will essentially consist of updating the electronic publication available on the Internet. Given the prime importance which

the Commission attaches to contributions and advice from the Community extractive industry associations, Euro Slate's assistance will be requested for this and future revisions.

(1) OJ C 19, 22.6.1998.
(2) The second edition is available from the following Internet address: http://europa.eu.int/comm/dg03/publicat/emy/index.htm).

(1999/C 370/170) **WRITTEN QUESTION E-0836/99**

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

(7 April 1999)

Subject: Slate imports into the EU

In its reply to my Written Question E-1580/98 (1), the Commission provided figures on Community slate imports from developing countries in 1996.

Can the Commission list all the countries which have exported slate to the EU in 1997 and 1998 and give details of the volume of exports for each of them, and of the level of customs duty to which each of those Community imports was subject?

Can the Commission say what is the significance of the classification of those import figures as eligible and preferential?

(1) OJ C 402, 22.12.1998, p. 145.

Answer given by Mr Marín on behalf of the Commission

(6 May 1999)

In 1997 Community imports of slate (combined nomenclature codes 6803 00 10 and 6803 00 90, Commission Regulation (EC) 2261/98 of 26 October 1998 amending Annex I to Council Regulation (EEC) 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (1)) from non-Community countries totalled 30 263 tonnes, worth € 13,6 million.

A detailed list of the imports broken down by exporting country is being sent directly to the Honourable Member and to Parliament's Secretariat.

In 1997 the full rate of import duty on slate from non-Community countries was 2,5 % (2,1 % in 1998 and 1,7 % in 1999).

Under Council Regulation (EC) 3281/94 of 19 December 1994 applying a four-year scheme of generalized tariff preferences (1995 to 1998) in respect of certain industrial products originating in developing countries (2), slate is classified as a non-sensitive product (Part IV of Annex I) for which customs tariff duties are suspended in their entirety (Article 2(4))where the slate originates in one of the countries qualifying for the scheme (Annex III). The origin of products is determined under Council Regulation (EEC) 2913/92 of 12 October 1992 establishing the Community Customs Code (3).

The countries eligible for the generalised preference scheme that export slate to the Community are Argentina, Bhutan, Brazil, China, Egypt, Hong Kong, India, Indonesia, Russia, South Africa, Syria and Thailand.

Under the graduation mechanism (Article 5(1) of Regulation 3281/94), on 1 January 1996 the preferential margin was abolished for China, which is now subject to the standard non-Community rate of duties.

Imports of a value of € 5,87 million were eligible to benefit from the generalised preference scheme. Of these, imports worth € 3,49 million actually were imported under the scheme.

A preferential rate of 0 % is applied to countries under preferential agreements other than the generalised preference scheme. These countries are Bulgaria, the Czech Republic, Egypt, Norway, Poland, Switzerland, Syria, and Turkey. Statistics on imports from countries outside the generalised preference scheme do not distinguish between imports benefiting from a preferential rate of duties and those to which the full rate is applied.

(1) OJ L 292, 30.10.1998.
(2) OJ L 348, 31.12.1994.
(3) OJ L 302, 19.10.1992.

(1999/C 370/171)

WRITTEN QUESTION P-0837/99

by Heidi Hautala (V) to the Commission

(22 March 1999)

Subject: Damage caused to a Natura 2000 area by the construction of Vuosaari harbour

Ecological studies carried out into the Helsinki city council's major harbour project in Vuosaari have shown that the organisation of land transport links will probably cause significant damage to the neighbouring Natura 2000 listed area known as the Mustavuori/Östersundom waterfowl preserve. Under the terms of the directive, the possible negative impact of the project on a Natura 2000 area should be assessed in advance.

If no overall assessment is carried out, with the assessment being split up into the various stages of the authorisation procedure, and if, for example in the case of Vuosaari, no overall inspection is carried out when a permit is applied for from the water management authority — which is the first stage to be decided on — the authorisation procedure may reach an advanced stage without anyone being aware of the overall effects of the project.

Does the Commission consider it important that an assessment of a project's impact should really focus on the impact of the project as a whole? If, for example, the planning of transport links forms an integral part of the plan for a harbour, should the environmental impact of the project be assessed as regards not only the building of the harbour itself but also, for example, the whole complex of necessary work involving the redevelopment of wetlands and the organisation of transport links within the immediate vicinity of the harbour, i.e. the roads and railways leading from the harbour area?

Is it possible by means of plans relating to exploitation and conservation of a Natura 2000 area to circumvent the requirement for an exceptional authorisation procedure even when, regardless of such plans, the project nevertheless further reduces the conservation value of the Natura 2000 area?

Answer given by Mrs Bjerregaard on behalf of the Commission

(26 April 1999)

As the Honourable Member refers to a specific project concerning the new port of Helsinki in Vuosaari, the Commission replies to the questions in the light of this project. The port project affects the site Mustavuori-Östersundom which Finland has recognised as a special protection area (SPA) under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (1) and which also is proposed as site of Community interest (SCI) under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (2).

Article 6(3) of the Habitats Directive provides that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. This provision is already in force as regards the SPAs under the Birds Directive and thus applicable also in the subject case.

While it is ultimately for the Court of justice to interpret what is an 'appropriate assessment', the Commission considers that the primary obligation under Article 6(3) is to assess the impacts of the project itself. However, it is reasonable to consider that there is a secondary obligation to take into account impacts of other closely related projects in the assessment.

The Vuosaari port involves several plans and sub-projects, which include the port itself, the sea traffic route and land traffic connections. In Finland, these are dealt with in separate authorisation procedures. According to the information available to the Commission, all relevant projects seem to have been the subject of an environmental impact assessment. These assessments seem to cover also relevant aspects of all projects and the impacts of the harbour are quite appropriately assessed.

The assessment of the sea traffic route concluded that the ship traffic route and filling of the sea area do not directly have an adverse effect on the SPA-site Mustavuori-Östersundom. Thus, it would not seem necessary to apply Article 6(4) for this project. However, it is clear that authorising this one sub-project may not prejudice in any way the decision-making in the other related projects. If the construction of the port itself or of land traffic connections will affect adversely the SPA-site, the Member State must either not give its approval or else ensure that the procedure under Article 6(4) is followed. On the basis of available assessments, this would seem to be the case at least as regards the land traffic connections.

As regards the question concerning the relation between the management plans and the derogation procedure, the Commission's opinion is that a Member State cannot avoid its obligations under Article 6(4) even if it has established a management plan for the site under Article 6(1). The link between these two issues is in Article 6(3), which the Member State has to apply even for management plans if these include measures affecting the site other than purely positive conservation measures. Thus, at least non-conservation measures need to be assessed in the sense of Article 6(3), and depending on the results of this assessment, the derogation procedure of Article 6(4) might be triggered.

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

(1999/C 370/172) **WRITTEN QUESTION E-0840/99**

by Sören Wibe (PSE) to the Commission

(7 April 1999)

Subject: The performance of the euro

Will the Commission explain why the euro is falling like a stone on international currency markets? Was it not intended that the euro should be a strong currency?

Answer given by Mr de Silguy on behalf of the Commission

(7 May 1999)

Seen over the last 12 months, the euro is not falling like a stone. The exchange rate with the United States dollar in late April 1999 (1 euro = $1,06/1,07) is very close to its synthetic rate before the Russian crisis in September 1998. The euro stood in the range $ 1,08/1,10 between spring 1997 and late August 1998. Bearing in mind that a certain level of fluctuation between the European and the United States currencies is normal, one could arguably say that the rate is just back to the level it enjoyed for almost one and a half years. Exchange rate developments since 1 January 1999 can mainly be explained by the unexpected strength of the United States economy.

Regarding the long term prospects for the euro as an international currency, changes on the bond market are more significant than short term fluctuations of the exchange rate. These changes are structural, as shown by developments on the international bond market. During the first quarter of 1999, the world's total issuance amount denominated in euro has been larger than in $ (46 % and 44 % respectively), leaving the 'market share' of third currencies, including the £ and the yen, to shrink to a mere 10 %. This is to be compared with the situation two years ago, when participating currencies accounted for less than 30 %.

More globally speaking, the euro bond market has grown larger and more liquid, allowing new issuers, in particular companies, to tap it. The euro corporate bond market is currently soaring. To a lesser extent, and with a slower pace, the same positive evolution can be observed on the equity market. In spite of the short term weakening of its external value, the euro is already considered by financial investors to be one of the two leading world currencies.

(1999/C 370/173)

WRITTEN QUESTION E-0841/99

by Kenneth Coates (GUE/NGL) to the Commission

(7 April 1999)

Subject: Fluoridation of Water

What is the attitude of the Commission towards the fluoridation of water supplies?

To what extent, if any, has fluoridation been introduced in the various Member States?

Do any Member States ban this process? If so, on what grounds?

Answer given by Mrs Bjerregaard on behalf of the Commission

(29 April 1999)

Drinking water quality is regulated in the Community by Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption [1], which will be replaced by 25 December 2003 by the recently adopted new Drinking Water Directive 98/83/EC of 3 November 1998 [2]. In both Directives there is a limit concerning the maximum admissible concentration of fluoride in drinking water, regardless of its origin, i.e. naturally present or artificially added. The fluoridation of water supplies lies within the Member States' responsibility and the Commission is not concerned as long as the limit set out in the Directive is respected. Unquestionably, fluoridation is a controversial issue because of the positive or negative effects fluoride might have, depending on its concentration in the drinking water.

The limit set out in the Drinking Water Directive is 1,5 milligrammes per liter (mg/l), which, according to the view of the World health organisation (WHO) as expressed in its drinking water quality guidelines, represents a good balance between the positive and negative effects of fluoride. Positive effects start around 0,5mg/l up to 2 mg/l. The more the concentration exceeds 2mg/l the more the risk of negative effects is increased.

As far as fluoridation in the Member States is concerned, the Commission has launched an investigation into the matter in order to provide as complete a reply as possible to the Honourable Member. At present, on the basis of the information gathered, the situation is that in Belgium fluoridation is not allowed (fluoride is not included in the positive list of substances that can be added to drinking water); in Denmark it is banned; in Germany it is permitted but decision is left to local regional government; in Greece an old law (1974) required fluoridation for cities with population of more than 10 000 people however this law has never been activated because of the controversy of the issue; in Spain it is permitted but the decision is left to each autonomous region; in France it is banned for ethical reasons; in Italy there is no specific law banning or authorising fluoridation; in Luxembourg there is no specific ban, but as fluoride is not in the positive list of substances legislation should be amended if a company considered artificial fluoridation (fluoridation is not an issue of concern for this Member State); in the Netherlands it is not allowed (similar situation as in Belgium); and in the United Kingdom it is permitted but decision is left to local health authorities.

(1) OJ L 229, 30.8.1980.
(2) OJ L 330, 5.12.1998.

(1999/C 370/174)

WRITTEN QUESTION E-0843/99

by Ursula Stenzel (PPE) to the Commission

(7 April 1999)

Subject: General competition COM/A/10/98/Option 2

On 16 September 1998 the Commission conducted a general competition which was cancelled on the grounds of irregularities. On 6 February 1999 the test was repeated.

Can the Commission rule out the possibility that participants living outside the Union were told too late of the exact conditions under which the test was to be repeated?

Can the Commission also rule out any possibility that potential participants might have been deterred from taking part in the repeated competition by the absence of adequate information from the Commission on the reimbursement of the extra travel costs they would incur?

What criteria governed the reimbursement by the Commission of the extra travel costs incurred by participants in the repeated competition travelling from outside the Community?

Participants enquiring about the reimbursement of their extra travel costs were told by the Commission that reimbursement would be 'towards' them and 'according to set ceilings'. How does the Commission interpret this answer?

Answer given by Mr Liikanen on behalf of the Commission

(23 April 1999)

Competition COM/A/10/98 was organised by the Commission in order to constitute a reserve of administrators (A 7/A 6) in the fields of external relations and management of aid to non-member countries. The notice was published [1] together with that for four other competitions, the preselection tests for all five competitions being held simultaneously.

The preselection tests held on 14 September 1998 were cancelled following the discovery of a leak in relation to one of the tests. From 10 to 14 December 1998, depending on the candidates and because of the numbers involved, the Commission sent out letters to everyone who was registered for competition COM/A/10/98, inviting them to take part in fresh preselection tests to be held on 6 February 1999. The invitations to candidates in non-member countries were where possible sent by fax or, failing that, by express mail. The tests took place under tighter conditions of security and discipline. The second call to attend preselection tests contained a copy of the new rules on discipline, together with some information on the payment of travel expenses. All candidates were informed that, subject to certain requirements, they were eligible for a contribution towards their travel expenses on condition that they had taken part in the preselection tests for competitions COM/A/8-12/98 of 14 September 1998, that they attended the new preselection tests on 6 February 1999 and that they sent in an application before that date.

The rules applicable to candidates differ depending on whether the address they gave, i.e. the one in their file as at 14 September 1998, was in the Community or in a non-member country. They take into account the fact that for certain candidates, in particular those participating in competition COM/A/10/98, the test centre was in many cases some considerable distance away from their place of residence.

The Commission accordingly rules out any possibility that candidates in non-member countries were not told in good time of the arrangements regarding the payment of travel expenses. It does not know of any candidates who did not take part in the new preselection tests owing to a lack of information on the rules applicable.

Altogether, 1 400 claims for travel expenses were submitted by participants in the five competitions COM/A/8 to 12/98. Each application has to be processed individually and, above all, be checked against the file. This scrutiny began early in February 1999 and the successive phases leading to payments to candidates are under way. Payment takes place as and when the processing of each case is completed.

[1] OJ C 97, 31.3.1998.

(1999/C 370/175) **WRITTEN QUESTION E-0845/99**

by Konstantinos Hatzidakis (PPE) to the Commission

(7 April 1999)

Subject: Substandard work in performance of Greek public contracts

Two quarterly reports were recently published for the first half of 1998 by the Special Council for Quality Control (ESPEL) of public works concerning substandard work in the performance of public contracts for construction projects being carried out under the CSF for Greece. The percentage of substandard work (i.e. not meeting specifications) fluctuated between 25 % and 95 %; the resulting uproar then prompted the Greek authorities into promising measures to bring the quality up to standard.

Can the Commission answer the following:

1. Have there been any further reports by ESPEL since then and, if so, does the work still fall short of specifications and by what percentage?

2. Have the Greek authorities in fact taken the measures promised to remedy the substandard work and, if so, does the Commission consider those measures to be sufficient and satisfactory or not?

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

(5 May 1999)

On the basis of the information communicated by the Greek authorities, the Commission can provide the following information.

1. Between July 1998 and January 1999, ESPEL continued to submit monthly activity reports. Of 210 projects checked systematically and in depth during this period:

- 94 are in order or present minor deficiencies which will be corrected by the contractors (1st category);
- 110 suffer from major deficiencies which do not have any effect on safety but will involve higher maintenance costs; these will be deducted from the payments to the contractors concerned (2nd category);
- 6 suffer from serious deficiencies which cannot be corrected and will have to be rebuilt by the contractors at their own expense (3rd category).

2. As it had promised, the Ministry for Economic Affairs (MEN) forwards all the individual ESPEL reports which reveal defective quality to the public departments responsible for administering the projects concerned, asking them to take the action provided for by law.

Moreover, for projects in the 2nd and 3rd categories mentioned above, MEN also transmits the file to the public works inspectorate so that it can monitor the follow-up by the administrative departments. Lastly, for projects in the 3rd category, MEN automatically transmits the file to the public prosecutor.

The Commission considers that the above measures are steps in the right direction and it will in any case continue to follow the progress of this matter closely.

(1999/C 370/176) **WRITTEN QUESTION E-0851/99**

by Florus Wijsenbeek (ELDR) to the Commission

(7 April 1999)

Subject: Time of payment of VAT

Is the Commission aware that there are significant differences between the Member States in respect of the date of payment of VAT?

Is the Commission aware that in the German system VAT must be calculated and paid before the 10th of the following month, whereas in the Netherlands VAT does not need to be paid until the end of the following month?

Does the Commission intend to take action to harmonise these different systems?

If so, how?

If not, why not?

Answer given by Mr Monti on behalf of the Commission

(4 May 1999)

Pursuant to Article 22.4 and 5 of the sixth Council Directive 77/380/EEC on the harmonisation of the laws of the Member States relating to turnover taxes ([1]), every taxable person shall submit a return by a deadline to be determined by Member States. That deadline may not be more than two months later than the end of each tax period. In principle, every taxable person shall pay the net amount of the value-added tax when submitting the regular return. However, Member States may set a different date for the payment of that amount or may demand an interim payment.

To date, the Commission has no intention to further harmonise the rules on the periods for payment of VAT, since existing differences between Member States are not considered as distorting the functioning of the common market.

([1]) OJ L 145, 13.6.1977.

(1999/C 370/177) **WRITTEN QUESTION E-0853/99**

by Reimer Böge (PPE) to the Commission

(7 April 1999)

Subject: Abolition of duty-free sales for intra-Community travel

The abolition of duty-free sales for intra-Community travel will have serious implications for employment in Schleswig-Holstein. In the structurally weak districts in this Land which are affected about 3 000 jobs depend directly on duty-free sales.

- Can the Commission make practical proposals on how the instruments of the Structural Funds could be targetted to counteract the negative effects of the abolition of duty-free sales, bearing in mind also the forthcoming structural fund reform and the associated changes in the support framework?
- How does the Commission view the possibilities for an initiative, similar to the system created in 1992 after removal of the checks at internal frontiers for the adaptation of customs agencies, to assist, using special measures, in the restructuring of the undertakings that are worst affected and to maintain jobs?
- Is there now a clear transitional tax provision for intra-community travel on ships after abolition of duty-free sales, so that, in view of the considerable differences in taxation in the Member States, there will not be tax chaos in the travel sector after 30 June?
- If not, will the Commission propose as quickly as possible a transitional tax provision, under simplified procedure, taking into account the lowest tax rates in each case?

Answer given by Mr Monti on behalf of the Commission

(7 May 1999)

On 17 February 1999, in response to the Vienna European Council, the Commission adopted a communication to the Council on the employment aspects of the decision to abolish tax- and duty-free sales for intra-Community travellers ([1]).

The communication analyses the situation on the basis of information gathered from Member State administrations and shows that the Council decision will not have a macroeconomic impact but will have limited effects on specific sectors. It recommends that Member States should make optimal use of existing Community arrangements, in particular the Structural Funds.

It is up to the Member States to take the necessary measures under programmes currently being implemented, in particular by means of re-programming. Funds are still available.

In the Commission's view, if the Council considers it necessary a specific Community initiative could be introduced, in addition to existing arrangements and the Structural Funds, for the reemployment of people who lose their jobs in sectors affected by the change. Until the Council has reached a decision on this it would be premature to comment on the specific content of such a measure.

The Commission has already stated in its notice of 9 April 1999 (2) that the VAT and excise rules that will apply to sales in the air and water transport sectors from 1 July 1999 are normal taxation rules which have been implemented in other sectors (rail and road transport) since 1 January 1993.

The Commission has been holding discussions with the Member States in technical committees and with operators for many months. National administrations have been in contact with each other and with operators regarding taxation procedures (collection and controls) falling within the sphere of Member State competence.

(1) OJ C 66, 9.3.1999.
(2) OJ C 99, 10.4.1999.

(1999/C 370/178) **WRITTEN QUESTION E-0856/99**

by Marilena Marín (UPE) to the Commission

(7 April 1999)

Subject: Imprisonment of Venetians for having freely expressed their views

Three Venetians were imprisoned having been refused the option of community service as laid down in the law of 8 March 1999; they took part in an avowedly non-violent and diplomatic demonstration in the Piazza San Marco in Venice in 1997 for greater autonomy for Veneto and are not dangerous; on the contrary, as members of a duly registered association, they take part in cultural, social and political activities organised to discuss regional autonomy, the rights of peoples and human rights.

They have been working since plea-bargaining their sentence and, as the Venice Public Prosecutor ruled against the appeal judges' decision, they enjoy the constitutionally guaranteed principle of presumption of innocence whereby imprisonment is possible only after all the stages of the trial have been completed or in the event of serious danger.

In substance their demands, backed up by non-violent action and inspired by the autonomy of Veneto which has been enshrined in Italian law since 1971, are quite legitimate and topical (viz. the bill adopted by the Italian Council of Ministers this week) and represent their right to peaceful freedom of expression which is constitutionally guaranteed.

What action will the Commission take to guarantee respect for the fundamental rights that form part of the fundamental principles common to the Member States as it is required to do under the provisions of the Maastricht and Amsterdam treaties?

Answer given by Mr Santer on behalf of the Commission

(7 May 1999)

The Commission recalls that the relationship between a Member State and its citizens regarding the respect of human rights is primarily governed by the European Convention on the protection of human rights and fundamental freedoms signed in Rome on 4 November 1950. Therefore, the Italian citizens could pursue the matter with the European Court of human rights after all domestic remedies have been exhausted.

(1999/C 370/179) **WRITTEN QUESTION E-0858/99**

by Pieter Dankert (PSE) to the Commission

(7 April 1999)

Subject: ESF — The Netherlands

Dijkhuis Advies, which is a beneficiary of ESF Objective 3 training projects, reports that neither the final account for 1997 nor the second advance for 1998 have been paid and that the ESF coordinator has not given any reasons for these delays. Dijkhuis Advies also notes a recent tax measure known as the Supplementary Training Allowance from which projects co-financed by the ESF may not benefit, and which may even put them at a disadvantage owing to the differing ways in which the measure defines costs giving rise to an entitlement to subsidy, and to the fact that ESF funds are regarded as the firm's own income.

Are there any problems with the payment of the balance of the annual tranche for 1997 and the second advance for 1998, and if so, what?

Is the Commission aware of this Supplementary Training Allowance? What is its view of this measure which leads to discriminatory treatment between ESF and non-ESF projects?

Answer given by Mr Flynn on behalf of the Commission

(3 May 1999)

The request for final payment for 1997 of the Objective 3 programme could not be dealt with by the Commission in its initial version. The final version, on which the Commission and the Ministry for 'Sociale Zaken en Werkgelegenheid' (SZW) have reached agreement, was sent to the Commission on 30 March 1999. However, the advances already paid exceeded the balance requested. Consequently, the 1997 payments for the Objective 3 programme may be considered as terminated. Payments to the sponsors are governed by the 'Arbeidsvoorziening'.

The second advance for 1998, submitted in early October 1998, was paid in two tranches because the Commission did not have the necessary funds. A first tranche of 38 million euros was paid towards mid-November 1998. The remaining sum of 26 million euros was paid by the Commission on 15 March 1999.

The Honourable Member does not provide enough information for us to answer the part of the question concerning the tax measure known as the Supplementary Training Allowance ('extra scholingsaftrek'). After examination by the 'Arbeidsvoorziening', responsible for the day-to-day management of Objective 3, it seems that additional information would be needed to identify the project and the measures concerned. Naturally the Commission will be happy to provide more ample information to the Honourable Member if these particulars are communicated.

(1999/C 370/180) **WRITTEN QUESTION P-0861/99**

by Carlos Coelho (PPE) to the Commission

(26 March 1999)

Subject: Common fisheries policy

The Commission has recently submitted a draft regulation establishing a list of the types of behaviour which constitute a serious infringement of the rules of the common fisheries policy (CFP).

An analysis of that list shows that no reference is made to failure to comply with the multiannual guidance programmes for fisheries (MGPs), which lay down objectives for each of the Member States aimed at adapting the capacity of the fleet to fishery resources. The fact that some Member States (such as Portugal) have been complying with the programmes and reducing their fleets while others (such as France, the Netherlands and Italy) are not only failing to reduce their fleets but are in fact expanding them has given rise to a totally unacceptable distortion of competition, which stems from the absence of penalties against those countries which are in breach of their obligations.

For that reason, Parliament recommended in the Cunha report (A4-0046/98) [1] that the Commission should introduce a body of rules designed to put pressure on Member States to meet the targets set in the MGPs and penalise those which failed to do so.

Given that this issue involves behaviour which constitutes a serious breach of the rules of the common fisheries policy, with the result that countries which comply are penalised whilst failure to abide by Community rules is rewarded, why has the Commission not yet acted on Parliament's recommendation, will it do so and on what timescale?

[1] OJ C 104, 6.4.1998, p. 278.

Answer given by Mrs Bonino on behalf of the Commission

(21 April 1999)

The Commission agrees that appropriate actions, including penalties, should be pursued by the Commission against Member States that do not meet the objectives of the multi-annual guidance programmes (MAGPs) for the fishing fleet, as recommended by the Parliament in the report drafted by Mr Cunha.

Many of these recommendations were taken into account in the Commission proposal for a Council regulation laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector [1], which explicitly states that certain sanctions may be taken if the MAGPs are not respected. This proposal is currently being considered by the Council.

[1] OJ C 16, 21.1.1999.

(1999/C 370/181) **WRITTEN QUESTION E-0866/99**

by Joan Vallvé (ELDR) to the Commission

(7 April 1999)

Subject: Fresh attacks on Spanish fruit and vegetables

On 15 March 1999, a lorry carrying strawberries from Spain was attacked by a group of masked men, who forced the conductor off the road and rendered some 17 tonnes of strawberries unusable. Despite the fact that in 1998, there were no attacks of this kind, this latest incident joins a long list of such attacks perpetrated in recent years by French activists, directly or indirectly the support e.g. by farmers radically opposed to imports of Spanish fruit and vegetables.

Does the Commission intend to take any measures to prevent any further repetition of such incidents, which infringe the fundamental European Union principles of the right to freedom of movement and fair competition?

Answer given by Mr Fischler on behalf of the Commission

(28 April 1999)

As is well-known, the Commission has consistently condemned the violence used by private individuals to hinder the free movement of goods as well as the failure of the competent authorities in the Member State concerned to take the necessary public order measures to stop such violence. The outcome of the infringement procedure initiated by the Commission against France was a ruling by the Court of Justice in its judgement of 9 December 1997 in case C-265/95 Commission v France that, 'by failing to take all necessary and proportionate measures in order to prevent the free movement of fruit and vegetables from being obstructed by actions by private individuals, the French Republic has failed to fulfil its obligations under the common organisation of the markets in agricultural products and Article 30 of the EC Treaty, in conjunction with Article 5 of that Treaty'.

In addition, on 7 December 1998 the Council adopted Council Regulation (EC) 2679/98 on the functioning of the internal market in relation to the free movement of goods among the Member States [1], which establishes mechanisms for action by the Commission with a view to ensuring that the Member

States, which retain sovereign authority for the maintenance of law and order, eliminate forthwith the serious threat to freedom of movement that is caused by such actions on the part of private individuals.

The Commission is closely monitoring events during the current marketing year for fruit and vegetables and is determined, where necessary, to apply the above instruments to ensure that the French authorities take adequate and appropriate action to guarantee that the principle of the free movement of goods is observed, and thus complying with their obligations in this area.

(1) OJ L 337, 12.12.1998.

(1999/C 370/182)

WRITTEN QUESTION E-0868/99

by Joan Vallvé (ELDR) to the Commission

(7 April 1999)

Subject: URBAN Initiative subsidies and municipal projects in Valencia

The Valencia City Council has voted to adopt a 'Special Plan for the Protection and Internal Reconstruction' of the Cabanyal-Canyamelar district of Valencia, a former sea-side village which includes the extension of Blasco Ibánèz Avenue to the shore. The scheme involves dividing the district in two, and demolishing over 1500 private houses in a popular art-nouveau style. The whole district has been declared to be a Valencian Community historical site.

Does the Commission believe that the aid received by the Valencian City Council under the URBAN programme is compatible with a redevelopment plan so damaging to the urban fabric of one of Valencia's most outstanding and characterful districts?

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

(30 April 1999)

Under the programme 'Urban-España' for 1994-1999, the Commission is part-financing in Valencia the project 'Revitalizacion del barrio de Velluters' in the historical centre 'Ciutat Vella'. The aim of the project is the integrated development of the district via the implementation of measures to improve the infrastructure and the environment, develop the economic fabric and provide social and training facilities.

Information available to the Commission indicates that the urban plan referred to by the Honourable Member, 'Plan especial de protection y reforma interior del barrio de Carbanyal-Canyamelar', is a quite different measure, in both its location and its content, from that concerned by the Urban project.

(1999/C 370/183)

WRITTEN QUESTION E-0869/99

by Honório Novo (GUE/NGL) to the Commission

(7 April 1999)

Subject: Loss of income by fishermen in Madeira

The very low level of tuna stocks which have been affecting Madeira since August 1998 have had a very serious effect on local fishing communities.

The shortage of tuna stocks has serious repercussions on the economies and the households in many parts of Madeira, such as Caniçal and Machico, which are already greatly weakened as communities and have no alternative forms of employment.

The seriousness of the situation is such that it deserves the Commission's full attention.

In view of the above, would the Commission provide the following information:

1. Has the Commission been informed of this alarming state of affairs by the Portuguese Government or the Madeira Regional Government?

2. Is there any budgetary provision or specific programme within the common fisheries policy which could be used to compensate for the drastic loss of income by the fishing communities in question and alleviate the serious situation effecting entire families in Caniçal and Machico? If so, has the Madeira Regional Government and/or the Portuguese Government already asked the Commission to implement such provisions or programmes?

3. Is there any possibility outside the common fisheries policy of making funding available in order to remedy the situation promptly and, if so, what is it?

Answer given by Mrs Bonino on behalf of the Commission

(3 May 1999)

The available data on the general state of tuna stocks in the Atlantic do not indicate a collapse in stocks. However, the Commission is seeking more precise data on the stock situation in the Madeira zone.

1. Without checking with the Portuguese authorities, the Commission is not aware that they informed it of this state of affairs.

2. The common fisheries policy does not have a specific programme or budget facility to compensate for possible losses of income resulting from the situation described.

3. The Commission does not know of any way that funding could be provided outside the CFP to compensate promptly for possible losses of income.

(1999/C 370/184) **WRITTEN QUESTION E-0871/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: URBAN initiative — Northern Ireland

How much funding has been granted in Northern Ireland under the URBAN initiative in the current programming period?

(1999/C 370/185) **WRITTEN QUESTION E-0872/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: PEACE Programme — Northern Ireland

How much funding has been granted in Northern Ireland under the PEACE programme in the current programming period?

(1999/C 370/186) **WRITTEN QUESTION E-0873/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: KONVER II initiative — Northern Ireland

How much funding has been granted in Northern Ireland under the KONVER II initiative in the current programming period?

(1999/C 370/187) **WRITTEN QUESTION E-0874/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: RETEX II initiative — Northern Ireland

How much funding has been granted in Northern Ireland under the RETEX II initiative in the current programming period?

(1999/C 370/188) **WRITTEN QUESTION E-0877/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: SMEs initiative — Northern Ireland

How much funding has been granted in Northern Ireland under the SMEs initiative in the current programming period?

Joint answer
to Written Questions E-0871/99, E-0872/99, E-0873/99, E-0874/99 and E-0877/99
given by Mrs Wulf-Mathies on behalf of the Commission

(5 May 1999)

The following table shows the amounts (expressed in million € granted in Northern Ireland by the structural funds to the programmes under question in the current programming period (1994-1999). It must be noted that the amounts for the PEACE programme relate to both Ireland and Northern Ireland. Furthermore an additional € 100 million are foreseen to be added to the financial tables of this programme.

	ERDF [1]	ESF [2]	EAGGF [3]	FIFG [4]	Total
PEACE	201,211	168,785	31,261	1,896	403,153
URBAN NI	10,518	8,833			19,351
SMEs NI	6,200				6,200
RETEX II	4,645	0,450			5,095
KONVER II	2,29	0,31			2,6

[1] European regional development fund.
[2] European social fund.
[3] European agricultural guidance and guarantee fund.
[4] Financial instrument of fisheries guidance.

(1999/C 370/189) **WRITTEN QUESTION E-0875/99**

by James Nicholson (PPE) to the Commission

(8 April 1999)

Subject: PESCA initiative — Northern Ireland

How much funding has been granted in Northern Ireland under the PESCA initiative in the current programming period?

Answer given by Mrs Bonino on behalf of the Commission

(30 April 1999)

In the British programme for the Pesca initiative a Community contribution of € 1 724 000 is allocated to Northern Ireland for the current programming period 1994-1999. On 31 December 1998 Community grants amounting to € 440 000 have been paid to final beneficiaries in Northern Ireland.

(1999/C 370/190) **WRITTEN QUESTION E-0883/99**

by Cristiana Muscardini (NI) to the Commission

(8 April 1999)

Subject: Control of safety at airports

The recent incident involving an aeroplane at Genoa airport demonstrates for the ninth time the problem of control of runway safety and airport facilities. Without calling into question the competence of the international bodies operating in the air transport sector or going into the question of responsibility for the incident and taking account of the fact that the Council has authorised the Commission to set up a European organisation for civil aviation safety.

Can the Commission answer the following:

1. What is the outcome of the Commission's preparations for setting up the organisation?

2. Does it have powers over airport safety?

3. Does it have ad hoc services to control the technical parameters foreseen (length of runways, minimum distance from runways to road, industrial or residential infrastructures, waterways and sea)?

4. Does the Commission consider that the existence of abandoned iron and steel equipment alongside the Genoa runway is compatible with basic safety rules?

5. Does it not think that in the interests of air safety it should propose amendments to Regulation No 3922/91/EEC [1] on the harmonisation of technical rules for civil aviation in order to guarantee maximum tranquillity for citizens as regards application of the rules on airport infrastructures?

(1) OJ L 373, 31.12.1991, p. 4.

Answer given by Mr Kinnock on behalf of the Commission

(7 May 1999)

1. The Commission has indeed received a mandate from the Council on 20 July 1998 to negotiate on behalf of the Community and its Member States a multilateral convention involving other European States to create a European aviation safety authority. The Commission has since then prepared a draft convention and extensive discussions within the special negotiation Committee created by the Council to assist the Commission have to take place before formal negotiations with third parties are initiated. This internal process is going on presently.

2. It is already agreed between the Commission and the Council that this organisation should have competence in the field of airport safety. It has been accepted however that, subject to the agreement of parties involved, this may not be a priority task for the new organisation and that the implementation of its powers in this specific field could be decided at a later stage.

3. It is not yet decided whether powers in the area of airport safety would be limited to issuing common requirements to be implemented at national level or if the authority itself should have regulatory powers to actually certify and oversee the safety of airport operations. Such decisions will have to be taken by the authority itself, bearing in mind the principle of subsidiarity.

4. At the present time, the Community has not acted in the field of airport safety and the Commission cannot therefore speculate on what is safe or not in the vicinity of airports. It can only refer to current international standards and recommended practices established by the International civil aviation organisation (ICAO) of which all Member States are members

5. The scope of Council Regulation (EEC) 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of aviation could indeed cover airport operations since its first article refers to organisations and personnel involved in the operation of aircraft. It could therefore constitute an appropriate basis to legislate in this field. Bearing in mind however the previous comments on ICAO standards and recommended practices and the principle of subsidiarity, it has not been felt necessary up to now for the Community to act in this field.

(1999/C 370/191) **WRITTEN QUESTION E-0885/99**

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(8 April 1999)

Subject: Transposition by Belgium of Directive 93/89/EEC on the application by Member States of taxes on certain vehicles used for the carriage of goods by road

By Royal Decree of 21 October 1997, Belgium implemented Directive 93/89/EEC [1], laying down that the euro vignette would be required in Belgium, inter alia, for the N8 road from Courtrai to Coxyde via Ypres, a road which is classified as a secondary road in the Flanders Structural Plan.

Is it permitted under the Directive referred to above for a Member State to require a euro vignette for a road it regards as a secondary road?

[1] OJ L 279, 12.11.1993, p. 32.

Answer given by Mr Kinnock on behalf of the Commission

(7 May 1999)

Article 7.d third sub-paragraph of Council Directive 93/89/EEC of 25 October 1993 on the application by Member States of taxes on certain vehicles used for the carriage of goods by road and tolls and charges for the use of certain infrastructures, stipulates that after consultations with the Commission, in accordance with a specific procedure, Member States may impose user charges (i.e. the Eurovignette) also on users of other sections of the primary road network particularly where there are safety reasons for doing so.

Making use of this provision the Belgian government entered into consultations with the Commission regarding the extension of the road network, where the Eurovignette is levied, to include all N-roads ('routes nationales').

After examination of the Belgian request the Commission concluded in its opinion of 15 February 1996 that a large-scale extension of the Eurovignette network as proposed by the Belgian Government is not justified. However the Commission found reasonable the extension of the application of the Eurovignette on a limited number of N-roads (17) where a shift of heavy goods traffic could be expected if they remained outside the Eurovignette network. According to the Commission's opinion such a transfer of traffic onto these N-roads, combined with certain of their features, could lead to higher safety risks.

Therefore, to prevent such an occurrence and help maintain the road safety level throughout the Belgian territory the Commission agreed to the levying of the Eurovignette on these 17 N-roads (additionally to the motorways) which include the road N 8 Brussel-Ninove-Oudenaarde-Kortrijk-Ieper-Koksijde.

(1999/C 370/192)

WRITTEN QUESTION P-0893/99

by Elly Plooij-van Gorsel (ELDR) to the Commission

(7 April 1999)

Subject: European importers misled by supplementary levy on textile products from Bangladesh

Under the GSP, imports from Bangladesh with 'A' forms are allowed on to the European market under more favourable conditions. In 1997 the Bangladeshi Government, at the instigation of the Commission, declared 'A' forms issued in the period 1994-1996 to be invalid.

1. Is it true that the Bangladeshi Government stated as early as 1989 that it was having difficulties managing the issue of certificates of origin?

2. Did the government make an application for a derogation at that time?

3. If so, how did the Commission react to this application?

4. Did the Commission receive any other indications in the period 1989-1994 — e.g. during working visits to Bangladesh — that the Bangladeshi Government was having problems with the lawful issuing of certificates of origin?

5. If so, did the Commission inform importers' organisations or sectoral organisations of this fact? If not, why not? If so, what form did this information take?

Answer given by Mr Monti on behalf of the Commission

(5 May 1999)

1. In 1989 the Government of Bangladesh, like all the other countries benefiting from the Generalised System of Preferences, issued certificates of preferential origin in accordance with rules whose fundamental principles had not been altered since 1971. Bangladesh has not reported any greater difficulties than other beneficiary countries beyond the normal ones involved in the day-to-day administration of the certificates. Also, since 1983 a number of Community missions, seminars and investigations have been conducted in Bangladesh. The purpose of the seminars in particular, in Bangladesh as in other beneficiary countries, was to familiarise officials and exporters with the operational management of preferences, i.e., essentially the issue of certificates of origin.

2. A request for derogation was submitted by Bangladesh in 1985.

3. In 1987, the Commission turned down the request since a majority of the Member States had opposed the derogation, fearing that derogations would principally benefit semi-finished products originating in newly industrialised countries such as South Korea, rather than Bangladesh. It was not until 1997, following a new request by Bangladesh, that the Commission's proposal for a derogation was supported by the Member States.

4. The Community mission to Bangladesh in 1993 dealt exclusively with the problems which arose from the presentation at import of GSP preferential origin certificates (Form A), dated between 1989 and 1993), purportedly issued in Bangladesh but actually accompanying textile products which were of Far-Eastern or Asian origin. More than 3 000 completely false or forged certificates of origin were identified and appropriate action taken by the Member States concerned after withdrawal of the certificates by the authorities of Bangladesh. The Community mission to Bangladesh in 1994 related to a specific investigation (based on exports from the port of Chittagong) where Pakistan origin products were presented at import into the Community with fraudulent GSP Forms A from Bangladesh. In this case, having established through joint enquiries the identity of a Bangladesh-based manufacturer involved in the fraud, the authorities of Bangladesh withdrew the certificates and imposed immediate administrative and financial penalties.

5. Following the publication of the results of the Community mission to Bangladesh in November and December 1996, a notice to importers (97/C 107/05) was published in the Official Journal concerning textile products imported into the Community from Bangladesh under the GSP scheme.

(1999/C 370/193) **WRITTEN QUESTION E-0909/99**

by Bernard Lehideux (PPE) to the Commission

(8 April 1999)

Subject: Action taken by the Syrian Government in response to the resolution of March 1998 on Lebanese prisoners in Syria

In March 1998, when human rights organizations were regularly condemning the arbitrary imprisonment of numerous Lebanese citizens in Syria, without charges being brought against them and without their families being informed of their fate, the European Parliament adopted a resolution on Lebanese prisoners in Syria (B4-0324/98) ([1]), calling on the Syrian Government to publish a full list of Lebanese prisoners in Syria, to release those prisoners against whom no charges had been brought and to transfer the others to Lebanon.

1. A year on from this resolution, does the Commission know whether this list has been published and whether the Syrian Government has complied with the other recommendations?

2. If no satisfactory response is received from Syria, what will the Commission do to ensure that these human rights violations are taken into account in the European Union's relations with Syria?

([1]) OJ C 104, 6.4.1998, p. 238.

(1999/C 370/194) **WRITTEN QUESTION E-0979/99**

by Anna Karamanou (PSE) to the Commission

(15 April 1999)

Subject: Lebanese, Palestinian and Jordanian political prisoners in Syria

According to the latest report from Amnesty International more than 250 political prisoners are currently being held in Syria, mainly Lebanese, Jordanians and Palestinians, and their fate appears to be unknown. Many of them have suffered arbitrary arrest and torture, while others have received long prison sentences after a secret summary trial before a military court. It might be pointed out that hundreds of Lebanese, Palestinians and Jordanians have 'disappeared' in Syria since the end of the 1970s.

Given that the Syrian authorities have undertaken, through the Barcelona process, to guarantee peace and stability in the region, in what way will the Commission intervene with a view to ensuring effective protection for human rights in Syria in the context of negotiations on the EU-Syria association agreement?

Joint answer
to Written Questions E-0909/99 and E-0979/99
given by Mr Marín on behalf of the Commission

(6 May 1999)

According to a report of the Syrian human rights organisation Committee for the defence of democratic freedom and human rights in Syria (CDF), some 250 Lebanese citizens are still detained in Syria after the release of 121 Lebanese detainees from Syrian prisons in March 1999. To the Commission's knowledge, the Syrian government has not produced a public list with the names of the remaining Lebanese detainees held in Syrian prisons. According to recent information from Amnesty International (AI), as of December 1998 no substantive response has been forthcoming from the Syrian authorities to queries from AI submitted in March 1997 and October 1998 regarding the Lebanese detainees ([1]).

Since 1991 the Syrian government has released thousands of long-term political prisoners, including Lebanese citizens, most recently in March, May and June 1998. The Commission welcomes these releases but remains concerned over the remaining prisoners of conscience in Syria, including the Lebanese detainees.

The Syrian authorities are well aware of the importance that the Union attaches to the strict respect of international human rights law. The Union uses every opportunity, afforded by its regular contacts with

the Syrian authorities, to express its concern over alleged cases of human rights abuses and the remaining prisoners of conscience in particular. The Union remains informed on the general conditions of human rights in Syria, including the question of Lebanese detainees, mainly through its heads of mission in Damascus.

Additionally, the common commitment to respect human rights and to develop the rule of law and democracy enshrined in the Barcelona Declaration of 1995 will be reflected in the new association agreement between the Community and Syria currently under negotiation. This agreement will provide an enhanced framework to discuss almost all areas of mutual interest, including human rights, between the two partners. Furthermore, individual Member States, parties to the International covenant on civil and political rights, do have a specific mandate to raise human rights issues with Syria which also is a party to that Covenant.

(1) Amnesty International, Syria Caught in a Regional Conflict: Lebanese, Palestinian and Jordanian Political Detainees in Syria, Report — MDE 24/01/99, 27 January 1999.

(1999/C 370/195)

WRITTEN QUESTION E-0919/99

by Roberto Mezzaroma (PPE) to the Commission

(8 April 1999)

Subject: Law on strays

Will the Commission please specify what EU funds have been earmarked for the Region of Tuscany to resolve the problem of stray animals and say what the EU intends to do to resolve this problem, which regards thousands of dogs?

Answer givern by Mr Fischler on behalf of the Commission

(7 May 1999)

The Community has legislation in the field of the protection of pet animals during transport, Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC ([1])) and on the use of dogs and cats in scientific experiments, Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes ([2]).

Legislation on stray dogs and cats and their enforcement is still a matter within the competence of the Member States.

Following the above-mentioned principle the Commission has no intention to propose legislation in this field.

No funding programmes specific for control of stray dogs in the Tuscany Region have been set up by the Commission.

(1) OJ L 340, 11.12.1991.
(2) OJ L 358, 18.12.1986.

(1999/C 370/196)

WRITTEN QUESTION E-0921/99

by Roberto Mezzaroma (PPE) to the Commission

(8 April 1999)

Subject: Plans for the development of Anzio and Nettuno

Will the Commission please say whether there are plans for revitalising the areas around Anzio and Nettuno (Lazio Region, Italy) via objectives or programmes to restore development opportunities to areas that are perfectly suited to the growth of SMEs and tourism?

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

(6 May 1999)

The Commission has proposed reducing the number of priority Objectives for structural funding to three for the period 2000-2006.

In the case of Objective 1, which promotes the development and structural adjustment of regions whose development is lagging behind, eligible NUTS II regions will be those whose gross domestic product (GDP) per person, measured in purchasing power parities and calculated on the basis of the three most recent years available, is less than 75 % of the Community average. Using the data for 1994, 1995 and 1996, the Latium region's GDP per person amounts to 113,3 % of the Community average. No area in Latium is thus eligible under Objective 1.

The Commission has also proposed a new Objective 2, to support economic and social conversion in areas facing structural difficulties. This Objective will cover areas undergoing socio-economic change in industry and services, rural areas in decline, urban areas in difficulty and depressed areas dependent on fisheries. The Commission will draw up a list of areas eligible for this Objective in the second half of 1999, in close collaboration with the Member State concerned. It is not yet possible to predict whether Anzio or Nettuno will be eligible for Objective 2.

Latium will qualify for Objective 3 of the Structural Funds, which supports the adjustment and modernisation of training and unemployment policies and systems in all regions not covered by Objective 1, through assistance targeted in particular towards small and medium-sized enterprises and tourism.

(1999/C 370/197) **WRITTEN QUESTION P-0927/99**

by Fernando Fernández Martín (PPE) to the Commission

(7 April 1999)

Subject: Regulation of amateur radio operators in Europe

DG XIII of the European Commission is preparing for publication of the Green Paper on European policy on the use of the radio frequency spectrum. Amateur radio operators are not even mentioned, which can only mean that the Commission currently has no plans to regulate the sector.

This activity is regulated by the international conventions and agreements of the ITU (International Telecommunication Union). All Member States have signed them and apply them.

There are currently 300 000 amateur radio operators with an official licence in the European Union. They operate both on HF bands and on VHF and UHF, and as a group have a high level of training and technical knowledge. They carry out research and contribute to technological development in a wide range of areas, including propagation studies, new transmission systems and satellite communications. The Commission's failure to make any mention of the amateur radio sector in the green paper's preparatory documents should therefore be rectified.

What are the views of the Commissioner responsible for this area, and what action does he intend to take to correct this omission?

Answer given by Mr Bangemann on behalf of the Commission

(30 April 1999)

The Commission published on 15 December 1999 a green paper on radio spectrum policy [1] and thereby launched a consultation period calling on all interested parties to submit their views before 15 April 1999

on the questions and issues it raised. The Commission has also organised three public hearings (24 February 1999 for individual entities or companies; 17 March 1999 for interest groups or associations; 30 March 1999 for administrations). The International amateur radio union (IARU) participated in one of the meetings and had, and continues to have, the opportunity to put forward opinions.

Radio-amateurs as well as their national or European interest groups are welcome to submit in writing any view deemed relevant. All comments will be published on the web site http://www.ispo.cec.be/spectrumgp.

The green paper addresses spectrum policy related issues from a generic point of view pertinent to all sectors or applications, including the usage made by radio-amateurs which falls under the category of Research and development (R&D) discussed in the green paper. The Commission welcomes any comments which representative radio-amateur interest groups may wish to put forward on policy issues in relation with spectrum policy and will study proposals carefully in the context of all responses received.

(1) COM(98) 596 final.

(1999/C 370/198) **WRITTEN QUESTION P-0928/99**

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

(7 April 1999)

Subject: Transport of emergency aid to Ukraine

1. Can the Commission confirm that the import of shipments of emergency aid to the areas of Ukraine affected by flooding (especially the sub-Carpathians) has been prevented by the customs authorities since February 1999?

2. Is the Commission aware that various shipments of emergency aid have been put into store at the Ukrainian border and have not in fact been transported to the areas affected?

3. Can the Commission confirm that a suspension of the import rules in the period after the flooding has recently been followed by the reintroduction of especially strict rules?

4. Is the Commission prepared to raise this problem through its office in Kiev and endeavour to find a solution that enables the Ukrainian citizens concerned to receive the goods intended for them?

Answer given by Mrs Bonino on behalf of the Commission

(3 May 1999)

The Commission thanks the Honourable Member for his interest in humanitarian operations in Ukraine. The Commission, via its specialised service for humanitarian assistance (ECHO), has altogether funded five assistance projects in connection with the floods in Transcarpathia and Western Ukraine (total value 1,28 million euro).

None of the non-governmental organisations (NGOs) implementing these projects has so far reported major difficulties with local authorities (including the customs authorities). Many of the humanitarian goods required in the disaster zone have been purchased locally. The Commission has not received any representations from humanitarian agencies encountering difficulties in Ukraine in this regard.

(1999/C 370/199) **WRITTEN QUESTION E-0940/99**

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

(13 April 1999)

Subject: Obligation to go before the International Court of Justice for the peaceful resolution of disputes under the 1995 New York Convention on straddling fish stocks and highly migratory fish stocks

Given that the Commission has not answered my previous question P-0103/99 [1] and referring once again to the statement made by Commissioner Emma Bonino at the plenary sitting of 12 January 1999 to the effect that ratification of the New York Convention 'would clearly prevent Canada from withdrawing from the Court's jurisdiction as it did in 1994/1995' (minutes of the sitting of 12 January 1999, p. 80), and given that this is not a trivial matter and that we may be facing a major difference in interpretation of the significant part VIII (and not IX as the Commission claims) of the New York Convention, can the Commission provide answers to the following.

We do not question the obligation inherent in the Convention to make use of peaceful means to settle disputes, nor the binding nature of the solution arrived at through the peaceful means chosen. However, if the system provided for in Article 30 of the Convention, which refers back to Part XV of the 1982 Convention on the Law of the Sea, enshrines — as the Commission acknowledges in its replies — the principle that states are free to choose the means to resolve disputes, how can a state — Canada — be obliged to agree to submit to compulsory jurisdiction of the International Court if this is only one of the various means envisaged in Article 287 of the Convention?

Returning to my earlier question, therefore, can the Commission say on the grounds of what legal precept and with what legal basis it maintains, as it claimed at Parliament's plenary sitting, that Canada would be obliged to go before the International Court of Justice to resolve a dispute arising with the EU within the framework of the Convention once both were party to the 1995 New York Convention and once that Convention had entered into force, particularly given the fact that, under Article 287(5)(part XV) of the 1982 Convention, where two parties to a dispute have not accepted the same procedure, the only possibility open is arbitration?

[1] OJ C 325, 12.11.1999.

Answer given by Mrs Bonino on behalf of the Commission

(7 May 1999)

Part VII of the 1995 United Nations agreement on straddling fish stocks and highly migratory fish stocks refers back to the general scheme for the settlement of disputes laid down in Part XV of the 1982 United Nations Convention on the law of the sea. Under this scheme, states are free to agree upon means of dispute settlement of their own choice but those means must lead to compulsory and binding dispute settlement (see Articles 280 to 282 of the 1982 Convention). Article 286 of the Convention stipulates that any dispute not resolved by means of the parties' own choice shall be referred, at the request of any party to the dispute, to compulsory procedures entailing binding decisions. To this end, Article 287 (1) offers a free choice between four possible procedures. The provisions of Article 287 (3) and (4) specify, however, that where a party or parties to a dispute have made no such choice or have not accepted the same procedure, the dispute must be submitted to arbitration in accordance with Annex VII.

Except for a number of specified limitations pertaining essentially to the exercise by a coastal state of its sovereign rights or jurisdiction over its exclusive economic zone (see Article 297), the scheme provides for no escape clauses. Had such a scheme been available in connection with the Estai case (the arrest of the Spanish trawler outside Canada's 200-mile zone in 1995), it would have been possible to institute proceedings at least before the arbitral tribunal set up under Annex VII, the tribunal would have had jurisdiction to hear the merits of the case and to render a binding decision, and it would not have been possible for the defendant party to elude international adjudication by way of a simple declaration.

(1999/C 370/200) **WRITTEN QUESTION E-0945/99**

by Honório Novo (GUE/NGL) to the Commission

(13 April 1999)

Subject: Vasco da Gama Bridge, Lisbon: payment of transfers

The Vasco da Gama Bridge, co-financed by the Union, has long been completed and already open for nearly a year.

Given the passage of time, it would be logical to assume that the Commission had already transferred the full amounts required to pay its share of the costs.

Could the Commission say whether it has paid all of the instalments of funding entailed in its financial contribution to the works as a whole, including access road networks?

If it has not done so, what fundamental or administrative reasons and/or final assessments lie behind its failure to act?

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

(6 May 1999)

The balance of Community assistance is the only payment still to be made by the Commission for the new Tagus bridge project and its access roads, as defined in Decision C (94) 3905.

In addition to the supplementary information which the Commission has already asked the Portuguese authorities to provide as part of its analysis of the final report on the project, payment of the balance is also dependent on the Commission's checking compliance with the clauses in the Decision to grant aid, in particular those relating to the provisions of Decree-Laws Nos 9/93 and 280/94, referring respectively to the urban planning of the south bank and the creation of a special protection area for the Tagus estuary.

(1999/C 370/201) **WRITTEN QUESTION P-0951/99**

by Michael McGowan (PSE) to the Commission

(7 April 1999)

Subject: Structural Funds eligibility

Considering the possibility that in certain Member States pressures may exist that could encourage the submission of areas proposed for eligibility under the urban 'Strand' of the new Objective 2 of Structural Funds where such areas are discontinuous and very small and noting that such an approach would be:

- very inefficient in the use of administrative resources on the part of the EU and national governments,
- incapable of meeting the economic objectives of the ERDF under Objective 2 which require sufficiently large areas to be capable of supporting an economic regeneration programme with, for example, small factory units, training bases and other infrastructure,
- failing to meet the social inclusion objectives of Agenda 2000 by not focusing on the worst concentrations of deprivation in the major inner city areas,

Will the Commissioner please state how the EU will ensure that, in preparing lists of Objective 2 areas under the urban Strand, the Member States will put forward areas which are:

- urban in character, i.e. more than 500 residents per sq kilometre,
- 'substantial' (as specified in the draft Structural Fund regulation and interpreted as having a population of more than 100 000),

— comprised of groups of contiguous wards or equivalent NUTS V areas.

Will advice to this effect be added to the programming guidance recently approved?

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

(5 May 1999)

During the period 2000-06, Objective 2 of the Structural Funds can cover industrial, rural, urban and fisheries-dependant areas which are facing problems in connection with economic and social restructuring.

As at present under Objectives 2 and 5(b), a large number of urban centres will be included in the rural and industrial areas eligible under the new Objective 2.

The Commission therefore considers that the specifically urban component of the new Objective 2 should concern primarily problem areas in towns and cities. As provided for in the proposal for a Regulation laying down general provisions on the Structural Funds [1], these must be densely populated areas meeting at least one of the criteria in Article 4(7). For instance, in its workforce surveys the Commission considers an area to be densely populated if it has more than 50 000 inhabitants and is made up of contiguous local units (NUTS V), each with more than 500 inhabitants per square kilometre. Such an area may include units with a lower population density provided they are entirely contained within it.

Each urban area selected much be sufficiently large to make it possible to implement an effective strategy aimed at renovating the urban fabric, to provide training and to encourage the start-up or development of businesses. In this context, the figure of 100 000 inhabitants can be taken as a point of reference but does not constitute a rigid threshold.

The guidelines set out in Article 9 of the proposal for a Regulation laying down general provisions on the Structural Funds are intended to assist the national and regional authorities in preparing their programming strategies and to make clear the Community priorities. They are for guidance only and concern the nature of assistance and not the eligibility of areas.

(1) OJ C 176, 9.6.1998.

(1999/C 370/202) **WRITTEN QUESTION E-0961/99**

by Anna Karamanou (PSE) to the Commission

(13 April 1999)

Subject: Organisation of impartial investigations into the disappearance of 3000 people in Algeria

According to Amnesty International, the problem of disappearances in Algeria has been shown to have intensified following revelations of arbitrary arrests and illegal detention. More particularly, during the last six years, about 3 000 men and women have disappeared and only very few of them have been traced following prolonged period of secret detention. The authorities and the security services are refusing to provide any information concerning the fate of detainees to their families, who are desperately searching not only hospitals and army camps but also mortuaries and graveyards for even the slightest clue as to their whereabouts.

What steps will the Commission take to launch a full, impartial and independent inquiry into all these disappearances and to ensure effective protection for human rights in Algeria?

Answer given by Mr Marín on behalf of the Commission

(6 May 1999)

The Community is following political developments in Algeria closely, including security aspects.

The framework of relations between the Community and Algeria is defined by the Barcelona Declaration. The political section of the Declaration affirms a commitment to promoting the rule of law and respect for human rights and fundamental freedoms in line with international law. Since Algeria has ratified most of the international acts relating to these principles, it is subject to the monitoring mechanisms established by those acts. The Algerian authorities allowed a panel of prominent figures designated by the Secretary General of the United Nations to visit Algeria from 22 July to 4 August 1998 to gather information on the human rights situation in the country, including the disappearances of Algerian citizens.

On the bilateral level, in addition to the usual diplomatic contacts, the Community and Algeria have been conducting political dialogue through ad hoc ministerial meetings, the most recent of which was held in Vienna in October 1998, where human rights issues, in particular the disappearances in Algeria, were discussed. Political dialogue between the Community and Algeria on these issues is being continued, and should be stepped up once an association agreement, for which negotiations began in 1997, is finalised. The agreement would institutionalise political dialogue and make respect for human rights and fundamental freedoms an essential element of contractual relations between the Community and Algeria.

(1999/C 370/203) **WRITTEN QUESTION E-0962/99**

by Anita Pollack (PSE) to the Commission

(13 April 1999)

Subject: Shrimp farming in Bangladesh and environmental protection

Will the Commission consider discussing with the Bangladesh Government possible means of assistance to shrimp farmers to convert to the 'closed' system of shrimp farming which recycles and cleans waste-water and is hance less damaging to the environment than the traditional method.

Answer given by Mr Marín on behalf of the Commission

(5 May 1999)

Shrimp farming in Bangladesh is essentially extensive or improved extensive and only a small part is managed using semi-intensive or intensive techniques. It is also seasonal and alternates, depending on the region, with rice cultivation or salt production. The operators involved are mainly small farmers or shrimp growers and the investments required for this activity are relatively low. Modern closed system fish farming eliminates the inconvenience of environmental pollution, but is a high tech system with high start-up investment and production costs requiring sound management expertise. This is why this system has been introduced in such countries as the United States and Thailand, where industrial shrimp aquaculture is competitively pursued.

To have a significant environmental impact, it would be necessary in Bangladesh to convert a substantial part of the present shrimp farming into a closed system. This appears quite difficult for the time being, since closed fish farming is more suited to industrial aquaculture companies than small farm operators who do not have the financial resources nor the technical skills.

Moreover, the Community believes that as long as shrimp aquaculture continues to take place in heavily populated and heavily used coastal environments, shrimp farming should be considered in the context of other coastal needs. Sustainable solutions for specific shrimp aquaculture operators can be meaningless if there is not a wider approach in the entire coastal zone aiming at balancing multiple resources and multiple uses of coastal areas. The problem of aquaculture and shrimp farming is not only environmental but also economic and social and must be faced in its entirety.

The Commission understands the government of Bangladesh is working on the preparation of a comprehensive fisheries policy and a fourth national fisheries project aimed at increasing fish and shrimp production in a sustainable manner, eliminating poverty and ensuring environmental sustainability. Its strategy concerning shrimp farming aims to promote improved traditional farming rather than intensive farming; to stimulate group formation to enable small land owners to produce shrimps; to supply extension services and veterinary control; and to improve the institutional organisation of its services.

If the government of Bangladesh wishes to start a discussion on environmental sustainability, fiscal incentives, and the social, environmental and institutional issues facing the fisheries sector and shrimp farming, the Commission is prepared to engage in a dialogue in order to consider how best to support its activities.

(1999/C 370/204) **WRITTEN QUESTION E-0964/99**

by Gianni Tamino (V) to the Commission

(13 April 1999)

Subject: Extension of the harbour of Ibiza, Baleares

Since the late eighties the Spanish Government has been planning to enlarge the port of Ibiza. To this end they drew up the 'Plan Especial de Reforma y Ampliación del Puerto de Ibiza'.

This plan envisaged the installation of a large commercial port in the southern part of the bay of Ibiza town, including all the infrastructure which this implies (buildings, new roads, etc.). In addition, the plan included the construction of a huge breakwater more than half a kilometre long. The total estimated cost was Euro 72 million.

The decision of the Spanish Government to go ahead with this project forced various political parties, environmental and civic groups to form 'La Coordinadora Contra La Ampliación del Puerto'. Thanks largely to the actions of the 'Coordinadora', the plan seems to have been reduced. A new commercial port is not now contemplated as it is recognized that the existing quays are sufficient for passenger and goods traffic. However, it is still planned to construct the breakwater and more than 1 km of access road along the edge of the sea, which would have an extraordinarily negative environmental and visionary impact. According to a study Commissioned to highly qualified civil engineers and meteorologists by the 'Coordinadora' in order to assess the problems in the port and the solutions proposed by the Spanish Government, there exist perfectly viable technical alternatives which would resolve the problems of the Port of Ibiza without such an aggressive and expensive project as the proposed huge breakwater (cost: Euro 15 million).

Although no serious technical analysis of more ecologically sustainable possible alternatives has yet been made, Spanish authorities insist on supporting the proposal to build a breakwater, for which an application under the Cohesion Fund has been forwarded to the Commission.

1. Does the Commission intend to finance the breakwater project?

2. Is the Commission not prepared to take into consideration alternative projects to the proposal made by the Spanish Government?

3. If not, how does the Commission intend to avoid the extraordinarily negative environmental and visionary impact that the current breakwater project would have?

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

(5 May 1999)

The Commission is in the process of adopting a decision granting financial assistance from the Cohesion fund for a project to construct a new breakwater and access road in the harbour of Ibiza. This project meets the eligibility conditions relating to transport infrastructure projects set out in the Council Regulation establishing the Cohesion fund (EC) 1164/94 of 16 May 1994 [1].

During the assessments of the applications for financial assistance, the alternative technical solutions investigated by the port authorities were examined. The Commission is satisfied that the project represents an appropriate solution to the problems encountered by the port of Ibiza.

The Commission considers that the project in question has been submitted to an environmental impact procedure in conformity with Council Directive 85/337/CEE, of 27 June 1985, on the assessment of the effects of certain public and private projects on the environment (2). The declaration of the environmental impact of the project was published in the Spanish official journal (3). This sets out the measures to be undertaken by the authorities concerned to mitigate any adverse environmental effects of the project.

(1) OJ L 130, 25.5.1994.
(2) OJ L 175, 5.7.1985.
(3) B.O.E. No 233, 29.9.1994.

(1999/C 370/205)

WRITTEN QUESTION E-0970/99

by Concepció Ferrer (PPE) to the Commission

(15 April 1999)

Subject: Trade promotion programme for European products on the Japanese market

The Commission has submitted to the Council a proposal for a regulation on the implementation of a programme of specific measures and actions to improve access of EU goods and services to the Japanese market (COM(98) 722 final).

Bearing in mind that Parliament has adopted a resolution in which it declared itself in favour of a regulation covering Community actions to promote exports to third countries, particularly for the textile sector, will the Commission take account of Parliament's request and expand the regulation to include other third countries?

Answer given by Sir Leon Brittan on behalf of the Commission

(7 May 1999)

In its conclusions of 29 May 1995 the Council recognised the distinct and specific problems of market access for Community businesses in Japan and considered that priority should be given to improving access to the Japanese market. The current Commission proposal for a regulation (1) on the implementation by the Commission of a programme of specific measures and actions to improve access of Community goods and cross-border services to Japan emanates from these conclusions. It will establish a legal base for this programme and ensure its continuation until the end of 2001. It is not intended to enlarge this regulation to include countries other than Japan.

The Gateway to Japan export promotion campaign is one of the two principal measures to be implemented by the Commission (the other is the Executive training programme in Japan). At the launch of this campaign in 1997 the Commission decided, in conjunction with Member States, on the sectors to be targeted by the campaign. The textile sector was not one of them.

(1) COM(98) 722 final.

(1999/C 370/206)

WRITTEN QUESTION P-0976/99

by Georges Garot (PSE) to the Commission

(7 April 1999)

Subject: Unfair competition between French and Spanish tomato producers

I have received complaints from the tomato producers of southwest France (Marmande) who say they are the victims of unfair competition from their Spanish counterparts in the Almería region. According to the

results of a study they have carried out the difference between the cost price of Spanish tomatoes and French tomatoes is due essentially to differences in labour costs caused by the employment of illegal immigrants who work without a contract. As a result, the continued existence of the French tomato producers' businesses is threatened. At the same time the number of producers in the Iberian Peninsula continues to grow, assisted by structural aid from the authorities (for water, greenhouse extensions, etc.) and Europe (structural funds).

Is the Commission aware of these distortions of competition which are the direct result of the completion of the single market and the lack of social harmonisation in the Union? Does it have the power, in particular as a result of the new provisions of the Amsterdam Treaty which will shortly enter into force, to control illegal immigration more effectively? Lastly, can it consider the possibility of reparation in the form of compensation or a refusal to grant European aid in the event of social or indeed fiscal dumping?

Answer given by Mr Fischler on behalf of the Commission

(26 April 1999)

The Commission has contacted the Honourable Member to obtain a copy of the study quoted, which must be examined before any position can be taken on whether the situation described suggests a breach of Community law. Once the Commission has received the study, it will answer the substance of the Honourable Member's question as quickly as possible.

(1999/C 370/207) **WRITTEN QUESTION E-0982/99**

by Concepció Ferrer (PPE) to the Commission

(15 April 1999)

Subject: The reduction of tariffs imposed by the United States on the textile sector

Despite the substantial progress made in the reduction and removal of trade barriers at the Uruguay Round, the United States continues to levy a significant number of tariffs and tariff peaks on the textile and apparel sector, ranging from 25 % to 33,6 %.

In view of the recent transatlantic trade negotiations, could the Commission give details of the progress made with the United States regarding tariff reductions in this sector?

Answer given by Sir Leon Brittan on behalf of the Commission

(6 May 1999)

It is correct that the United States maintains tariffs in respect of textiles and clothing products substantially higher than those maintained by the Community. In addition, as stated by the Honourable Member, these include peaks applying to certain products.

The United States has made no proposals in respect of possible reductions of tariffs in the textiles and clothing sector during any of the contacts between the Commission and the United States authorities.

The Commission considers, however, that the reduction in harmonisation of tariffs, including those for textiles and clothing, remains an objective in future multilateral negotiations.

(1999/C 370/208) **WRITTEN QUESTION E-0987/99**

by Luigi Colajanni (PSE), Roberto Speciale (PSE) and Andrea Manzella (PSE) to the Commission

(15 April 1999)

Subject: The assassination of the Vice-President of Paraguay

In view of the assassination of the Vice-President of Paraguay, Luis Argana, by a commando of four men on the morning of 23 March 1999, can the Commission say what steps the European Union will take to ensure that the democratic process in Paraguay is not halted and that constitutional order is reestablished with adequate guarantees?

Answer given by Mr Marín on behalf of the Commission

(3 May 1999)

Following the assassination of the Paraguayan Vice-President, Mr Luis Argaña, the country's president-elect, Mr Raúl Cubas, resigned. In such circumstances, Paraguay's constitution provides for the speaker of the national congress to take over the presidency.

Mr Luis Angel González Macchi duly took office and immediately appointed a government of national unity from among Paraguay's democratic parties.

This is the first government in Paraguay's history not to be drawn exclusively from the Colorado party. It includes representatives of the Liberal and centre-left Encuentro Nacional parties. This has inspired considerable hope in Paraguay's young democracy, a hope that the Commission is willing to help sustain, with due regard for the country's sovereignty.

(1999/C 370/209) **WRITTEN QUESTION E-0990/99**

by Anita Pollack (PSE) to the Commission

(15 April 1999)

Subject: Import of wild birds

Following the Jackson report in 1991 calling for a ban on imports of wild birds (A3-0212/91), and bearing in mind the continuing species depletion, especially of some tropical birds, there is a growing feeling that the provisions laid down in the Regulation on possession of and trade in specimens of species of wild fauna and flora are inadequate to stop this cruel trade.

What further action does the Commission propose?

Answer given by Mrs Bjerregaard on behalf of the Commission

(6 May 1999)

All the necessary provisions for trade and transport of wild animals and plant species including import restrictions where necessary are contained in Council Regulation (EC) 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein and Commission Regulation (EC) no 939 of 26 May 1997 laying down detailed rules concerning the implementation of Council Regulation (EC) 338/97 [1]. The texts of these regulations are the result of several years of detailed discussions involving the Commission, Council and Parliament with the objective of improving the situation for the benefit of the conservation of the species concerned — not just birds.

The Commission's objective is a full and proper implementation of these regulations in the Community, including a dialogue with developing countries on the conservation status of the species affected.

[1] OJ L 61, 3.3.1997. OJ L 140, 30.5.1997.

(1999/C 370/210) **WRITTEN QUESTION E-0992/99**

by Patricia McKenna (V) to the Commission

(15 April 1999)

Subject: aid to Kazakhstan

In the wake of reports that areas of Kazakhstan are still suffering the horrific after-effects of nuclear testing by the former Soviet Union, does the Commission intend to make aid available through TACIS and similar programmes to ease the problems which Kazakhstan is now facing?

A recent survey has shown that the area where the nuclear testing took place, over 20 years ago, is now one of the most polluted in the world. An estimated 1,5 million people are believed to have been affected by cancer, respiratory diseases and mental illness but due to poor economy those worst affected cannot receive proper medical treatment or move elsewhere. In the light of facts such as these, has the Commission proposed any kind of humanitarian aid package?

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

(5 May 1999)

The Commission is well aware of the effects of nuclear testing by the former Soviet Union in Kazakhstan. In May 1998, during the joint committee meeting, the Kazak vice minister for environment showed a file about the effects of nuclear tests in Kazakhstan. In November 1998, the minister of Ecology of the Kazak Republic, visited Brussels and informed the Commission about the situation in Semipalatinsk, the area where the nuclear test took place. He asked for Tacis support for his region.

The Commission showed willingness to support a project if this would be requested by the Kazak authorities during the negotiations of the 1999 action programme. However, the Kazak government did not include in the negotiations of the TACIS action programme, a request concerning the effects of nuclear tests in Semipalatinsk, and consequently no project has been included in the 1999 TACIS action programme.

During the preparation of the next action programme, the Commission will remind the Kazak government that projects linked to the effects of the nuclear tests could be considered.

Concerning humanitarian aid, the Commission has also been contacted by the Kazak authorities about these problems. It informed them that it was ready to consider, within its mandate, any requests related to these issues that were submitted by eligible partners. However, because of the scale of the problem, any programme should also include a capacity building component and be presented and implemented by a non governmental or international organisation which are its partners. Unfortunately, the Commission has not received so far any proposal.

(1999/C 370/211) **WRITTEN QUESTION E-0997/99**

by Patricia McKenna (V) to the Commission

(20 April 1999)

Subject: Measures taken by the EU to close Chernobyl nuclear power plant

Can the Commission explain why a third reactor is being opened at the Chernobyl nuclear power plant in the Ukraine when measures are supposed to be underway to close the entire plant by the end of the year 2000?

The European Union has decided not to fund the closure of the nuclear plant and the European Parliament has approved this decision.

In the light of this decision will the Commission explain how it intends to ensure the full closure of the power plant by the end of 2000, and in doing so ensure the safety of its citizens and those of the Ukraine?

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

(7 May 1999)

The Commission informs the Honourable Member that unit 3 of the Chernobyl nuclear power plant (NPP) returned to operation on 6 March 1999 following a planned outage of three months for inspection and maintenance.

In the memorandum of understanding, signed in 1995 between the G7 countries, the Commission and Ukraine, the latter has taken the commitment to close the Chernobyl plant by the year 2000.

The Commission considers that the implementation of the 1995 memorandum of understanding is progressing and expects, in particular, that Ukraine will stick to its commitment to close the Chernobyl plant by 2000.

(1999/C 370/212) **WRITTEN QUESTION E-1000/99**

by Ian White (PSE) to the Commission

(20 April 1999)

Subject: Article 9 of Council Regulation (EEC) 95/93 of 18 January 1993

Would the Commission advise what public service obligations are permitted under Article 9 of Council Regulation (EEC) 95/93 [1] of 18 January 1993 and whether the South West Region of the United Kingdom currently qualifies? If this Region does not, is the Commission able to confirm the reason for this, since such obligations are vital to obtain the slots needed by such airports for their survival?

(1) OJ L 14, 22.1.1993, p. 1.

(1999/C 370/213) **WRITTEN QUESTION E-1001/99**

by Ian White (PSE) to the Commission

(20 April 1999)

Subject: Revision of Council's Regulation (EEC) 95/93 of 18 January 1993

Would the Commission advise how regional airports, currently experiencing difficulties in obtaining viable slots at major centres/hubs (e.g. Frankfurt), will benefit from the promised revision of Council Regulation (EEC) 95/93 [1] of 18 January 1993, giving specific details?

(1) OJ L 14, 22.1.1993, p. 1.

(1999/C 370/214) **WRITTEN QUESTION E-1002/99**

by Ian White (PSE) to the Commission

(20 April 1999)

Subject: Open Commercial Trading of slots at airports

Is the Commission aware that the potential open commercial trading of slots at airports by airlines will lead to smaller regional services being squeezed out of major hub airports due to pure commercial pressure? Is this not contrary to the policy of regionalisation and transport access by air on a region-to-region basis?

(1999/C 370/215)

WRITTEN QUESTION E-1003/99

by Ian White (PSE) to the Commission

(20 April 1999)

Subject: Regional Airports

The EU is committed to the concept of regionality. Key to the development of the regions in the EU is the need for air transport links to be available from regional airports to major centres/hubs (e.g. Frankfurt). Regional airports have difficulty obtaining viable slots at these hubs as there is no commercial incentive for the hub airport authorities to allow in smaller aircraft at the expense of larger, more lucrative aircraft, each carrying many more passengers. This is a clear conflict with regionality and is likely to lead to the continued under-utilisation of regional airports and the demand-led pressure on large airports to become even larger.

Given this conflict, how does the Commission plan to resolve this matter? A potential solution would be the limited but mandatory requirement for large hub airports to provide viable slots for regional airport/airline use. This is the procedure in continental North America where the world's busiest airport (Chicago O'Hare) is obliged to allocate 20 % of its slots in this way.

Joint answer
to Written Questions E-1000/99, E-1001/99, E-1002/99 and E-1003/99
given by Mr Kinnock on behalf of the Commission

(6 May 1999)

The Commission is aware that airlines operating to and from regional airports find it increasingly difficult to secure appropriate slots at congested hub airports.

The Commission is in the process of preparing a proposal to amend the existing Council Regulation (EEC) 95/93 of 18 January 1993 on the common rules for the allocation of slots at Community airports. In that context, consideration is being given to the possibilities of introducing appropriate mechanisms to take into account the specific situation of regional routes.

The current Regulation provides for the possibility of reserving slots on vital routes to and from regional airports where public service obligations have been imposed under Council Regulation (EEC) 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes [1]. Member States therefore are able to reserve slots in order to ensure the continued operation of such services between regional and hub airports. The Commission is considering whether these provisions should be maintained or reinforced.

In relation to the situation in South West England and all other Community regions, it is for the relevant Member State authorities, and not the Commission, to take any appropriate decision on the imposition of public service obligations, in accordance with their own regional and transport policies, provided that the obligations envisaged meet, for each individual route, the various criteria set out in the Regulation.

[1] OJ L 240, 24.8.1992.

(1999/C 370/216)

WRITTEN QUESTION E-1005/99

by Ian Hudghton (V) to the Commission

(20 April 1999)

Subject: Research into synthetic and plant-derived hormones

Given the animal welfare controversy surrounding production of the hormone replacement therapy drug Premarin, can the Commission indicate if the EU currently funds research into the production of alternative synthetic and plant-derived hormones and whether there are plans to increase such funding?

Answer given by Mrs Cresson on behalf of the Commission

(7 May 1999)

The Commission is currently funding research on the safety aspects of post-menopausal therapy but not research into the production of alternative synthetic and plant-derived hormones.

In the fifth framework programme for research and technical development (1998-2002), it is foreseen to support research on the development of new therapeutic substances, including recombinant synthetic therapies and hormones which are specifically mentioned in the working programme under key action 'Cell factory', bullet point 3.1: 'New and innovative health related processes & products'.

(1999/C 370/217) **WRITTEN QUESTION E-1006/99**

by Ian Hudghton (V) to the Commission

(20 April 1999)

Subject: Animal Welfare

What steps have been taken to monitor and enforce the implementation of Directive 95/29/EC ([1]) on Live Transport?

In particular, what steps have been taken to ensure that vehicles transporting animals must meet set standards regarding provision of adequate food and water on journeys?

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

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

Member States had to implement Council Directive 95/29/EC of 29 June 1995 amending Directive 90/628/EEC concerning the protection of animals during transport, before 31 December 1996 and had to notify their legislation to the Commission. However, Member States had an additional period of transition until 31 December 1997 for the requirements laid down in Chapter VII(3) for the means of transport referred to in points (3), (6) and (7) of that Chapter.

Infringement procedures are automatically opened when a directive is not correctly implemented.

The Commission received the requested national legislation on the subject concerned from all Member States, except for one.

Furthermore the Commission is subsequently visiting the Member States to control the enforcement of the Community animal welfare legislation. These controls include the enforcement in practice of the provision of adequate food and water on journeys.

(1999/C 370/218) **WRITTEN QUESTION E-1007/99**

by Ian Hudghton (V) to the Commission

(20 April 1999)

Subject: Transportation of live animals

What steps has the Commission taken to promote harmonisation of maximum journey times for live animal transport between Member States?

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

The maximum journey times for live animal transport between Member States have been harmonized by the adoption of Council Directive 95/29/EC of 29 June 1995 amending Directive 90/628/EEC concerning the protection of animals during transport ([1]).

This Directive laid down in Chapter VII, point 2 that journey times for animals belonging to the bovine, equine, caprine, ovine and porcine species shall not exceed eight hours, unless the road vehicles meet some special conditions. In these circumstances, it is laid down in Chapter VII, point 4 of the above mentioned Directive how long animals of these species may be transported by a road vehicle, before the animals need to be unloaded on staging points or at the final destination.

The Commission is therefore not of the opinion that there is a need to promote further harmonization of maximum journey times for live animal transports between Member States.

([1]) OJ L 148, 30.6.1995.

(1999/C 370/219) **WRITTEN QUESTION P-1032/99**

by Luigi Florio (PPE) to the Commission

(7 April 1999)

Subject: Safety in road and rail tunnels

The tragedy which occurred in the Mont Blanc tunnel last week starkly highlighted the lack of safety provisions in all of Europe's road and rail tunnels.

Does the Commission not consider that:

(a) European legislation should be drawn up without delay to guarantee uniform safety standards for all tunnels?

(b) temporary rules should be introduced governing safety provisions to be observed until such time as existing structures can be adapted to new standards?

What other measures does the Commission think should be adopted to prevent similar tragedies recurring elsewhere in the Union?

Answer given by Mr Kinnock on behalf of the Commission

(7 May 1999)

The Commission has noted the resolution adopted by the Parliament on 15 April 1999 on the accident in the Mont Blanc tunnel.

In particular it shares the belief of the Parliament that it would be inappropriate to draw conclusions before the report of the enquiry is published.

It also welcomes the Parliament's wish to see both a speedy adoption of the proposed directive concerning the roadside inspection of the roadworthiness of vehicles ([1]).

([1]) OJ C 190, 18.6.1998.

(1999/C 370/220) **WRITTEN QUESTION E-1033/99**

by Richard Howitt (PSE) to the Commission

(20 April 1999)

Subject: Organisation of the European Day of Disabled People by private consultants

Does the European Commission accept that the organisation of this event by profit-making public relations consultants was a grave error? Will the Commission explain how a consultancy who began their presentation 'We are not experts on disability' came to be selected? Will the Commission apologise that transport for mobility-impaired persons was chaotic on the day of the event, and that reimbursement of travel expenses to unemployed disabled citizens such as Mr W. Derek-Main of Euro-Ataxia has not occurred eight weeks after the event? At the same time, why had the company not supplied even the attendance list to the Commission itself, as had been promised? Will the Commission now ensure, in line with Parliament's wishes, that future European Days are organised by disabled people themselves under the auspices of the European Disability Forum, sub-contracting to public relations companies for specialist assistance in this field should this be required?

Answer given by Mr Flynn on behalf of the Commission

(5 May 1999)

Thanks to unprecedented TV and newspaper coverage, the organisation of the European Day of Disabled People in 1998 achieved its stated objective, namely to increase public awareness about the rights of disabled people. All this was possible thanks to the expertise of a specialist communications and public relations agency. The Commission was of course very concerned to make sure the content of the Day, which aims to celebrate the rights of disabled people, was decided in agreement with disabled people or their representatives. To this end, the European Disability Forum was closely involved in deciding upon all the initiatives organised for the Day.

Concerning the case of the individual mentioned by the Honourable Member, the Commission can confirm that his travel expenses were reimbursed on 21 January 1999 by the above-mentioned agency. The Commission regrets all the problems encountered on the day of the event. The attendance list, which was supplied to all participants on the day itself, will be transmitted direct to the Honourable Member and to the Parliament's Secretariat.

The Commission shares the Honourable Member's concerns to enlist the full support of disabled people themselves through their representatives. To this end, it intends to make sure that all initiatives organised for future European Days of Disabled People are organised under the auspices of the European Disability Forum. There have already been several preliminary contacts with the Forum for the 1999 European Day of Disabled People. The Forum will be fully and effectively involved in all the decisions surrounding the organisation of the 1999 Day.

(1999/C 370/221) **WRITTEN QUESTION E-1039/99**

by Marco Cellai (NI) to the Commission

(20 April 1999)

Subject: Measures to protect olive oil

Regulation No 2815/98 (Annex B) of 22 December 1998 [1] concerning marketing standards for olive oil is valid temporarily, until 31 October 2001. In defining the standards regulating the optional right (Article 1) to indicate on labels the designation of the origin of extra virgin and virgin olive oil the Regulation links the designation of origin solely to the place where the olives are processed: 'An extra virgin or virgin olive oil shall be deemed to have been obtained in a geographical area ... only if that oil has been extracted from olives in a mill located within that area' (Article 3). The Regulation considers it unimportant to know where or how the olives are produced and states that it is sufficient to guarantee the

location of the oil mill.

Since the new Community regulation (No 2815/98) does not apply to brands already registered, which means that Italian firms which use foreign oil can continue to do so whilst letting consumers believe that they are purchasing Italian oil, can the Commission say:

(a) whether it is aware that to present an oil produced from Spanish or Turkish olives with an Italian designation of origin merely because it is bottled in Italy constitutes a legalised deception at the expense of the consumer and an undeserved gift to unscrupulous producers;

(b) if so, how it intends to remedy this blatantly absurd situation created by a Community regulation;

(c) whether it does not consider that the designation of origin as defined in Regulation No 2815/98 is in conflict with the strategy to support product quality, based on the typical nature of a product, which derives not only from where semi-finished products are processed but also, and above all, as far as olives are concerned, from the place where the raw materials are produced;

(d) furthermore, whether it does not see this regulation as a threat to the traditions and legitimate interests of farming in this sector?

(1) OJ L 349, 24.12.1998, p. 56.

Answer given by Mr Fischler on behalf of the Commission

(7 May 1999)

The Commission considers that the entry into force of Commission Regulation (EC) 2815/98 of 22 December 1998 concerning marketing standards for olive oil ended the previously existing situation, in which the indication of origin led to confusion or was likely to mislead the consumer.

It should be noted that the Honourable Member's comments relate only to the designation of a Member State as the place of origin. At regional level, the conditions governing protected designations of origin or protected geographical indications must be met. Some of these conditions are obviously irrelevant at Member State level. In particular, trade in olives intended for the manufacture of virgin or extra virgin olive oil is practically non-existent since it offers no advantages from a technical or economic point of view.

The Commission would draw the Honourable Member's attention to the fact that, contrary to what he states, from the date of entry into force of Regulation (EC) 2815/98, Italian companies which use more than 25 % of oil originating in another country will no longer be able to lead consumers into believing that their olive oil is Italian, since they will be unable to indicate that it is of Italian origin on the label. If oil is not 100 % Italian, this fact must be mentioned on the label, even in the case of brands already registered.

Consequently, the Commission's position regarding the specific questions is as follows:

(a) and (b) The above-mentioned Regulation does not stipulate that origin may be conferred on an olive oil by the country in which it was merely packaged.

(c) The Commission has embarked on a detailed examination of all the problems connected with its quality strategy. The question of the link between the typical character of virgin olive oils and the place of production of the olives will be studied in this context. This may, if necessary, result in amendment of the existing rules, the period of validity of which has been expressly limited to 31 October 2001.

(d) No.

(1999/C 370/222) **WRITTEN QUESTION P-1041/99**

by Ernesto Caccavale (UPE) to the Commission

(12 April 1999)

Subject: Alleged irregularities in the management of the global grants for Brindisi in Italy

According to recent newspaper reports there would appear to be a real risk that the global grant of 25 million euro earmarked by the European Union for the Brindisi area in Italy will be frozen. This situation has arisen as a result of a serious crisis in the management the consortium 'Pacchetto Localizzativo Brindisi' set up in 1994 by manufacturers and trade unions to manage the Community funds earmarked for the area of Brindisi affected by economic crisis. Possible irregularities said to have occurred at the time of the valuation of the projects presented to the valuation committee have led to a long series of resignations by representatives of the manufacturers that were part of the above-mentioned company. There has also been severe criticism of the refusal to grant funding to companies recognised as sound and reliable which had submitted proposals that made considerable contributions to employment and investment. At present, 11 billion lire has still not yet been allocated owing to an 'alleged lack' of suitable projects.

In view of the above, can the Commission:

- check the accuracy of the above-mentioned facts;
- carry out a detailed inquiry into the operation and responsibilities of the consortium given the job of managing and allocating Community subsidies and check the professionalism of its administrators;
- if necessary, intervene in order to ensure that these inefficiencies do not result in the Brindisi area, which already suffers from serious social and employment problems, losing the Community funds not yet allocated, which must be allocated by 31 December after which time they will be shared out between other areas of the European Union?

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

(29 April 1999)

The Commission is aware of the problems in the intermediary agency responsible for the management of the global grant 'Area di crisi di Brindisi' following the resignation of some members of the management board.

At the request of the Commission, the authorities of the Apulia region have embarked on a thorough investigation of the situation — including examining the minutes of the meetings of the management board — in order to provide the members of the monitoring committee for the global grant with information as soon as possible.

If it emerges from the investigation that there are repercussions for the implementation of the measures, the Commission will immediately propose an extraordinary meeting of the monitoring committee so that appropriate steps can be taken to ensure that the Community funds for the benefit of the areas concerned are used in full within the deadlines set and the loss of public financing is thus avoided.

In addition, if it is considered that there may be irregularities in the management of the global grant, the Commission will take appropriate measures under the rules in force, in particular under Article 24 of Council Regulation (EEC) 2082/93 of 20 July 1993 amending Regulation (EEC) 4253/88 laying down provisions for implementing Regulation (EEC) 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments [1], on the reduction, suspension and cancellation of assistance.

[1] OJ L 193, 31.7.1993.

(1999/C 370/223)

WRITTEN QUESTION E-1043/99

by Ilona Graenitz (PSE) to the Commission

(20 April 1999)

Subject: Screening the candidate countries' environmental legislation

What date has been taken as the basis in the screening of the candidate countries' environmental legislation?

Will this date be adjusted to allow for the length of the negotiations?

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

(7 May 1999)

The screening of the environmental acquis takes into account all Community measures adopted by 1 January 1999. Measures adopted by the Community after this date are also to be screened in order to evaluate their transposition and implementation in the candidate countries. The Commission will therefore discuss the newly adopted measures with the candidate countries at an appropriate moment in the negotiation process.

(1999/C 370/224)

WRITTEN QUESTION E-1060/99

by Carlos Bru Purón (PSE) to the Commission

(20 April 1999)

Subject: Commission fees in exchange transactions

As a future precaution, this year certain banks in the euro zone have begun taking the opportunity to charge commission fees on exchange transactions in European currencies which exceed 25 % in some cases. Moreover, they are operating a regressive system, since it is the high rates which are applied to exchange transactions involving small sums.

Does the Commission intend to warn banks and banking associations in the Member States participating in economic and monetary union of the harmful effects which this eleventh-hour dash for profits will have on their future business?

Answer given by Mr Monti on behalf of the Commission

(7 May 1999)

The Commission wishes to inform the Honourable Member that it has indeed already contacted banks and banking associations concerning charges levied by banks for euro area banknote exchange. In a letter to the main European banking federations in January 1999, the Commission emphasised that it is of paramount importance that public confidence in the introduction of the euro and the credibility of the banking system as a whole should not be undermined by financial institutions drawing unfair benefit from increases in charges for transactions between former national currencies within the euro zone. Again on 5 February 1999, in a press statement [1] the Commission called on banks to further increase transparency by making publicly available information showing changes in the total level of charges (before and after the introduction of the euro) for exchanging euro zone banknotes and cross border cheques, transfers and card payments. The Commission has also recently made publicly available an analysis of complaints received through its specially created e-mail and fax service announced in IP/99/90. The banking associations have also been asked to react to the information contained in this analysis.

The Honourable Member may also refer to the Commission's answers to Written Questions E-3825/98 by Mr Caudron [2] and P-52/99 by Mr Tamino [3] and to the answer to Oral Questions O-29/99 by

Mr Hendrick and Mrs Randzio-Plath, O-31/99 by Mr Gasòliba i Böh, O-32/99 by Mr de Lassus Saint Geniés, O-33/99 by Mr Wolf, and O-34/99 by Mr Gallagher during question time at Parliament's March part-session (4).

(1) IP/99/90.
(2) OJ C 348, 3.12.1999, p. 3.
(3) OJ C 325, 12.11.1999.
(4) Debates of Parliament (March 1999).

(1999/C 370/225)

WRITTEN QUESTION P-1063/99

by Marie-Paule Kestelijn-Sierens (ELDR) to the Commission

(12 April 1999)

Subject: Extension of the transitional period laid down in Directive 80/181/EEC as regards labelling in various units of measurement

Pursuant to Directive 80/181/EEC (1), measurements in the EU may be expressed only in metric units from the end of 1999. In February 1999, the Commission approved a proposal for extending the transitional period laid down in Directive 80/181/EEC until the end of 2009.

This welcome though late decision by the Commission is raising a good many questions in the sectors concerned, which fear that the procedure for definitively adopting the proposal will not be completed before the end of 1999. With just a few months to go, they still do not know whether entry into force of the provisions of Directive 80/181/EEC is to be postponed or not.

Will the Commission explain what will happen if the current proposal for amending the Directive is not definitively adopted by the end of 1999? Will the present Directive's provisions enter into force, or can the Commission do something to suspend their entry into force?

(1) OJ L 39, 15.2.1980, p. 40.

Answer given by Mr Bangemann on behalf of the Commission

(3 May 1999)

The Commission adopted on 4 February 1999 its proposal (1) to amend Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC, which was forthwith transmitted to the Parliament and Council. In accordance with Article 95 of the EC Treaty (ex Article 100 a) there is no alternative method of changing the provisions of an existing Council directive except through the relevant procedure, in this case the co-decision procedure.

Recognising the importance of the adoption of this amendment in due time for the market operators and sharing the concerns of the Honourable Member, the Commission would therefore urge the Parliament and Council to move swiftly so that the adoption of the amendment can take place before the end of 1999.

However, in case it would appear that the amendment could not be adopted in due time, the Commission with the Member States will consider, depending on the progress of the proposal at the time, appropriate action to overcome any possible incoherence until the final adoption.

(1) COM(99) 40 final.

(1999/C 370/226) **WRITTEN QUESTION E-1066/99**

by Heidi Hautala (V) to the Commission

(20 April 1999)

Subject: Problems in implementing Tacis nuclear safety programmes

Tacis-Phare nuclear safety programmes have, quite rightly, been criticised. Although in particular the safety culture and know-how have unquestionably improved as a result of the programmes, the problems described, for example, in the special report of the Court of Auditors seem genuine. I have learned that project partners are concerned about the fate of projects under the Tacis programmes for 1993/1994 which have undergone protracted preparation and are still open. Of these projects, around 20 concern supplies of equipment which, due to the slow pace of the Tacis bureaucracy, have only reached the contract stage and yet which are important with a view to maintaining installations and improving their safety.

How will the Commission remedy this unfortunate situation, bearing in mind the budgetary time limit, which in principle is five years? Will the Commission ensure that similar problems do not arise in the Tacis programmes for 1995 and subsequent years? How has this point been taken into account in planning?

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

(7 May 1999)

In its communication of March 1998 on nuclear activities in the East [1], the Commission provided an analysis of the difficulties which have been encountered in implementing the nuclear safety programme.

The main conclusion in that communication is that budgets should be committed only on the basis of well-defined projects which are ready to be tendered, and that the number of projects should be limited (there should be an increase in average size).

In the day to day management of the programmes, the Commission is now putting these conclusions into practice.

(1) COM(98) 134 final.

(1999/C 370/227) **WRITTEN QUESTION E-1075/99**

by Anne McIntosh (PPE) to the Commission

(20 April 1999)

Subject: Applicant countries

Could the Commission make an estimate of the degree to which Hungary, Poland and the Czech Republic are meeting the criteria set down in the Copenhagen Agreement and are on course to meet the agreed timetable for entry to the European Union?

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

(3 May 1999)

The degree to which Hungary, Poland and the Czech Republic meet the Copenhagen accession criteria is analysed in the Commission's 1998 regular reports.

Hungary continues to fulfil the Copenhagen political criteria. Continuing attention needs to be paid to combating corruption more effectively and to improving the situation of the Roma. Hungary can be regarded as a functioning market economy. It should be able to cope with competitive pressure and market forces within the Community in the medium term, provided that it maintains the conditions for trade integration and ongoing enterprise restructuring. Hungary's rhythm of transposition has remained steady and has generally been accompanied by adequate institutional and financial provisions facilitating

implementation. The Commission considers that Hungary's steady progress will, if sustained, enable it to take on the obligations of membership in the medium term provided the pace of transposition in environment picks up.

Poland continues to fulfil the Copenhagen political criteria. It can be regarded as a functioning market economy, and it should be able to cope with competitive pressure and market forces within the Community in the medium term, provided that it strengthens the pace of economic restructuring and continues to avoid reversals in trade policy. Its rhythm of transposition is uneven and there are gaps in administrative and institutional capacity in certain key areas, in particular environment, standardisation and state aid control. Progress to date in industrial restructuring and justice and home affairs should be maintained. Nonetheless the Commission considers that Poland's progress will, if sustained, enable it to take on the obligations of membership in the medium term.

The Czech Republic continues to fulfil the Copenhagen political criteria, although continued attention needs to be focused on the situation of the Roma in Czech society. The Czech Republic can be regarded as a functioning market economy, and it should be able to cope with competitive pressure and market forces within the Community in the medium term, provided that it improves corporate governance and accelerates enterprise restructuring. The Czech Republic should be able to take on the obligations of membership provided that the momentum in the adoption of the acquis and the strengthening of related administrative structures is resumed rapidly so as to make up for the slow progress in the last year, particularly in the areas of internal market, agriculture and justice and home affairs.

(1999/C 370/228) **WRITTEN QUESTION E-1077/99**

by Glenys Kinnock (PSE) to the Commission

(21 April 1999)

Subject: Grant aid to the floorcovering industry in Europe

Would the Commission clarify what levels of grant aid have been awarded to the floorcovering industry in other Member States?

Answer given by Mr Van Miert on behalf of the Commission

(6 May 1999)

The Commission regrets that it does not have sufficient information to be able to answer the question. Most aid granted by Member States is granted in application of aid schemes approved by the Commission and Member States are under no obligation to inform the Commission on individual applications of these schemes in the specific sector of floorcovering.

(1999/C 370/229) **WRITTEN QUESTION P-1085/99**

by Gerhard Hager (NI) to the Commission

(13 April 1999)

Subject: Petroleum-products suppliers

According to my information, Austrian petroleum-products suppliers differentiate very strongly between their customers. Whereas fuel is supplied on favourable terms to their contract distributors, those retailing at a discount are required to pay an additional premium. The practice has once again become apparent subsequent to the price reduction conceded under pressure of public opinion. Contract distributors are now taking deliveries of fuel at savings of up to 40 groschen per litre. In the circumstances known to me, prices to discounting distributors have, however, been increased by 57 groschen per litre of super plus. With distributors now forced to choose among a more than restricted range of suppliers, they have no option in most cases but to accept the prices on offer. I believe the tactics of the petroleum-products suppliers are extremely dubious in terms of competition law.

I therefore put the following questions to the Commission:

1. Is the Commission aware of the situation described?

2. How does it assess it in relation to competition law?

3. Will the Commission take action in response to this situation?

4. If not, why not?

Answer given by Mr Van Miert on behalf of the Commission

(4 May 1999)

1. The Commission is not aware of the price differentiation practised by Austrian petrol companies at the wholesale level as described by the Honourable Member.

2. Community competition law applies to agreements or concerted practices of undertakings which have as object or effect the appreciable restriction of competition (Article 81 of the EC Treaty ex Article 85) and abusive market conduct of dominant undertakings (Article 82 of the EC Treaty ex Article 86). It is impossible to assess the market conduct described by the Honourable Member in application of the above rules without knowing facts about the markets and companies concerned and, in particular, whether the petrol companies acting as sellers on the Austrian wholesale market enjoy market power. Price differentiation does not as such infringe Community competition law.

3. and 4. The Commission is aware that the Austrian competition authority is currently looking into Austrian petrol markets and the market conduct of petrol companies. It is the Commission's policy on cooperation with national competition authorities (see notice of 1997 ([1])) that checks on compliance with the competition rules should wherever possible be carried out by a single authority. Accordingly, the Commission does not intend to take action for the time being.

([1]) OJ C 313, 15.10.1997.

(1999/C 370/230) **WRITTEN QUESTION P-1086/99**

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

(15 April 1999)

Subject: Trade relations between the EU and Morocco

The European Community and Morocco signed a Euro-Mediterranean Association Agreement. on 26 February 1996.

Will the Commission provide a detailed breakdown of the balance of trade since that agreement entered into force and, in particular, state what industrial products of Moroccan origin have entered the EU exempt from customs duties and equivalent taxes and free from all forms of import restrictions or equivalent measures since then, indicating the quantities involved?

Will it also provide a detailed breakdown of the Moroccan products that have been admitted into the Community under duty-free arrangements or subject to a reduction in tariff protection, indicating the quantities involved?

Answer given by Mr Marín on behalf of the Commission

(4 May 1999)

The Euro-Mediterranean Agreement setting up an association between the Community and its Member States, on the one part, and Morocco, on the other, was signed on 26 February 1996 but is not yet in force since Italy has not ratified it. Pending ratification, which the Commission hopes will take place soon,

trade relations between the Commission and Morocco are still governed by the EC-Morocco Cooperation Agreement and the Agreement between the Member States of the European Coal and Steel Community (ECSC) and Morocco, signed in Rabat on 27 April 1976.

Under these agreements and the later protocols of adjustment, industrial products originating in Morocco can be imported into the Community without quantitative restrictions or measures having equivalent effect and are exempt of customs duties and charges having equivalent effect. Note that in the case of products of the processing of agricultural products, the exemption applies to the ad valorem duty alone, not to the agricultural element. These arrangements will continue under the new Euro-Mediterranean Association Agreement signed in 1996. However, some voluntary restraint measures that existed for some Moroccan textile exports are no longer applicable, the relevant EC-Morocco arrangement having expired on 31 December 1997. Exports of Moroccan textiles thus enjoy the same liberal arrangements as other manufactures.

The EC-Morocco trade balance usually records a surplus for the Community, which stood at EUR 1000 million in 1998.

(1999/C 370/231)

WRITTEN QUESTION E-1090/99

by Francis Decourrière (PPE) to the Commission

(21 April 1999)

Subject: Objective 1 — relocation within the European Union

The firm Pontiac Coil, which manufactures solenoids (electromagnetic coils), decided to open a factory in February 1998 on the Fonds Saint-Jacques industrial estate in Feignies.

The Group of Communes of the Sambre Valley (Communauté de communes du Val de Sambre (CCVS)) had premises built for the use of Pontiac Coil, funded partially by an Objective 1 subsidy of 1,6 billion francs in the framework of Priority 1 (Stimulation of economic activity) — Sub-priority 1 (Industrial competitiveness) — Measure 3 (Business start-up structure and premises).

Pontiac Coil itself received funding of 2,8 million francs from the European Union, under FDPMI/Resider, towards the cost of its plant (15 million francs).

Over a weekend, without informing the local authorities concerned or its staff (10 employees, 2 of them with contracts of indeterminate duration and 8 with a promise of employment at the end of their access-to-employment traineeships), Pontiac Coil moved its equipment to England with a view to concentrating its activities there.

1. How does the Commission propose to remedy this situation, which is extremely damaging to the CCVS since it had no budget to cover the premises built for Pontiac?

2. How can the CCVS become the beneficiary of the funds?

3. What steps will the Commission take to ensure that Pontiac Coil repays the funding received?

4. What measures and guarantees are available to the Commission to prevent a company that behaves in this unprincipled way from receiving European funding again?

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

(6 May 1999)

Study of the file on Pontiac Coil's move from Feignies (Nord Pas de Calais) to the United Kingdom, and the position concerning the Community grants for which the company was eligible, suggests that the grant of FRF 2,8 million (towards total expenditure of FRF 9,33 million) initially earmarked from the development

fund for small and medium-sized enterprises has not yet been paid. This operation will be de-programmed at the next Monitoring Committee meeting.

In the case of the assistance towards factory premises, the Group of Communes of the Sambre Valley has qualified for a grant of FRF 1,6 million within a volume of FRF 7,87 million. The Group can keep this funding, in the hope that a new tenant will be found.

On a more general note, the regulations currently in preparation for the new programming period (2000-06) will take account of this issue of business relocations, so as to improve the rules on regional assistance. The new provisions, which will include in particular a minimum-stay clause for investments, will aim to concentrate budget resources in employment blackspots while avoiding competition and grant escalation between different areas.

(1999/C 370/232) **WRITTEN QUESTION P-1094/99**

by Jonas Sjöstedt (GUE/NGL) to the Commission

(15 April 1999)

Subject: Exemption from Article 92 of the Treaty

The European Council's agreement on the Financial Perspective includes two separate forms of aid for Northern Sweden. Some areas are covered by Objective 1 (formerly Objective 6). Other, coastal areas are to receive separate aid.

Does this arrangement mean that both types of area will be exempt from EU rules on State aid pursuant to Article 92 of the Treaty?

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

(7 May 1999)

No region in the Community is 'exempt' from Community rules on state aid. Even regions covered by the derogation in Article 87(3) of the EC Treaty (ex Article 92(3)) are subject to Community state aid rules.

The conclusions of the Berlin European Council (in line with the draft general regulation for the structural funds proposed by the Commission) mention three criteria for eligibility under objective 1 of the structural funds. Only those NUTS II regions which meet the first of these criteria, i.e. which have a GDP per capita below 75 % of the Community average, are automatically eligible for regional aid under Article 92, 3a EC Treaty, which uses the same criterion.

The other objective 1 regions, including those in the north of Sweden, can become eligible for regional aid under Article 92,3c EC Treaty if the Member State includes them in the list of assisted areas it proposes to the Commission.

Two provisions (paras. 3.10.4 and 3.1.5) of the regional aid guidelines ([1]) are particularly relevant for the northern Swedish regions. On the one hand, all NUTS III regions with a population density below 12,5 inhabitants per square kilometre can become eligible under Article 92.3c EC Treaty. On the other hand, all regions which are eligible for structural funds assistance can also qualify for assistance under the same article if certain conditions concerning the definition of the area are met (para. 3.10.3 of the regional aid guidelines).

([1]) OJ C 74, 10.3.1998.

(1999/C 370/233)

WRITTEN QUESTION P-1098/99

by Yvonne Sandberg-Fries (PSE) to the Commission

(15 April 1999)

Subject: Sewage treatment plant at village of Tolon, the Peloponnese, Greece

The EU has part-funded, through the Community Envireg programme, the construction of a sewage treatment plant on the outskirts of the village of Tolo on the Peloponnese in Greece. The total cost of the plant is Drs 420 million.

No work has apparently been carried out on the treatment plant since 1996. Sewage is still not treated and is at present transported to a valley and dumped. Last year, the area around the plant was used as an assembly point for various kinds of equipment which seemingly does not belong to the plant.

To allow a treatment plant to remain half-built at the same time as sewage from a densely built-up area is dumped in the mountains year after year is totally unacceptable. It is contrary not only to the new European limit values for sewage but it is also a downright squandering of taxpayers' money. It is high time that European citizens were given a clear indication whether the EU is capable of managing common resources better.

Can the Commission explain how it is possible for no work to have been carried out on the sewage treatment plant on the outskirts of the village of Tolo for at least three years? Will it say what percentage of the cost of the project the EU has contributed and clarify when the project management plans to complete the plant? Has the Commission carried out a detailed evaluation of this Community project and will it say how taxpayers' money will be reclaimed if the plant does not become operational within the foreseeable future?

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

(7 May 1999)

It is true that work on a plant to treat waste water from the village of Tolo in the Peloponnese in Greece was part-financed under the Envireg Community initiative. Considerable progress was made in constructing the plant, but then problems arose, in particular with Greek administrative procedures.

The Greek authorities informed the Commission that, despite their efforts, the problems persisted and were unlikely to be resolved within a reasonable time.

In order to wind up the initiative, the Greek authorities therefore decided to remove the project, along with four others experiencing difficulties, from the list of Envireg projects. The EUR 2,94 million initially allocated to the five projects were deducted from the Greek authorities' final statement of expenditure for the initiative.

However, under Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment [1], the Greek authorities still have an obligation to provide Tolo with a waste-water treatment plant. The Commission has therefore carried out an independent evaluation of the current state of advancement of the project and is ready to examine any constructive proposal from the competent Greek authorities which would guarantee its completion.

[1] OJ L 135, 30.5.1991.

(1999/C 370/234)

WRITTEN QUESTION P-1101/99

by Anneli Hulthén (PSE) to the Commission

(15 April 1999)

Subject: Common rules on pensions

Regulation 1408/71 [1] lays down rules for the coordination of certain social benefits, including rules governing the payment of pensions in cases where people have worked in several Member States. However, not all types of pension are covered by the rules since the Member States have not yet agreed

common criteria, for early retirement, for example. There is a need for clear and simple rules in such an important area as pensions and it would, therefore, seem appropriate for all pensions to be covered by common rules.

What progress is being made with the coordination of benefits in this area and can the Commission also envisage proposing common rules for early retirement?

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

Answer given by Mr Flynn on behalf of the Commission

(4 May 1999)

The Commission would draw the Honourable Member's attention to the fact that it has proposed extending the material scope of Regulation (EEC) 1408/71 with a view to coordinating national social security systems with pre-retirement systems [1] on several occasions. The Commission's 1996 proposal has unfortunately not yet achieved unanimity at Council level.

Furthermore, the Commission recently adopted a proposal to simplify and reform Regulation (EEC) 1408/71 [2] in which a new chapter has been inserted to include and coordinate pre-retirement systems, in accordance with the contents of the previous proposal of 1996. The new proposal should be examined by the Council in the course of 1999.

At the same time, the Commission is examining, on a case-by-case basis, whether the national legislations respect the principles guaranteed by the EC Treaty, as recently interpreted by the Court of Justice [3], in favour of beneficiaries of pre-retirement benefits.

(1) See OJ C 169, 9.7.1980 and OJ C 62, 1.3.1996.
(2) OJ C 38, 12.2.1999.
(3) See Commission/France judgment C-35/97 of 24.9.1998.

(1999/C 370/235) **WRITTEN QUESTION E-1104/99**

by Patricia McKenna (V) to the Commission

(21 April 1999)

Subject: Tibetan Independence

How is the Commission monitoring the human rights situation in Tibet?

What is the Commission prepared to do to promote a peaceful settlement between China and Tibet in which Tibet be granted its right to autonomy?

Does the Commission not feel that it is acting hypocritically in continuing to trade with China when it is involved in the ethnic cleansing of the Tibetan people?

Answer given by Sir Leon Brittan on behalf of the Commission

(4 May 1999)

The Commission has raised the question of Tibet at every session of the human rights dialogue between China and the Community. In the framework of this dialogue, Community troika ambassadors visited Tibet on several occasions, most recently in May 1998, to assess the human rights situation on the ground. The Community strongly supports a peaceful settlement of differences regarding Tibet through a direct dialogue between Beijing and representatives of the Dalai Lama, and regularly urges Chinese authorities to accept the Dalai Lama's offer to engage in such a dialogue.

The Commission believes that integrating further China in the world economy would meaningfully contribute towards building an open society based on the rule of law.

(1999/C 370/236)

WRITTEN QUESTION P-1111/99

by Paul Rübig (PPE) to the Commission

(15 April 1999)

Subject: Competition in the common market in surfboards

The objective of EU competition rules is to secure a competitive European internal market and prevent the harmful consequences of a dominant position on the common market by one or more undertakings. A large number of producers guarantees free competition and ensures free access to the market, thereby also securing fundamentally more jobs than monopolistic or oligopolistic structures.

German sources report than the surfboard producing sector has been characterised by increasing market concentration since the takeover of individual suppliers.

How does the Commission assess the market in surfboards and what shares of that market does it think should be held by individual suppliers (if necessary without naming names but citing country of origin)?

What intended takeovers have been notified to the competition authority in the last six months?

Does the Commission consequently perceive a need to act in this connection, and what action has already been taken or is about to be taken?

Answer given by Mr Van Miert on behalf of the Commission

(6 May 1999)

Under European merger control rules (Council Regulation (EEC) 4064/89 of 21 December 1989 on the control of concentrations between undertakings [1]) only large concentrations (mergers, acquisitions and joint ventures) which have a Community dimension have to be notified to the Commission. A concentration has a Community dimension if the turnover of the undertakings concerned exceeds certain thresholds. Normally the aggregate worldwide turnover of all the undertakings concerned has to be more than € 5 000 million and the Community-wide turnover of at least two undertakings concerned more than € 250 million. Concentrations that do not meet these thresholds fall under the jurisdiction of the Member States' competition authorities (such as the Bundeskartellamt in Germany). This is the case for the vast majority of concentrations.

In its case practice to date, the Commission has not gained in-depth knowledge on the market for surfboards. The Commission has not received any notification of a takeover concerning the surfboard producing sector during the last six months, or any indication that a concentration has taken place in this sector which would have to be notified under Council Regulation (EEC) 4064/89. Therefore, no merger control procedure concerning the surfboard sector is pending. It may be that national competition authorities have dealt with relevant cases and can provide relevant information.

[1] OJ L 395, 30.12.1989.

(1999/C 370/237)

WRITTEN QUESTION P-1119/99

by Bárbara Dührkop Dührkop (PSE) to the Commission

(20 April 1999)

Subject: Commission's anti-doping programme

The use of doping in sport has increased in spectacular fashion over recent years. Professionalisation, over-commercialisation and the large sums of money involved in professional sport have turned many athletes into machines of whom impossible feats are required. As a result, sportspeople frequently resort to drugs and illegal substances which affect their health.

There is a notable variation between the different Member States in attitudes to doping: this was particularly visible in the most recent Tour de France.

In December 1998, the European Council, meeting in Vienna, stressed, in the conclusions of the presidency, the need for mobilisation against doping and for closer coordination of existing national measures by the Member States and the Commission, as well as calling on them to examine practical means of dealing with this abuse. On 17 December 1998, the European Parliament adopted a resolution calling on the Commission to undertake a series of actions. Recently, on 4 February 1999 in Lausanne, the World Conference on Doping in Sport adopted a number of conclusions, including a call for information campaigns.

What kind of programme is the Commission drawing up on the matter, and what stage has it reached? Does the Community intend to use budget heading B3-300 to finance information campaigns on this problem?

Answer given by Mr Oreja on behalf of the Commission

(7 May 1999)

Following the Vienna European Council's conclusions, the German Presidency organised an informal meeting of sports ministers, a common position being adopted in preparation for the World Conference on Doping, at which the Union played a key part in obtaining the final result.

The Presidency called on the Commission to set up a working party with the Member States; the working party has already met to prepare, in particular, a Union position on the establishment of an international anti-doping agency.

The working party has yet to complete its work on drawing up a list of possibilities for Community action and on the problem of legislative coordination. The results of its work will be included in the report on sport in Europe which the Commission will present to the Helsinki European Council.

For its part, the Commission has asked the European Group on Ethics for an opinion on the problem of doping in sport. It has also provided funding for the Medical Commission of the International Olympic Committee to define priority areas which could be financed under a Community research programme.

At this stage, it is still too early to say whether budget heading B3-300 will be used to fund information campaigns. Other headings could also be used, if appropriate. The measures to be taken have still to be discussed with the Member States.

(1999/C 370/238) **WRITTEN QUESTION E-1125/99**

by Leonie van Bladel (UPE) to the Commission

(27 April 1999)

Subject: Threatening changes in the political climate in Slovakia

The political climate in the Republic of Slovakia has been subject to change since the new government took office. The board of the Slovak journalists association, which sympathises with the HZDS of the former Prime Minister Vladimir Mečiar, reports that young journalists who do not share the views of the new coalition are finding it difficult to work. Apart from public criticism of journalists, ostracism at work and blocks on career development have already been noted in the months since the new coalition has been governing the country. In addition the journalists association has complained that virtually no attention has been paid at European level to the murder of Ján Ducký, the Minister for European Affairs in the previous cabinet, which has been heavily criticised by the current coalition. The press organisation points to a similarity with a pattern to be seen in the political life of Balkan states whereby hate campaigns are followed by murder.

1. Is the Commission prepared to lodge protests with the present government of Slovakia concerning the pressure being placed on members of the press unacceptable to it?

2. Is the Commission prepared, in the interest of democratic progress in Slovakia, to urge the present government of that country to halt the campaigns against politicians from previous governments and will it ask whether a judicial inquiry has been started into the murder of Ján Ducký?

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

(7 May 1999)

1. The furtherance of the independence of the media features amongst the accession partnership medium-term priorities for Slovakia. The Commission is monitoring progress in this area through the Europe agreement institutions and the regular reports. Should clear violations of media independence be detected, the Commission would raise them at the appropriate level. The Commission has no knowledge of any substantiated indications of discriminatory actions against journalists in Slovakia since the present Slovak government came into power in autumn 1998.

2. The Commission is aware of a number of criminal cases brought against political figures in compliance with Slovak law. In this context the Slovak parliament lifted the immunity of two people linked to the previous government. The Commission, however, has no evidence of any campaign to discredit politicians of the previous government. Concerning the murder of Mr Ducky, a criminal investigation has been undertaken and an arrest made.

(1999/C 370/239) **WRITTEN QUESTION E-1139/99**

by Arthur Newens (PSE) to the Commission

(27 April 1999)

Subject: Students from China

Will the Commission look at the possibility of increasing the number of scholarships and the like available to students from China until it is close to the number currently offered by the United States?

Answer given by Sir Leon Brittan on behalf of the Commission

(7 May 1999)

President Santer announced during his visit to China at the beginning of November 1998 the intention of the Commission to prepare a new and comprehensive programme on scholarships for China. The programme, called Scholarships 2000, will allow 2000 Chinese to benefit from the support of the Community to study or carry out research in Europe.

The programme is currently under preparation (experts visiting China, negotiation with the Chinese authorities, submission of the proposal to the committee of the Member States), in order to be operational in the year 2000.

The Commission also believes that to encourage a significant increase in academic cooperation between the Community and China structural cooperation must be targeted which prepares the teaching and learning communities of both partners

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