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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 439/80

by Mr Pisani

to the Commission of the European Communities

(20 May 1980)

Subject: Measures to protect European forests from oak wilt

Can the Commission say what measures have been taken or are envisaged in order to protect European forests from oak wilt, following imports of timber from the United States where this disease is rife?

What is the value of the oak imported by the EEC from the United States in recent years, and what amount would the Commission be prepared to set aside for European research in this area?

Supplementary answer given by Mr Dalsager
on behalf of the Commission

(25 June 1981)

Further to its answer given on 4 September 1980 ⁽¹⁾, the Commission can state that an inquiry conducted among European importers of unpeeled oak logs from the USA gives the following data for 1980:

Federal Republic of Germany: 111 000 m³

Belgium: 17 000 m³

Netherlands: 3 000 m³

France: 4 000 m³

⁽¹⁾ OJ No C 251, 29. 9. 1980, p. 9.

There would appear to have been no imports into the United Kingdom or Denmark; the figures for Italy are not known.

The total quantity imported by the EEC in 1978 came to about 300 000 m³ valued at about 100 million u.a.

WRITTEN QUESTION No 961/80

by Mr Gautier, Mr von der Vring and Mr Walter

to the Commission of the European Communities

(23 July 1980)

Subject: Joint fishing for marine whitefish by British and Polish trawlers in the Baltic Sea – 'Combined Fishing Operations'

On 1 May 1980, the Dansk Fiskeri Tidende reported unusual British-Polish fishing practices in the Baltic Sea. In April 1980, while the majority of the German and Danish fishing fleet lay in harbour because of the European Community's ban on whitefish fishing, trawlers from Hull took on board nets containing whitefish caught by Polish trawlers in the Polish fishing zone. There are plans to repeat this operation at the beginning of 1981.

We should like to ask the Commission, which has already been informed of this incident by the Danish Fisheries Ministry, the following questions:

1. Was this British-Polish operation – i.e. the transfer of full nets from ship to ship – in conformity with Community law?

2. Was the Commission notified of this operation beforehand by the ship-owners or by the British authorities concerned?
3. What view does the Commission take of this practice?
4. Does the Commission plan to take action to prevent such practices?
5. Were dutiable imports involved?
6. Was the imported catch cleared through customs?
7. Or has the Commission negotiated fishing rights for the Community in Polish waters?

**Supplementary answer given by Mr Contogeorgis
on behalf of the Commission**

(19 June 1981)

Further to its answer of 29 October 1980 ⁽¹⁾, the Commission can now inform the Honourable Members of the result of its investigation.

5 and 6. The Commission has received information from the United Kingdom authorities on the customs treatment of the importations concerned. The fish were admitted into the United Kingdom free of customs duty. From the information available to the Commission, it appears that the actual catch was made by Polish trawlers and was then transferred to the British boats which had no fishing rights in the area in question. In the opinion of the Commission, fish caught in such circumstances are liable for duty on importation into the Community. In fact, the Commission does not consider that such fish can be regarded as wholly obtained in the Community under the terms of Article 4 of Council Regulation (EEC) No 802/68 of 27 June 1968 ⁽²⁾ on the common definition of the concept of the origin of goods. It will accordingly invite the United Kingdom authorities to recover the customs duty which should have been paid on the importations.

⁽¹⁾ OJ No C 312, 29. 11. 1980, p. 15.

⁽²⁾ OJ No L 148, 26. 6. 1968, p. 1.

WRITTEN QUESTION No 2071/80

by Mr Dankert and Mr Woltjer

to the Commission of the European Communities

(25 February 1981)

Subject: Purchases of butter from outside the EEC

Is it true that, since the Commission abolished the refunds on butter sold on special 'butter trips' in the Ems area, the operators have been obtaining their supplies from outside the EEC?

How many tonnes per year are involved?

What extra cost is incurred by the Community budget as a result of this recourse to presumably Finnish and Austrian butter instead of EEC butter?

What measures does the Commission intend to take if the Council is not prepared to revise existing regulations on duty-free purchases?

**Answer given by Mr Dalsager
on behalf of the Commission**

(23 June 1981)

The question of the 'butter ships' must be looked at from two points of view:

- the exemption from import duties; and
- the granting of export refunds.

The provisions as regards the exemption from import duties are laid down in Council Regulation (EEC) No 3023/77 on certain measures to put an end to abuses resulting from the sale of agricultural products on board ships ⁽¹⁾. The application of that Regulation is not limited to a specific period, but the Council, when adopting the Regulation, undertook to review the measures in the light of the experience gained.

As regards the granting of export refunds, Article 17 of Commission Regulation (EEC) No 2730/79 laying down detailed rules for the application of export refunds in respect of agricultural products ⁽²⁾ provides that no refunds shall be granted on products sold on board ships which are liable to be subsequently reintroduced into the Community. After the adoption of Council Regulation (EEC) No 3023/77 the Commission suspended the application of this rule until 31 December 1980 with a

⁽¹⁾ OJ No L 358, 31. 12. 1977, p. 2.

⁽²⁾ OJ No L 317, 12. 12. 1979, p. 1.

view to allowing refunds for products in order to make it possible to deliver Community products for such purposes.

Even though the granting of refunds was not desirable, the Commission thought it was necessary to avoid discrimination against Community products during the period where Regulation (EEC) No 3023/77 was applicable, but it was not the intention of the Commission to establish a permanent system.

The Commission is of the opinion that Regulation (EEC) No 3023/77 cannot be considered as a permanent Regulation because of its effects on trade and because the measures provided may not be compatible with the principles of the Treaty. Legally the Regulation can be defended only as temporary measures. As a consequence hereof the Commission submitted on 11 November 1980 a proposal for a Council Regulation repealing Regulation (EEC) No 3023/77 with effect from 1 January 1981. This proposal was approved by the Parliament on 7 April 1981, but the Council has not yet taken a decision.

Under these circumstances the only possibility for buying butter at world market price is to buy butter from third countries.

The Commission has no specific figures as regards deliveries in the Ems-area, but it is estimated that the total quantity for the Community of butter sold on board so-called butterships was around 6 000 tonnes in 1979.

From a budgetary point of view the butterships may be considered as having two different consequences:

- in the case of third country produce a potential loss of Community's own resources because these products are imported into the Community without payment of levies;
- in the case of Community produce there is a waste of Community funds because export refunds are granted to products consumed within the Community.

If the Community does not stop this type of traffic, it is estimated that the extra cost to the Community budget would be about 7 million ECU per annum assuming no increase in this traffic.

The Commission has proposed to the Council that Regulation (EEC) No 3023/77 should be repealed and sees no reason why this proposal should not be adopted by the Council.

Furthermore a reference has been made to the European Court of Justice for a preliminary ruling on, *inter alia*, the validity of this Regulation.

WRITTEN QUESTION No 2087/80

by Mr Schmid, Mr Seefeld and Mr Gabert

to the Commission of the European Communities

(25 February 1981)

Subject: Participation by the Commission in the international symposium on the Pyhrn motorway

In December 1980 the second international symposium on the Pyhrn motorway took place in Zagreb. According to reports in the press the Commission took no notice of the event or at least was not officially represented.

1. Is this true and, if so, why did the Commission behave in this way?
2. Can the Commission state what stage has been reached in the negotiations between Austria and the Community on the Pyhrn motorway, the Commission having for years advocated its construction for reasons of transport and economic policy?
3. What importance does the Commission attach to this motorway following Greece's accession to the Community?

Answer given by Mr Contogeorgis
on behalf of the Commission

(22 June 1981)

1. Some Commission officials received personal invitations to the international symposium on the Pyhrn motorway, which was held in Zagreb on 4 and 5 December 1980. However, none of the officials invited was able to attend since there was also a Council meeting on transport on 4 December.
2. On 11 May 1981, the Commission put to the Council a recommendation for a decision relating to the opening of negotiations between the Community and Austria. These negotiations would cover, among other things, Austria's request for a financial contribution from the Community towards the costs of constructing the Innkreis-Pyhrn motorway.
3. The Commission attaches great importance to improving land and sea links with Greece. It views the IKPA motorway as a vital link in the overland route, via Yugoslavia.

WRITTEN QUESTION No 2100/80
by Mr Cousté
to the Commission of the European Communities
(25 February 1981)

Subject: Associations between European car firms and foreign groups

What associations have been or are being formed between European car firms and foreign groups with a view to constructing production units? What results have been achieved by the associations already formed?

What information can the Commission provide on the proposed association between Citroën and the Savanci group in Turkey?

Answer given by Mr Davignon
on behalf of the Commission
(25 June 1981)

From the information at its disposal, the Commission can inform the Honourable Member of the following current or proposed associations between Community motor firms and outside manufacturers for the purpose of setting up production plants, either in the Community or elsewhere:

1. Renault with Volvo (Sweden), with Renault acquiring a stake in Volvo. This is a cooperation agreement concerning technical matters and the supply of components by Renault to Volvo.
2. Renault with Mack Trucks (USA).
3. Renault with American Motor Corporation (USA), with Renault taking a stake in AMC and a production project for the R 18 in the USA.
4. BMW with Steyer-Daimler-Puch.
Production of diesel engines.
5. Mercedes Benz with Steyer-Daimler-Puch.
Production of cross-country vehicles.
6. Cooperation agreements with East European countries.

Cooperation agreements have existed for several years between European manufacturers and State-owned firms in East European countries. They mainly concern the following projects to build vehicles under licence:

Fiat (Turin) with Lada (USSR);
Fiat (Turin) with Polski Fiat (Poland);
Fiat (Turin) with Zastava (Yugoslavia);
Régie Renault with Dacia (Rumania);
Citroën with OLTICIT (Rumania).

7. Cooperation agreements recently signed with Japanese manufacturers:

British Leyland with Honda;
Alfa-Romeo with Nissan;
Volkswagen with Nissan (under discussion).

The Commission has not yet completed its scrutiny of the agreements reported.

As regards the last point raised by the Honourable Member, the Commission has not been notified of an association between Citroën and the Savanci group in Turkey.

WRITTEN QUESTION 2108/80
by Mr Delatte
to the Commission of the European Communities
(5 March 1981)

Subject: Embargo on sales of grain to the USSR

Can the Commission confirm that one million tons of wheat of American origin and six hundred thousand tons of flour have been exported to the USSR from the Federal Republic of Germany in the guise of commodities for outward processing?

Does the Commission not agree that if this claim is true such an operation constitutes a manifest breach of the embargo on grain sales to the USSR?

If this is the case, why does the Commission still refuse to authorize sales of available Community wheat to the USSR?

**Answer given by Mr Dalsager
on behalf of the Commission**

(19 June 1981)

The Commission cannot confirm the information given by the Honourable Member; the most recent figures available to the Commission on inward processing are up to November 1980 for the majority of Member States.

The Commission would, of course, regret any increase in supply of third country products by these means while the Community itself was continuing to maintain controls on the supply of Community produced cereals.

However, as the Commission announced in the Parliament on 4 May 1981, the limitation on export of Community cereals to the Soviet Union has now been removed.

**Answer given by Mr Davignon
on behalf of the Commission**

(23 June 1981)

1 and 2. It is for the Member States to enact and administer the necessary regulations by which uranium exploration and exploitation are governed. The Commission may make recommendations to the Member States concerning prospecting for and exploitation of mineral deposits.

3. Chapter VII of the Euratom Treaty provides the Community with the means to satisfy itself that materials are not being diverted from the uses for which their users have declared them to be intended. Furthermore, it must be pointed out that all non-nuclear-weapon Member States of the Community are also parties to the Non-Proliferation Treaty, and are therefore subject not only to Euratom safeguards, but also to the Safeguards Agreement concluded between the Community and the International Atomic Energy Agency.

WRITTEN QUESTION No 2170/80

by Mr Blaney

to the Commission of the European Communities

(5 March 1981)

Subject: Uranium prospecting

1. Mr Guido Brunner, at that time Member of the Commission responsible for energy policy, is reported to have assured the people of the Orkney islands that the Community would not impose uranium prospecting on them against their wishes. Will the Commission confirm that this is its official position?

More generally, does the Commission agree that uranium prospecting (and by the same token uranium mining) should not be imposed against the wishes of local communities as expressed through their elected representatives at the level corresponding to the area affected?

2. Does the Commission recognize the right of the government of a Member State not to undertake, or to authorize, prospection for uranium on its territory?

3. In the event of uranium being mined on the territory of a Member State and exported for enrichment and use in other Member States, does the Commission consider it would be in a position to offer cast-iron guarantees that none of the uranium in question was being used for military purposes? If not, does it consider that a foreign policy based on neutrality justifies a refusal to export uranium to other Member States which manufacture atomic weapons?

WRITTEN QUESTION No 2174/80

by Mr von Wogau

to the Commission of the European Communities

(5 March 1981)

Subject: Assessment and collection of VAT on goods transported from one Member State to another

1. Does the Commission agree that the present customs clearance procedure within the Community (excluding the Benelux countries) for the assessment and collection of VAT on goods transported from one Member State to another probably does not comply with the provisions of the EEC Treaty on the free movement of goods, notably Article 30, especially as the procedure is no different from the customs procedure applied to imports of goods from third countries?

2. Does the Commission not at least agree that, in the light of recent rulings by the Court of Justice of the European Communities on the directly applicable provisions of Community law (see in particular the judgments in Cases 55/79, 159/78 and 83/78), the discretionary provision of the second paragraph of Article 23 of the sixth VAT Directive should now be interpreted as meaning that VAT should no longer be collected at the border but as part of the general assessment procedure already applied to trade with the Benelux countries?

**Answer given by Mr Narjes
on behalf of the Commission**

(25 June 1981)

The Commission takes the view that the arrangements for declaring and paying VAT on imports between Member States should be substantially simplified.

It was for this reason that, in the programme for the simplification of value added tax procedures and formalities in intra-Community trade ⁽¹⁾, a communication sent to the Council on 14 May 1981, the Commission announced that it is planning to propose the general application throughout the Community of deferred payment of value added tax due on imports, a principle adopted by the Benelux countries in particular and indeed provided for as an option in Article 23 of the Sixth VAT Directive of 17 May 1977 ⁽²⁾.

The ruling by the Court of Justice to which the Honourable Member refers reflects the tendency to put a restrictive interpretation on the factors justifying frontier controls, but does not rule out tax controls. The Court emphasized in particular the general need to reduce residuary controls as far as possible and to establish the conditions prevalent on a domestic market.

The Court's ruling thus means that the levying on internal taxation on crossing frontiers between Member States should not involve formalities that are disproportionate to the aim legitimately pursued.

⁽¹⁾ Doc. COM(81) 195 final.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

WRITTEN QUESTION No 2183/80

by Mr Brok

to the Commission of the European Communities

(5 March 1981)

Subject: Establishment of a Euroregion cultural and recreational centre

The Junge Union, Rheine, has put forward a proposal for the conversion of a castle in the town of Rheine into a Euroregion cultural and recreational centre. The centre would also be used for other European activities.

Would the Commission support this venture and, in particular, make some financial contribution towards it?

**Supplementary answer given by Mr Natali
on behalf of the Commission**

(19 June 1981)

Further to its reply of 10 April 1981 ⁽¹⁾, the Commission is now in a position to inform the Honourable Member that according to information available Bentlage castle in the town of Rheine is in a very poor state of repair and will have to be completely renovated.

The Commission does not subsidize this type of work.

Once a cultural and recreational centre has been established and its programme announced, on the basis of specific proposals the Commission could look into the possibility of contributing towards certain specific information activities that might be organized there.

⁽¹⁾ OJ No C 115, 18. 5. 1981, p. 27.

WRITTEN QUESTION No 2188/80

by Mrs Weber

to the Commission of the European Communities

(5 March 1981)

Subject: Storage of radioactive waste

Recent reports published by the CNRS (National Scientific Research Centre) point out that the process of storing radioactive waste by vitrification is unreliable. According to these publications, the radiation from the waste can very easily produce a chemical degradation in the glass.

1. Can the Commission specify the quantities of radioactive waste now being stored by this process?
2. Which Member States use the vitrification process?
3. What action will the Commission take on this important finding with a view to protecting the environment and people?

**Answer given by Mr Narjes
on behalf of the Commission**

(24 June 1981)

1. Approximately 350 m³ of highly radioactive liquid waste from the reprocessing of nuclear fuel was solidified by the AVM vitrification process between June 1978 and the end of February 1981.

2. The vitrification process has been used on a commercial basis in France since 1978 at the Atelier de Vitrification de Marcoule (AVM). Experimental installations have already been set up in other Community countries.

3. The Commission is familiar with the work performed by the researchers at the National Scientific Research Centre (CNRS) ⁽¹⁾. Moreover, the Commission coordinates and partially finances, under its research and development programmes, research projects on the properties of glass with the compositions which the Community Member States have in mind for coating the waste.

The Commission is of the opinion that:

- However interesting it may be from a scientific point of view, doubt can be cast on the representativeness of the CNRS mock-up, which is based on the bombardment of the surface of the glass with lead ions.
- In addition, the report states that the irradiation-induced degradation effect to which the Honourable Member refers would not occur for some 2 000 years. It must be pointed out that by then the beta- and gamma-radioactivity of the waste will have practically disappeared through natural decay. It is first and foremost this type of radioactivity that the glass should immobilize. The toxicity of the alpha emitters, which are present in very small quantities in the glass, may by then be comparable to that of uranium ore.
- Finally, the latest results obtained by the CNRS researchers clearly show that glass similar in composition to that used for the vitrification of radioactive waste from light-water reactors is highly resistant to degradation caused by irradiation.

Consequently, the Commission notes that, according to the authors themselves and within the limits of their experiments, the phenomenon mentioned by the Honourable Member no longer occurs in the case of the type of glass chosen for vitrification of radioactive waste by the AVM process. The Commission therefore considers that these tests do not constitute a discovery which is important from the point of view of protection of the environment and of the general public and which calls into question the concept of vitrification.

The Commission will continue the studies which are being carried out under its research programmes with the aim of optimum assessment of the long-term characteristics and properties of types of glass capable of serving as matrices for the confinement of radioactive waste.

⁽¹⁾ 'Science' No 209, pp. 15 to 18, 1980.

Annual Conference on the Materials Research Society (Boston, 16 to 20 November 1980).

WRITTEN QUESTION No 2200/80

by Mrs Lizin

to the Commission of the European Communities

(5 March 1981)

Subject: Refusal to reply to the Court of Auditors concerning the activities of the Euratom Supply Agency

1. Is it true that the Commission informed the agency that it would be inappropriate to authorize third parties, in the event the Euratom Agency bankers, to forward information of use for control purposes to the Court of Auditors?

2. On what legal basis does the Commission base this 'advice'? Article 180a to which the Court's document refers suggests that the Court must request this authorization to approach a third party but in no way authorizes the Commission to advise refusing this request.

3. How does the Commission justify the fact that it did not reply (p. 297 of the report) to the court's explicit question (p. 178 of the report)? Does it intend to reply by a different procedure, and, if so, how and when?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(25 June 1981)

The legal basis for the Commission's action is Article 53 of the Euratom Treaty which reads: 'The Agency shall be under the supervision of the Commission, which shall issue directives to it . . . '.

The Commission is bound to comply with the Euratom Treaty, and in particular Article 180a (3) thereof, which states that the provision of documents and information requested by the Court of Auditors is carried out by the institutions of the Community, that 'The audit shall be . . . performed on the spot in the institutions of the Community' and that 'in the Member States the audit shall be carried out in liaison with the national audit bodies or, if these do not have the necessary powers, with the competent national departments.' The information itself is made available to the Court of Auditors through the institutions, and that is so in this case.

Article 54 of the Euratom Treaty lays down that 'The Agency shall have legal personality and financial autonomy.'

WRITTEN QUESTION No 2214/80**by Mr Provan****to the Commission of the European Communities***(5 March 1981)**Subject: Greece*

Will the Commission please:

1. provide a list of all measures, i.e. duties, taxation, import deposits, levies and any other controls, which are applied to imported and domestic spirituous beverages in Greece?
2. state which of the measures mentioned in the answer to question 1 are due to be 'phased out' under Greece's Treaty of Accession to the Community?
3. provide details of the 'phasing out' timetable, where appropriate for each of the measures mentioned in the answer to question 2?
4. state which of the measures mentioned in the answer to question 1 are contrary to the EEC treaty?
5. advise what action has been taken by the Commission in regard to those measures mentioned in the answer to question 1 which are considered contrary to the EEC Treaty?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(19 June 1981)

1. The following measures apply:

turnover tax;

special turnover tax;

consumption taxes on alcohol;

luxury tax;

stamp tax;

tax for the benefit of establishments of higher education;

obligatory loan contribution;

agricultural assurance contributions;

import deposits;

cash payments;

other exchange and price controls;

customs duties.

Certain details (rates and fields of application) will be sent directly to the Honourable Member and to the Secretariat General of the European Parliament.

2. The Act concerning the conditions of Accession of the Hellenic Republic to the EEC provides that Greek customs duties and charges having equivalent effect, together with import deposits and cash payments shall be reduced progressively.

It should be noted, however, that the Act also provided for the abolition on 1 January 1981 of any charges having equivalent effects to a customs duty introduced as from 1 January 1979 (Article 28), and that the treatment of import deposits and cash payments is an exception to the general rule under the Act that quantitative restrictions and measures of equivalent effect shall be abolished from the date of Accession (Article 35).

3. The provisions of the Act of Accession on the phasing out of these measures are too long to be set down in this reply, and are therefore being sent directly to the Honourable Member and the Secretariat General of the European Parliament.

4. The Greek legislation concerning imported spirits is currently being studied by the Commission's various departments concerned. No conclusions have yet been reached.

5. Should the Commission consider that a provision of that legislation contravenes the provisions of the EEC Treaty, the Commission will take the necessary action.

WRITTEN QUESTION No 2276/80**by Mrs Buchan****to the Commission of the European Communities***(9 March 1981)**Subject: The work of Euratom*

What are the conditions which Euratom tries to evaluate when assessing whether an area provides a 'satisfactory investment climate' and to whom does it report that an area provides such a 'climate'?

What were the 'difficulties' referred to by Euratom which arose for the Charter Consolidated Company in the Sokoto province of Nigeria?

**Answer given by Mr Davignon
on behalf of the Commission**

(19 June 1981)

The Commission does not see what the Honourable Member is referring to when she speaks of Euratom assessing whether an area provides a 'satisfactory investment climate'.

The Commission has not been informed of the difficulties encountered in Nigeria by the company mentioned.

WRITTEN QUESTION No 9/81

by Mrs Schleicher

to the Commission of the European Communities

(16 March 1981)

Subject: Number of directives and regulations in the European Community

The proliferation of Community regulations (in the broadest sense) which have to be complied with in the production and distribution of goods is giving rise to more and more complaints from industry and in particular from small and medium-sized undertakings.

Many small firms are unable to keep pace with the rising tide of regulations while large concerns need whole departments in order to cope with all the administrative work which they entail. These numerous rules and regulations create new administrative barriers to trade, quite apart from increased costs.

1. To what extent would it be possible to reduce the number of regulations and requirements by reference to the judgement handed down by the European Court of Justice in the 'Cassis de Dijon' case?
2. Can the Commission state how many directives and regulations and amendments to the same have been adopted since the EEC was founded and how many are still in force today?

**Answer given by Mr Narjes
on behalf of the Commission**

(23 June 1981)

1. The Commission does not share the Honourable Member's view that Community provisions greatly increase the number of regulations to be complied with in the production and distribution of goods. Admittedly, in some cases where Member States lacked specific rules for a particular industry or product prior to the adoption of Community provisions, the adoption of directives may give the impression of increasing the number of requirements to be observed. Generally speaking, however, and even in those cases, Community provisions simplify matters, particularly for firms working for markets other than their domestic one since the production of goods need no longer be carried out in different ways to conform to varying national requirements, but must simply meet Community requirements in order that goods may move throughout the territory of the Community. This is especially important for small and medium-sized undertakings.

It is too early to assess the consequences of the judgment in the 'Cassis de Dijon' case ⁽¹⁾ in terms of reducing the number of regulations and requirements at national and Community levels. As a result of that judgment, in particular, which has been reaffirmed meanwhile by other judgments, the Commission is taking punitive and increasingly preventive action to reduce as much as possible the protectionist effect of national regulations. This involves, firstly, eliminating from national regulations provisions creating barriers to trade between Member States, by evaluating the situation in the light of the criteria laid down by the Court of Justice, and, secondly, by seeking, if necessary, where the Commission decides that existing or proposed regulations are admissible, a Community solution. For that reason it attaches very great importance to coordination work not only between the responsible national authorities, but also between the different standards institutions. The European Parliament and the Commission had an opportunity of expressing their views when considering Mr von Wogau's report on technical barriers ⁽²⁾ and Mr Leonardi's report on the Commission proposal to the Council relating to a decision laying down a procedure for the mutual exchange of information in the field of technical standards and regulations.

The Commission feels that the proposed coordination work on both a statutory and voluntary basis and the information procedure proposed by the Commission to the Council ⁽³⁾ will not only make it possible to prevent provisions being adopted at national level which may be challenged in the light of Community law, but also help align 'national' concepts and attitudes in areas involving, for example, public health or safety.

⁽¹⁾ Case 120/78, judgment delivered on 20. 2. 1979.

⁽²⁾ Session of the European Parliament of October 1980.

⁽³⁾ COM(80) 400.

The Commission, moreover, is careful to ensure that innovation is not impeded by an excessive number of regulations. It considers that the strengthening of the internal market must be regarded as a factor for encouraging innovation and consequently the economic development of undertakings.

A list of the directives adopted in the field of technical barriers to trade will be sent directly to the Honourable Member and to the Secretariat-General of the European Parliament.

2. The number of regulations and directives adopted since the EEC was founded, and derived from the EEC and ECSC Treaties, for the period from 1958 to 1980 is:

- 42 450, including 29 200 'transitory' regulations, or
- 13 250, excluding 'transitory' regulations.

Of the 13 250 instruments not of a 'transitory' nature (12 515 regulations and 735 directives), 7 104 are amending instruments (6 814 regulations and 290 directives).

On 1 January 1981, 3 161 regulations (including 68 'transitory' ones) and 661 directives were still in force.

WRITTEN QUESTION No 12/81

by Mr von der Vring and Mr Seefeld

to the Commission of the European Communities

(16 March 1981)

Subject: Special facilities to help the disabled cope with road traffic

In a number of Member States, for example the Federal Republic, the blind and the severely disabled are provided with special facilities, particularly as regards parking, to enable them to cope more easily with road traffic.

Would the Commission state:

1. whether it intends to harmonize such special provisions/facilities for the disabled throughout the Community;
2. what practical measures and decisions have already been taken or are planned;
3. what it intends to do to assist the disabled in the field of Community transport policy in this, the 'international year of the disabled'?

Answer given by Mr Richard on behalf of the Commission

(19 June 1981)

1 and 2. All Member States of the Community had a hand in formulating the recommendation of the European Conference of Ministers of Transport (ECMT) of 6 December 1977. The Commission fully supports this recommendation and will continue to take an interest in its application. It does not consider harmonization necessary as well.

3. The Commission is carefully studying paragraphs 15, 16 and 17 of the resolution on the economic, social and vocational integration of disabled people adopted by Parliament on 11 March. In particular, the Commission is going into the question of transport for the disabled in an urban environment and comparing the chief measures adopted in this connection by city authorities in Europe.

WRITTEN QUESTION No 21/81

by Mr Karl Schön

to the Commission of the European Communities

(16 March 1981)

Subject: Accompanying documents for the transport of unbottled wine

On 1 April 1973 the Community legislation on accompanying documents for the transport of unbottled wine entered into force. Press reports indicate that the provisions are not implemented in all wine-growing areas, for example those in the Rhineland-Palatinate (Federal Republic of Germany).

1. Is it true that there are no other Community wine-growing areas which do not apply this legislation?
2. What has the Commission done to ensure enforcement of the Regulation?
3. Is any revision and simplification of the procedure to be expected in the foreseeable future and if so, when?
4. Will the discussions on a new procedure for accompanying documents release Member States from the obligation to implement the legislation and monitor its application until such a time as the legislation is amended?

**Answer given by Mr Dalsager
on behalf of the Commission**

(23 June 1981)

1. The Commission would inform the Honourable Member that it is not in possession of any information indicating that in Member States other than the Federal Republic of Germany the rule regarding the accompanying document is not applied when wine is transported in bulk.

2. The Commission has initiated the procedure provided for in Article 169 of the EEC Treaty against the German Government.

3. Discussions on improving the procedure, and in particular simplifying it, have been initiated with the Member States. The matter is particularly complex as it is desired to coordinate the accompanying document system with the Community's transit procedure. Although the work is not expected to be completed until the first half of 1982, the Commission will shortly be making some amendments and additions to Regulation (EEC) No 1153/75, which will reflect, among other things, the difficulties that have arisen in the implementation of this Regulation in the Rhineland-Palatinate.

4. No.

WRITTEN QUESTION No 67/81

by Mr Vié

to the Commission of the European Communities

(20 March 1981)

Subject: Community definition of purchasing power in each of the ten Member States

As the Commission has often postulated the objective of maintaining purchasing power, can it state if it has a Community definition of purchasing power on which to make comparisons between the ten Member States;

Has its enquiries into purchasing power levels produced significant results? Are the figures it has available of any practical use?

**Answer given by Mr O'Kennedy
on behalf of the Commission**

(22 June 1981)

Eurostat has established a Community measure of purchasing power parities: the purchasing power standard.

This measure has been used since 1975 to make comparisons in real terms between the Member States of the Community. The results for 1975 were published in 'Comparison in real values of the aggregates of ESA' ⁽¹⁾ and those for the years 1976 to 1979 in 'National accounts ESA - aggregates 1981'.

⁽¹⁾ ESA = European System of Integrated Economic Accounts.

WRITTEN QUESTION No 81/81

by Mr Costanzo, Mr Barbagli, Mr Colleselli, Mrs Gaiotti De Biase, Mr Dalsass, Mr Filippi, Mr Giavazzi, Mr Barbi, Mr Ghergo, Mr Giummarra and Mr Diana

to the Commission of the European Communities

(3 April 1981)

Subject: Sale of olive oil held by the Italian intervention agency

Commission Regulation (EEC) No 71/81 of 12 January 1981 lays down the procedure for the sale (in six lots of 5 500 tonnes each) of 33 000 tonnes of olive oil from intervention purchases made during the 1977/78 olive marketing year by the Italian intervention agency, AIMA.

1. Is the Commission aware:

- that only a few large industrial and trading companies were in a position to make a bid for all six lots at this auction and that in fact not all of them operate in the oil sector?
- that most of the companies taking part in the auction, for which there will be a draw to assign each lot, are interconnected and therefore not in competition with one another?

2. Does it not consider that the means of allocating the lots laid down in Regulation (EEC) No 71/81 automatically exclude small and medium-sized companies which, in this specific case, are the only ones located in the regions producing the large quantities of olive oil bought in by the intervention agency and that this allows firms to conspire and indulge in speculation which undermines or renders void any guarantee of free competition?

3. Does it intend to take action to suspend the sales now under way and to issue a new implementing regulation which would enable a greater number of competing firms to participate and thereby encourage free and healthy competition in the market in accordance with Community rules?

**Answer given by Mr Dalsager
on behalf of the Commission**

(22 June 1981)

By Regulation (EEC) No 71/81 of 12 January 1981 ⁽¹⁾, the Commission put up for sale, at a fixed price and in lots of 5 500 tonnes each, 33 000 tonnes of olive oil from the intervention purchases made during the 1977/78 olive marketing year and held by AIMA.

The Commission took this decision in view of the following:

- the oil had been put up for sale in small lots in 1980 without arousing any interest from operators;
- since the oil was three years old, some deterioration had presumably already occurred and therefore it all had to be sold as soon as possible;
- 1980/81 production is expected to be particularly high and therefore an appropriate number of stores had to be emptied with a view to the large intervention purchases anticipated in 1981.

The Commission considers that at the time of the decision the conditions existed for sales in accordance with the procedure laid down in Community rules. In addition, so as to supply all operators the Commission subsequently decided to put up for sale, in small lots, 26 000 tonnes of olive oil from intervention purchases made during recent years.

⁽¹⁾ OJ No L 11, 13. 1. 1981, p. 5.

WRITTEN QUESTION No 88/81

by Ms Clwyd

to the Council of the European Communities

(3 April 1981)

Subject: Discrimination against overseas doctors of British nationality holding third-country qualifications

Is the Council aware that overseas doctors of British nationality holding third-country qualifications are allowed to practice in the UK but cannot practice in EEC Member States?

Answer

(26 June 1981)

The Honourable Member is requested to refer to the provision in Article 1 (5) of the Council Directive of 16 June 1975 ⁽¹⁾ concerning the coordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors, from which it explicitly emerges that this Directive affords the possibility to Member States to authorize, in accordance with their own rules, in respect of their own territory holders of diplomas, certificates or other evidence of formal qualifications which have not been obtained in a Member State to take up and pursue the activities of a doctor.

⁽¹⁾ OJ No L 167, 30. 6. 1975, p. 14.

WRITTEN QUESTION No 101/81

by Mr Jürgens

to the Commission of the European Communities

(3 April 1981)

Subject: Imprisonment of Jehovah's witnesses in Greece

What view does the Commission take of the imprisonment of Jehovah's witnesses in Greece on account of their refusal to perform military service, bearing in mind the repeated references by the European Parliament, the Commission and the Council to the importance of protecting basic rights, particularly those enshrined in the constitutions of the Member States and the European Convention for the Protection of Human Rights and Fundamental Freedoms?

**Answer given by Mr Thorn
on behalf of the Commission**

(19 June 1981)

The Commission feels that, given the nature of the problem, it is not for the Commission to comment on the matter raised by the Honourable Member.

WRITTEN QUESTION No 119/81**by Mr Enright****to the Commission of the European Communities***(3 April 1981)**Subject: Language testing for overseas doctors*

1. Is the Commission aware that overseas doctors applying to work in the UK have to submit to an English language test with the exception of doctors trained in the EEC?

2. Is the Commission aware of the unjust anomaly in this procedure whereby doctors from the UK Commonwealth, who speak English, are obliged to submit to the language test whereas EEC nationals who may not speak English are not tested?

3. Recognizing that some competence in the English language is a necessity for practising in the UK what does the Commission propose to do about this situation in view of the fact that the current practice would seem to be discriminatory in application?

**Answer given by Mr Narjes
on behalf of the Commission**

(25 May 1981)

1. Yes.

2 and 3. The Commission would refer the Honourable Member to the replies to Written Questions No 278/79 by Mr Glinne ⁽¹⁾, No 1158/80 by Lord O'Hagan ⁽²⁾ and No 2296/80 by Mr Key ⁽³⁾.

⁽¹⁾ OJ No C 183, 21. 7. 1980, p. 2.

⁽²⁾ OJ No C 322, 10. 12. 1980, p. 11.

⁽³⁾ OJ No C 134, 4. 6. 1981, p. 43.

WRITTEN QUESTION No 120/81**by Mr Enright****to the Council of the European Communities***(3 April 1981)**Subject: Language testing for overseas doctors*

1. Is the Council aware that overseas doctors applying to work in the UK have to submit to an English language test with the exception of doctors trained in the EEC?

2. Is the Council aware of the unjust anomaly in this procedure whereby doctors from the UK Commonwealth, who speak English, are obliged to submit to the language test whereas EEC nationals who may not speak English are not tested?

3. Recognizing that some competence in the English language is a necessity for practising in the UK, what does the Council propose to do about this situation in view of the fact that the correct practice would seem to be discriminatory in application?

Answer*(26 June 1981)*

The Council would draw the Honourable Member's attention to the fact that it is in accordance with their own rules that Member States may authorize, in respect of their own territory, holders of diplomas, certificates or other evidence of formal qualifications which have not been obtained in a Member State to take up and pursue the activities of a doctor.

WRITTEN QUESTION No 122/81**by Mr Enright****to the Council of the European Communities***(3 April 1981)**Subject: Overseas doctors and free movement in the EEC*

Noting that 20 000 overseas doctors are working in the NHS in the UK and that about 5 000 to – 6 000 have British nationality whereas the others have their nationality of origin.

1. Is the Council aware that overseas doctors of British nationality holding third country qualifications are allowed to practise inside the UK but that regardless of the qualifications they subsequently obtain inside the UK they cannot practise inside EEC Member States and are barred from free movement in the EEC?

2. Will any provision be made to enable Britain's overseas doctors whose basic qualifications were acquired in their country of origin to practise in the EEC?

Answer
(26 June 1981)

1. The Council would draw the Honourable Member's attention to the fact that the Community Directives on the right of establishment are based on the Treaty and afford this right only to those nationals of the Member States holding diplomas obtained in the Community.

2. The Council took these measures while allowing each Member State to retain competence in the matter in respect of its own territory.

principle in June 1978, the Member States are empowered, without prejudice to any future system, to introduce or continue to impose taxes or charges for the use of given road infrastructures such as tolls.

WRITTEN QUESTION No 127/81

by Mr Moreland
to the Commission of the European Communities
(13 April 1981)

Subject: Tolls

Can the Commission give an assurance that it has no plans to make proposals involving the establishment of tolls on roads and bridges where no tolls currently exist?

Answer given by Mr Contogeorgis
on behalf of the Commission
(25 June 1981)

There is no Community plan to introduce tolls for roads and civil engineering structures on which they are not at present levied. However, in the memorandum attached to the proposal for a Council Decision on the introduction of a common system of charging for the use of transport infrastructures ⁽¹⁾, tolls are listed as means of direct charging which might be envisaged by the Member States to finance motorways or specific projects.

The Honourable Member is also reminded of the proposal for a Council Directive on the adjustment of national taxation systems for commercial road vehicles ⁽²⁾. In the text to which the Council agreed in

WRITTEN QUESTION No 137/81

by Lady Elles
to the Commission of the European Communities
(13 April 1981)

Subject: Export refunds

On page 133 of the Commission's 1980 Report on the agricultural situation in the Community, it is shown that for 1979, 43% of EAGGF, Guarantee Section Expenditure goes in export refunds. Does the Commission agree that these refunds are of benefits rather to the trader than to the farmer contrary to an often-expressed popular view that the CAP merely pays for the inefficient farmer? Is the Commission satisfied with the present arrangements concerning export refunds and, if not, what alternative measures, if any, are being considered?

Answer given by Mr Dalsager
on behalf of the Commission
(19 June 1981)

The function of the export refund in the common agricultural policy is to allow Community traders the possibility of competing on world markets by bridging the difference between the Community price and the actual world market price. In making the payment to traders, the Community ensures that public intervention stocks of various agricultural products are kept to reasonable levels and avoids an excessive stock which depresses the market price from which the producer normally obtains his revenues. The producer thus indirectly benefits from such refund payments, as they play an important role in market stabilization.

The Commission, in its management of agricultural markets, controls expenditure by keeping refund levels

⁽¹⁾ OJ No C 62, 22. 6. 1971, p. 15.

⁽²⁾ OJ No C 95, 21. 9. 1968, p. 41.

within strict operational limits. This approach has been particularly successful in the milk sector where unit cost of disposal has been significantly reduced for all milk products over the past two years.

In addition, the Commission has also recognized in its proposals to the Council that it is no longer economically sound or financially justifiable to continue unlimited guarantees for agricultural production which has no commercial outlet. As consumption is stagnant in the Community for most agricultural products, increases in production of these products can only find markets outside the Community or in subsidized disposal in the Community's own market.

It is for this basic reason that the Commission is continuing its efforts to match production to demand and to develop, where appropriate, the financial participation of producers. It is also in this context that the Commission is developing its reflections on a more coherent approach to export policy, set out in its document 'Reflections on the common agricultural policy' published on 5 December 1980 ⁽¹⁾.

⁽¹⁾ COM(80) 800 final.

WRITTEN QUESTION No 154/81

by Mr Glinne

to the Commission of the European Communities

(13 April 1981)

Subject: Freedom of movement in the EEC

It has been brought to my attention that an expulsion order has been issued against a young national of a Member State of the EEC by the Grand Duchy of Luxembourg, although he has almost always lived there and his family is resident in that country.

Such a measure is not prohibited by Directive No 64/221 ⁽¹⁾ even in the case of a person whose entire family lives in the country ordering the expulsion.

However, the European Convention on Human Rights and some national constitutions provide for the right to lead a normal family life, a provision which is difficult to reconcile with the splitting-up of families when one of their members is expelled. The German Constitutional Court has thus recently decided to refuse to order expulsion if families would be separated as a result.

Is the Commission not of the opinion that Directive No 64/221 should comply with the fundamental rights provisions required of the Community legal system?

⁽¹⁾ OJ No 56, 4. 4. 1964, p. 850.

Answer given by Mr Narjes on behalf of the Commission

(22 June 1981)

The Commission has no knowledge of the case of expulsion referred to by the Honourable Member and is not, therefore, in a position to judge whether the expulsion order in question is legitimate.

While Article 8 (1) of the Convention for the Protection of Human Rights and Fundamental Freedoms states that:

'Everyone has the right to respect for his private and family life, his home and his correspondence', Article 8 (2) states that: 'There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.'

There may be cases, therefore, in which the protection of public interests must take priority over individual interests.

The Commission believes that Council Decision 64/221/EEC on the coordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health complies fully with the provisions of the Convention on Human Rights. As recognized by the Court of Justice and stated in the Joint Declaration by the European Parliament, the Council and the Commission of 5 April 1977 ⁽¹⁾, this Directive, like the Community's legal instruments in general, must be interpreted in accordance with the general principles of law governing the Community legal system and, in particular, with the fundamental rights laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, ratified by all the Member States.

⁽¹⁾ OJ No C 103, 27. 4. 1977, p. 1.

WRITTEN QUESTION No 157/81

by Mr Damseaux

to the Commission of the European Communities

(13 April 1981)

Subject: Agreements between tenderers

On 22 June 1977 the Commission was notified of a cooperation and rationalization agreement between

small and medium-sized public works contractors. This association, whose members include Belgian, Dutch and French undertakings, instituted a procedure for correcting errors in invitations to tender issued by the Belgian public authorities. A study published in the 'Journal des Tribunaux' (Brussels, 1980, pp. 77-83 and 311) has shown that in reality this procedure was a subterfuge for an agreement on a price increase facility and is harmful to the interests of both the Belgian Treasury and taxpayers.

Can the Commission state:

1. Why it has not yet taken a decision although it was informed of this agreement almost four years ago?
2. What it has done so far?
3. Whether it has made enquiries or carried out investigations to establish whether this agreement is already in operation?
4. Why it does not issue a communication pursuant to Article 15 (6) of Regulation No 17?
5. Whether, as it is unlikely that such a agreement would be exempt under Article 85 (3), it considers the Belgian authorities justified in applying the law of 14 July 1976, which prohibits agreements between tenderers, pending a Commission decision?

**Answer given by Mr Andriessen
on behalf of the Commission**

(23 June 1981)

1, 2 and 4. The Commission would draw the Honourable Member's attention to the fact that this matter is still under investigation and that, consequently, it is impossible to give a more detailed reply to the questions asked.

3. The functioning of the *de facto* association whose statute has been notified to the Commission has been suspended pending a decision by the latter.

5. The competent Belgian authorities are always entitled to apply national law and it will then be for the courts to stay any proceedings pending a decision, which the Commission alone is empowered to take, on the application of Article 85 (3) of the EEC Treaty.

WRITTEN QUESTION No 158/81

by Mr Boyes

to the Commission of the European Communities

(13 April 1981)

Subject: Funding of educational exchanges and international seminars

Taking account of the spirit of the Commission's education proposals:

1. Does the Commission see the funding of student expenses as a necessary aid to facilitate educational exchanges and international seminars?
2. What criteria would the Commission apply in determining whether or not a particular educational event was compatible with the Community interest?
3. Would the fact that such an event might be held outside the geographic area of the Ten automatically mark it as remote from the Community interest?

**Answer given by Mr Richard
on behalf of the Commission**

(22 June 1981)

1. Yes. The promotion of educational exchanges and closer contacts between educational personnel in different Member States represents a basic objective of the action programme based on the Resolution of the Council and Ministers of Education of 9 February 1976 ⁽¹⁾.

2. Within this context, the Commission directly finances various exchange schemes for educational personnel, details of which are widely circulated each year by the Commission and by the education authorities in each Member State. The organization of seminars for teachers on European themes is also one of the types of activity which is regularly supported by the Commission by means of the Kreyssig Fund. The objectives and criteria governing grants in this respect are set out in the Information Note concerning the Fund which the Commission distributes widely each year.

The importance attached by the Commission to exchanges of secondary school pupils is demonstrated both in the report of the colloquium on pupil exchange organized by the Commission in Venice in October 1977 ⁽²⁾ and in the Commission's Communication to the

⁽¹⁾ OJ No C 38, 19. 2. 1976, p. 1.

⁽²⁾ Commission's Education Studies series No 5.

Council concerning the teaching of languages in the Community ⁽¹⁾. The Commission will prepare new proposals regarding youth exchanges in response to the Resolution on youth activities adopted by the European Parliament on 12 March 1981 ⁽²⁾ and to complement the existing programme of exchanges of young workers.

As regards higher education, the Commission has also proposed ⁽³⁾ a system of Community scholarships for students wishing to pursue their studies in Member States other than their own. In considering this proposal, the Education Committee requested further evidence on the gaps in the existing provision of grants and scholarships in the European Communities. This further analysis will be finalized by the Commission during the coming months.

3. The various programmes and proposals mentioned above are essentially concerned with exchanges between students and teachers coming from the Member States of the Community. The actual geographical location of meetings and seminars does not in itself constitute an important criterion for assessing Community relevance.

⁽¹⁾ COM(78) 222, 14. 6. 1978.

⁽²⁾ OJ No C 77, 6. 4. 1981, p. 58.

⁽³⁾ COM(78) 469, 22. 9. 1978.

WRITTEN QUESTION No 166/81

by Mrs Fuillet

to the Commission of the European Communities

(13 April 1981)

Subject: Suspension of ERDF payments to France

As the Commission has decided to suspend payments in respect of those projects for which France has refused to allow on-the-spot checks will it state:

1. the sums involved;
2. the nature and location of the investments affected by the decision to suspend payments;
3. whether it intends to insist on its demands for on-the-spot checks for the projects in question?

If the French authorities persist in their refusal, what measures does the Commission intend to take to ensure that the ERDF Regulation is respected, particularly as regards checks and the proper use of Community aid?

Answer given by Mr Giolitti on behalf of the Commission

(23 June 1981)

1. As from the financial year 1980, the Commission has, as a precautionary measure, suspended outstanding ERDF payments for industrial projects in respect of which its representatives have not been allowed by France to take part in on-the-spot inspections. The amount involved so far is around FF 75 million (some 12.5 million ECU).

2. The decision to suspend payment applies to industrial projects situated in Pays de la Loire, Rhône-Alpes, Nord-Pas-de-Calais and Basse-Normandie.

3. The Commission is pressing ahead with its efforts to bring to an end the anomaly caused by France's refusal which, if it continues, could result in the matter being brought before the Court of Justice. Negotiations on the subject are at present being held with the French authorities.

WRITTEN QUESTION No 169/81

by Mr Radoux

to the Commission of the European Communities

(13 April 1981)

Subject: Motorway linking Southern Germany with Northern Yugoslavia

Will the Commission inform Parliament of the progress in the negotiations on the construction of this motorway, particularly in the light of the agreement signed by the Community with Yugoslavia last year?

Answer given by Mr Contogeorgis on behalf of the Commission

(22 June 1981)

The cooperation agreement with Yugoslavia provides for the grant of a European Investment Bank loan of 200 million ECU; this is addition to earlier EIB loans to Yugoslavia.

This loan is to be used for several purposes as laid down in the agreement between the Community and Yugoslavia. Yugoslavia has indicated that a substantial part of the loan will be used for transport infrastructure work, including that connected with the north-south motorway.

WRITTEN QUESTION No 171/81

by Mr Radoux

to the Commission of the European Communities

(13 April 1981)

Subject: EEC/Yugoslavia relations

Now that Greece is a member of the European Community new problems have arisen with Yugoslavia.

As the Community signed an agreement with Yugoslavia in 1980, will the Commission state:

1. Whether there are currently any outstanding problems regarding the motorway that runs from Northern to Southern Yugoslavia which might impede the access of Greek products which have to be transported through Yugoslavia to other countries of the Community?
2. Whether there are any obstacles and, if so which, concerning the sale of Yugoslavian baby-beef in Community countries other than Greece?

**Answer given by Mr Haferkamp
on behalf of the Commission**

(16 June 1981)

The Commission would request the Honourable Member to refer to the answers given to his Written Questions Nos 135/81 ⁽¹⁾ and 169/81 ⁽²⁾.

⁽¹⁾ OJ No C 180, 22. 7. 1981, p. 14.

⁽²⁾ See page 17 of this Official Journal.

WRITTEN QUESTION No 173/81

by Mr Glinne

to the Council of the European Communities

(13 April 1981)

Subject: Health improvement work in black Africa entrusted to the USA by the ACDA

On 2 March 1981 '*Le Monde*' announced that an agreement – which has so far remained confidential – had been concluded by the six member countries of ACDA (Joint Association for the development of Africa), namely France, Belgium, the Federal Republic of Germany, the United Kingdom, the United States and Canada.

By the terms of this agreement all health improvement work in black Africa has been placed under the direction of the USA since the beginning of 1981.

It is reported that a very detailed programme drawn up by American experts was presented last November to a meeting of the Foreign Ministers of the ACDA countries in Paris. It covers 47 countries and 340 million inhabitants. The programme, which is to run from 1981 to 1985 and for which the US Congress has apparently granted \$35 million, includes:

- training activities for health workers;
- promotion of applied research in 10 to 15 countries (e.g. trials of new vaccines and medicines);
- dissemination of health education material in at least 20 countries;
- activities aimed at improving the planning of health programmes in 19 countries, including the establishment and revision of national plans for applying the enlarged programme for the vaccination of children drawn up by the World Health Organization.

The CDC (Centre for Disease Control – Atlanta) has apparently been chosen to implement the project sponsored by US-AID.

The repercussions of such an agreement, if its existence is confirmed, would be serious in a number of respects as it would:

- open up the African market for serums, vaccines and bio-medical equipment to the Americans;
- give the USA an avenue of political penetration in an area where European predominance has been long established for historical reasons. Our privileged relations with the African states find particular

expression in health activities, as this is one aspect of the colonial heritage which these countries have never rejected.

Despite the reservations of the Federal Republic of Germany and Belgium, the partners in the ACDA have apparently committed Europe to a policy of renunciation and abandonment to the benefit of American interests (cultural, industrial, linguistic, etc).

Is the Council aware of the content of this agreement? What is its position on the decision to make the United States responsible for health improvement work in black Africa?

Answer

(26 June 1981)

Since the Community is not a party to the agreement referred to by the Honourable Member, the questions put do not come within the Council's sphere of competence.

WRITTEN QUESTION No 176/81

by Mr Fanton

to the Commission of the European Communities

(13 April 1981)

Subject: Cost of storing meat

How many tonnes of Community or imported meats have been stored during the last three years and what was the cost of this operation?

Answer given by Mr Dalsager on behalf of the Commission

(25 June 1981)

Community regulations do not permit the storage of imported meats to be financed. With regard to the storage of Community meats, the figures requested by the Honourable Member are given for 1978, 1979 and 1980 in the tables below.

(tonnes, carcase weight)

	1978	1979	1980
<i>Beef</i>			
In public storage (average) ⁽¹⁾	324 000	238 000	268 000
Buying-in for public storage	227 000	330 000	410 000
In private storage ⁽²⁾	76 000	81 000	41 000
<i>Pigmeat</i>			
In private storage ⁽²⁾	46 000	116 000	86 000

Expenditure borne by the EAGGF:

(million EUA)

	1978	1979	1980
Public storage, beef ⁽³⁾	377.0	377.9	465.5
Private storage, beef	36.0	39.3	38.6
Private storage, pigmeat	12.8	26.5	24.1

⁽¹⁾ Unsold stocks.

⁽²⁾ Volume of contracts implemented or entered into.

⁽³⁾ The cost of storage includes the technical costs of financing and the difference between the price at buying-in and the disposal price.

WRITTEN QUESTION No 178/81**by Mr Pininfarina****to the Commission of the European Communities***(13 April 1981)**Subject: Footwear market*

What measures does the Commission intend to take to safeguard future production and employment in the footwear industry which is at present threatened by an increasing imbalance in trade with countries outside the Community?

The present crisis in the industry is due neither to market factors – since world footwear consumption is growing – nor to the trade cycle.

Its main cause is the clear imbalance between the measures which the Community has adopted to open its markets to imports and the strict protectionism applied by some of the main consumer countries.

Early figures for 1980 suggest that the penetration rate of imports on the Community market will be 30 %, compared with 19 % in 1973 and 25 % in 1979.

However, some of the third countries which are among the main exporters to the Community apply customs duties which can be as high as 170 % (Brazil) or impose a total ban on imports (India).

Bearing in mind the recent statement made by Mr Davignon at the Florence Congress, will the Commission state whether it intends to take urgent measures on this matter, at least beginning with those countries which in no way can be considered members of the developing world deserving of special privileges.

The questioner particularly agrees with Mr Davignon's remark that one cannot sell out to the third world and industry which provides work for more than 600 000 people in Europe and which has the advanced technology to turn out a very high quality product.

Will the Commission therefore clearly state what attitude the Community will take with the most inflexible of the non-Community countries during the discussions on the trade agreements with those countries?

**Answer given by Mr Davignon
on behalf of the Commission**

(19 June 1981)

One of the most important factors in the deterioration of the balance of trade in footwear has been the decrease in exports by the Community industries. This has been due

partially to short-term economic factors but also to quantitative restrictions imposed by many of the Community's industrialized trading partners which form the major export market for the Community footwear industry.

The Commission is pursuing an active policy to remove these restrictions. In the case of Canada the Community has exercised its GATT rights and obtained compensation for the one year renewal of quotas on footwear imports. In accepting this compensation the Commission will strongly insist that the Canadian government should give effect to the conclusion of the anti-dumping tribunal, which found no threat of injury to Canadian industry from Community footwear exports.

The intervention of the Commission in 1979 with respect to the United States, led to an abandoning of projected restrictions on Community exports and the Community is vigorously pursuing its discussions with other trading partners with the objective of further liberalizing the Community's export markets.

In this respect the Commission is studying the possibility of examining the future of the footwear sector within the framework of the OCDE.

With regard to the Community footwear industry's access to raw hides and skins, the Commission is continuing its efforts to achieve an open liberalization of the world trade of these products. This means to achieve the elimination of export restrictions practised by certain third countries supplying the Community industry (Brazil and Argentina).

However, the Commission considers that the recent rapid evolution of imports on the Community market should be examined with certain source countries in order that a solution to the problems posed by this evolution can be found.

WRITTEN QUESTION No 180/81**by Mr Clinton****to the Commission of the European Communities***(13 April 1981)**Subject: Cyprus potatoes*

1. What tonnage of potatoes was actually imported into the Community from Cyprus in 1980 and what tonnage is expected for 1981?

2. Has the Commission plans to ensure that Cyprus potatoes are not sent to countries where markets are over-supplied with home produce?

3. Is the Commission aware that Cyprus imports severely disrupted markets in the Community in 1980?

4. What steps are being taken by the Commission to overcome problems delaying the finalization of the COM for potatoes?

5. Can we expect results in this field during the present year?

**Answer given by Mr Dalsager
on behalf of the Commission**

(24 June 1981)

1. In 1980 Cyprus exported around 128 000 tonnes of potatoes to the Community; a similar quantity is likely to be exported in 1981. From 1 January to 15 May these exports benefit from a 60 % reduction in the CCT rate and from 16 May to 30 June from a reduction of 55 %, but this applies only to a quota of 60 000 tonnes.

2. The Commission has made arrangements to ensure that Cyprus potatoes are exported only to the United Kingdom, Cyprus's traditional export market.

3. Some Community markets were disrupted in 1980, mainly because of internal causes. However, some Cyprus potatoes were apparently exported from Northern Ireland to Ireland, where the market was disrupted as a result.

4. At its meeting of 30 March to 2 April 1981 the Council agreed to resume examination of the proposal for a Regulation on the common organization of the market in potatoes before the autumn, and in this context the Commission is attempting to overcome the current difficulties.

5. The Commission hopes to achieve a result as soon as possible. This year it has held several meetings with government expert at which progress has been made in certain fields

WRITTEN QUESTION No 199/81

by Mr Vandemeulebroucke

to the Commission of the European Communities

(17 April 1981)

Subject: Imports of Multifibre Agreement products in 1980

Can the Commission state by what percentage the EEC's imports of Multifibre Agreement products rose in 1980?

**Answer given by Mr Davignon
on behalf of the Commission**

(25 June 1981)

Imports of MFA textile and clothing products from non-member countries rose by 2.5 % in 1980 compared to 1979.

WRITTEN QUESTION No 202/81

by Mr Schmid

to the Commission of the European Communities

(17 April 1981)

Subject: Production quotas

According to press reports, because of the continuing unsatisfactory market situation, the Commission wishes to curb production quotas further in the second quarter of 1981, pursuant to Article 58 of the ECSC Treaty.

1. Is the Commission aware that prices in Southern Germany are already considerably above the Community average?

2. Is the Commission willing to take into account this obvious regionalization of the market by increasing the quotas for the undertakings based there?

**Answer given by Mr Davignon
on behalf of the Commission**

(22 June 1981)

1. Prices in Southern Germany vary from one product to another; it is not possible to make a general

pronouncement on the level of prices. It is correct that certain special products in the sections sector are currently commanding somewhat higher prices than the average.

2. The Commission is prepared, if so requested by the undertakings concerned, to study the possibility of adjusting quotas, provided the conditions laid down in the relevant articles of Decision 2794/80/ECSC are met. The existence of a regionalized special market situation, however, does not of itself justify the application of these articles.

WRITTEN QUESTION No 214/81

by Mr Cottrell and Mr Forth

to the Commission of the European Communities

(17 April 1981)

Subject: Appearances by Member States before the European Court

Will the Commission list:

1. Those Member States whose refusal to comply with Community legislation has led to their appearance before the European Court at Luxembourg, since 1 January 1973, and for what reason those appearances were made?
2. The result of each case, i.e., whether the Member States were absolved of a breach of Community law or instructed to comply with it?
3. Whether, in the case of an instruction to comply, the Member States concerned actually did so?
4. In the case of non-compliance, the Member States which subsequently appeared before the Court again on the same issue?
5. The number of cases involving Member States currently before the Court, the Member States concerned and the issue?

**Answer given by Mr Thorn
on behalf of the Commission**

(23 June 1981)

1 and 2. In view of the length of the tables showing the answers to these points, the Commission is sending

them direct to the Honourable Members and to the Secretariat-General of the European Parliament.

3. Among the judgments with which Member States have not yet complied, the majority concern the incorporation of Council Directives into national law in one Member State. Approaches have been made to this State with a view to ensuring that all possible steps are taken to accelerate the legislative procedure. In the other cases, particularly difficult and complex studies are needed to find a means of bringing the infringement to an end.

4. In the period since 1 January 1973, there has been only one case in which the Commission has had to bring a fresh action before the Court on the ground of failure to comply with a judgment. These were Joined Cases 24/80 and 97/80 *Commission v. France*, for failure to comply with the judgment in Case 232/78 of 25 September 1979. The cases were finally removed from the Court register by an Order dated 21 January 1981, the French Republic having by that time complied with the judgment in Case 232/78.

5. At 30 April 1981, there were 38 such cases pending before the Court. For details, the Honourable Members are requested to consult the monthly Bulletin of the European Communities, Part Two, 3 'Institutional and political matters – Court of Justice'.

WRITTEN QUESTION No 217/81

by Mr Newton Dunn

to the Commission of the European Communities

(17 April 1981)

Subject: The bread-making wheat test

What are the acceptance rates in each of the Member States on cereals which have been submitted for intervention for bread-making?

**Answer given by Mr Dalsager
on behalf of the Commission**

(23 June 1981)

It has not been possible for the Commission to obtain the figures required for all the Member States, so that the acceptance rates can only be given for some of them.

It should be pointed out that the rejection of certain tenders for cereals may be due to the produce failing other tests than that for breadmaking quality.

The acceptance rates are as follows:

	1979/1980	1980/1981
Federal Republic of Germany	99.8 %	100 %
France	100 %	98.8 %
Italy	—	—
Netherlands	97 %	74.5 %
Belgium	100 %	100 %
Luxembourg	no tenders	—
United Kingdom	22 %	21 %
Ireland	no tenders	—
Denmark	100 %	100 %

WRITTEN QUESTION No 227/81

by Mrs Lizin

to the Commission of the European Communities

(17 April 1981)

Subject: Financing the Belgian iron and steel industry

What is the Commission's present position on projects for financing the Belgian iron and steel industry? Has the Commissioner responsible for competition any relevant information at this stage?

If so, what is it?

Has he put any official questions to the Belgian Government? If so, what were they and did the replies seem satisfactory?

**Answer given Mr Andriessen
on behalf of the Commission**

(23 June 1981)

In December 1980 the Commission initiated the procedure of Article 93 (2) EEC in respect of certain aid

measures that the Belgian Government proposed to introduce in order to restructure its steel industry. The Commission's reasons for taking this action were on the one hand its concern that the restructuring plan would increase the overall capacity of the Belgian steel industry, which was incompatible with the general restructuring criteria for steel, and on the other hand its doubts about the financial viability of Belgian steel undertakings following the completion of the restructuring.

In this latter connexion the Commission in particular requested the Belgian Government to supply to it projections of the financial position of the aided undertakings. Projections supplied by the Belgian Government in February 1981 could not eliminate the Commission's doubts. The Honourable Member will understand that confidential financial information of this kind cannot be published.

In April 1981, the Commission extended the procedure of Article 93 (2) EEC to the emergency aids notified by the Belgian Government in favour of five steel undertakings, and took the opportunity to indicate that the doubts it had expressed in December 1980 had not been allayed by the additional information and analyses supplied by the Belgian Government.

Discussions between the Commission and the Belgian authorities are continuing in particular as regards the effects of the prospective merger between Cockerill and Hainaut-Sambre on the restructuring plan and on the viability of these undertakings.

WRITTEN QUESTION No 231/81

by Mrs Ewing

to the Commission of the European Communities

(17 April 1981)

Subject: Community Trade-mark Office

How many staff are expected to be employed in the new Community Trade-mark Office?

What will be its approximate total cost?

By what criteria will the Commission be guided in deciding on its location?

**Answer given by Mr Narjes
on behalf of the Commission**

(22 June 1981)

In its Proposal to the Council for a first Council Directive to approximate the laws of the Member States relating to trade-marks and for a Council Regulation on the Community trade-mark ⁽¹⁾, the Commission has included a financial statement summarizing the provisional financial implications of the future Community Trade-marks Office.

The number of officials to be employed by the Office was estimated at 204.

According to Article 124 (2) of the proposed Regulation, the amounts of the fees are to be fixed in such a manner that the Office's revenue covers its expenditure. This means that, after an initial period, the Office when fully open and functioning normally will be self-supporting. The annual expenditure is estimated at about 8.5 million ECU, based on the position at 31 December 1979.

The Commission has not yet considered the relative merits of the candidates for the future location of the Office. It believes it to be premature, at this stage, to make a specific proposal on this matter.

⁽¹⁾ COM(80) 635 final.

WRITTEN QUESTION No 240/81

**by Mr Beyer de Ryke
to the Council of the European Communities**

(27 April 1981)

Subject: Entry into force of Directive 79/409/EEC ⁽¹⁾ on the conservation of wild birds

In 1979 the Council of the European Communities adopted this Directive which is to be brought into force by April 1981.

What steps have the governments, and in particular the Belgian Government, taken to bring their legislation into line with Community provisions?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

Answer

(26 June 1981)

The Council Directive on the conservation of wild birds was adopted on 2 April 1979. This Directive was due to enter into force within two years of its notification.

The Council would recall that it is for the Commission to see to it that the provisions of the EEC Treaty and the provisions adopted by the institutions by virtue of the Treaty are applied. The Honourable Member is therefore requested to address himself to the Commission to ascertain the situation regarding the implementation of the aforementioned Directive.

WRITTEN QUESTION No 241/81

**by Mr Beyer de Ryke
to the Commission of the European Communities**

(27 April 1981)

Subject: Use of vehicles registered abroad

Most of the Member States have enacted customs legislation under which it is an offence for one of their citizens to use a vehicle registered abroad in his own country except in the case of a vehicle rented for the purpose of returning to the country of origin.

These customs measures were taken to prevent evasion of registration fees and VAT on motor vehicles and are in general justified by the principle that all the citizens of a country are equal before the law.

Nevertheless, these measures sometimes cause problems in the case of marriage between, or families consisting of citizens, of different countries of the Community.

For instance a Belgian living in Belgium who is legally married to a French woman commits an offence punishable by a heavy fine or even confiscation of the vehicle if he drives the French-registered car belonging to his wife who lives in France in Belgium.

Should the Commission not take steps as a matter of urgency to issue directives allowing for limited derogations from national customs legislation in specific cases such as the one I have just cited?

**Answer given by Mr Tugendhat
on behalf of the Commission**

(22 June 1981)

In view of the difficulties encountered by individuals in cases similar to that referred to by the Honourable Member, the Commission sent the Council on 30 October 1975 a proposal for a Directive on tax exemptions for certain means of transport temporarily imported into one Member State from another. The purpose of the proposal is to eliminate as far as possible the double taxation to which individuals are still subject by allowing them to use their motor vehicles under a temporary importation arrangement in the territory of a Member State where they do not have their normal residence. This concept, which is of crucial importance for the practical implementation of the exemption arrangement contemplated, is defined in detail in the text that has been submitted to the Council for approval. Since it has been found that problems arise most frequently in cases where an individual's occupational and personal ties are located in different places, this definition gives precedence, for practical reasons, to personal ties. Obviously – and this goes to show how real they are – it is to the place of their personal ties that people regularly return in their free time. Since the Commission is not sufficiently acquainted with the facts referred to by the Honourable Member, it is unable to state its views on the solution that should be adopted in the case in point once the proposed text has entered into force.

The Commission would remind the Honourable Member that the proposal in question is being discussed within the Council.

WRITTEN QUESTION No 270/81

by Mrs Maij-Weggen

to the Commission of the European Communities

(27 April 1981)

Subject: Setting up of a consultative committee on women's rights

In its resolution of 11 February 1981 on the position of women in the European Community ⁽¹⁾, the European Parliament expressed its support for the efforts of the Commission to set up a consultative committee on women's rights and took the view that national emancipation committees, national women's organizations and the social partners should be represented on future committees.

⁽¹⁾ OJ No C 50, 9. 3. 1981, p. 35.

Can the Commission state when the consultative committee or its component organizations will meet and who will be invited to attend this meeting?

Can the Commission also state how it reacted to the letter of 23 March 1981 addressed by the Dutch Women's Council (cooperative organization of some 50 national women's organizations) to the Commissioner for social affairs, calling for national women's organizations to be involved in the work of the Consultative Committee?

**Answer given by Mr Richard
on behalf of the Commission**

(25 June 1981)

As a follow-up to the conclusions reached at the Manchester Conference, which it organized in May 1980, since last December the Commission has periodically convened a Standing Liaison Group for Equal Opportunities. It is made up of representatives of national committees on employment and/or equal opportunities or similar bodies, and observers from the ETUC, COPA and UNICE respectively (the composition of the national committees varies slightly from one country to another; the two sides of industry are almost always represented and, in some countries, women's organizations as well). At the end of an initial stage the Commission intends to take a formal decision on the establishment of an Equal Opportunities Committee at Community level.

The direct participation of national women's organizations in such a committee gives rise to major problems concerning the extent to which will be representative, how it will function and how effective it will be. The position would be much simpler if the representation of these organizations on national committees were improved or if they were to take action to form a grouping at Community level. As regards the letter of 23 March 1981 from the Nederlandse Vrouwenraad, Mr Ivor Richard sent a reply on 14 April mentioning the points referred to above.

WRITTEN QUESTION No 273/81

by Mr Balfe

to the Commission of the European Communities

(27 April 1981)

Subject: EEC starch industry

Would the Commission please state how it sees future developments in the EEC starch industry?

**Answer given by Mr Davignon
on behalf of the Commission**

(22 June 1981)

The Commission has always kept a careful watch on developments in the starch industry and on the problems which the industry faces, particularly those caused by foreign competition.

In the next few weeks the Commission will be sending the Council a communication which takes stock of the situation in the industry and puts forward proposals for a new system for starch and derived products.

WRITTEN QUESTION No 284/81

by Mrs Clwyd

to the Commission of the European Communities

(6 May 1981)

Subject: Discrimination against women in clubs

Is the Commission aware that under United Kingdom law a private club may lawfully discriminate against its female members and that the majority do so?

Has it any proposals for changing this situation?

**Answer given by Mr Richard
on behalf of the Commission**

(22 June 1981)

The Commission is aware that a private club in the United Kingdom may lawfully discriminate against its female members or even exclude female members altogether, providing that the activities of the club in question have no bearing on the situation as regards equal pay and equal treatment concerning access to employment or vocational training and working conditions. These issues fall within the field of application of the Community Directives 75/117 of 10 February 1975 ⁽¹⁾ and 76/207 of 9 February 1976 ⁽²⁾ which are already in force.

The Commission has chosen to give priority to ensuring equal treatment between men and women in those areas which are in some way related to employment, and does not envisage, at this stage, taking initiatives to solve problems of discrimination arising for instance in connection with recreational or leisure activities.

⁽¹⁾ OJ No L 45, 19. 2. 1975, p. 19.

⁽²⁾ OJ No L 39, 14. 2. 1976, p. 40.

WRITTEN QUESTION No 299/81

by Mr Vandemeulebroucke

to the Commission of the European Communities

(6 May 1981)

Subject: European Schools

Of the nine existing European Schools, not one is in France. Can the Commission state whether there is a particular reason for this?

**Answer given by Mr O'Kennedy
on behalf of the Commission**

(23 June 1981)

According to the protocol signed at Luxembourg on 13 April 1962, completing the Statute of the European School, establishments bearing the name 'European School' may be set up on the territory of the Contracting Parties, for the education and instruction together of children of the staff of the European Communities. Other children, irrespective of their nationality, may also be admitted.

The protocol also provides that the Board of Governors, on which the Member States and the Commission are represented, shall decide unanimously on the setting up of new European Schools and shall determine where they shall be situated.

There are not enough Community staff concentrated in one place in France to justify the creation of a European School in that country.

WRITTEN QUESTION No 301/81

by Mr Tyrrell

to the Commission of the European Communities

(6 May 1981)

Subject: Article 211 of the EEC Treaty

How many times has the Commission been a party to proceedings in a Member State?

How often has the *locus standi* of the Commission been established by reliance on Article 211?

In what kind of cases has Article 211 been relied on, either by the Commission as plaintiff or against the Commission as defendant by a plaintiff in a Member State?

**Answer given by Mr Thorn
on behalf of the Commission**

(25 June 1981)

The Commission does not maintain precise statistical data on the first two questions posed. On average, in recent times the Commission has been concerned in approximately twenty legal proceedings before national courts every year.

Pursuant to Article 211 of the EEC Treaty, the Commission represents the European Communities before national courts. However, in cases where another Community Institution has been directly and more specifically concerned with the matter being litigated, the Commission has in some cases given that other Institution authority to act in the legal proceedings.

Cases in which the Commission is party to proceedings before a Member State court may involve contract disputes (for example, contracts for maintenance of buildings, furniture, or personal services) or tort claims (concerning, for example, property damage).

official when the modest status of his or her duties as telephonist or typist is set against the great personal inconvenience caused by such a distant posting?

2. Why are C-grade officials the only ones in Rome to be affected by the rotation system when in theory it was created solely for officials in Category A?
3. What criteria are applied when deciding whether to reassign an individual? In particular:
 - (i) If a male official with a working wife is recalled to head office, will a female official be given special consideration so that her husband will not encounter difficulties in his profession?
 - (ii) What is the age limit for parents who are dependent on or at any rate living with the official concerned which will give him/her the right to be exempt from or to delay such a transfer?
 - (iii) Is marital status the only factor taken into account when deciding a transfer or are other important factors also considered?
4. Can the Commission explain why, since it justified its decision to transfer two secretaries in the near future by referring to the excessive number of C posts in the Rome office, some four new C posts were created in the period 1979–1980, i.e. after the rotation lists were drawn up?
5. Does the Commission not feel that this new factor arising after the transfer decision, should lead it to reconsider the matter, particularly since the ruling was based on information which is now out of date?
6. Why, if it is felt that an official should not be unfamiliar with the operation of the Brussels head office, should those officials left in Rome be the very ones who have never worked in Brussels?

(¹) OJ No C 233, 11. 9. 1980, pp. 3 and 4.

WRITTEN QUESTION No 303/81

by Mr Ceravolo

to the Commission of the European Communities

(6 May 1981)

Subject: Rotation system for officials of the European Communities in 1976

In view of the ruling in Cases 161/80 and 162/80 (¹) handed down by the Court of Justice which did not follow the conclusions of the Advocate General, Mr Gérard Reischl, will the Commission answer the following questions:

1. To what extent can the 'interest of the service' be advanced as an argument in the case of a C-grade

**Answer given by Mr O'Kennedy
on behalf of the Commission**

(23 June 1981)

1 and 2. The Commission Decision of 24 November 1976 introducing a rotation system for information offices within the Community applies to A, B and C officials and not simply to Category A officials. An A official was in fact transferred from the Rome Office to headquarters under the 1980 rotation programme.

One of the reasons for involving the interests of the service in the case of C officials was to reduce the number of secretaries assigned to the Rome Office in order to promote other activities.

3. The Decision of 24 November 1976 makes provision for a measure of greater flexibility specifically for B and C staff 'to allow for any service difficulties or personal problems which might arise'.

All information office staff have the opportunity to put their case and explain personal and family problems. It is the task of the Rotation Committee, which consists of the Directors-General for External Relations, Development, Information, and Personnel and Administration, to review the personal situation of the staff concerned once a year with a view of drawing up the list of officials scheduled for rotation.

4. Three C posts were allocated to the Rome Information Office's establishment plan in the period 1979-1980 to permit the establishment of three local staff who had passed competitions; their old posts were then abolished. In other words, there was no actual increase in the number of staff. The new members of staff were informed that they would be covered by the rotation arrangements.

5. It follows from 4 above that no new factors have emerged since the transfer decisions in question.

6. Most of the staff in the Rome Office, with the exception of those referred to in 4 above, were transferred from Brussels.

WRITTEN QUESTION No 309/81

by Mr Griffiths

to the Commission of the European Communities

(6 May 1981)

Subject: Subsidies in the steel industry

What information does the Commission have relating to steel industry subsidies in all forms - direct and indirect - in each of the Member States of the EEC?

**Answer given by Mr Andriessen
on behalf of the Commission**

(17 June 1981)

The Commission would refer the Honourable Member to its answer to Written Question No 225/81 by Mrs Lizin ⁽¹⁾.

⁽¹⁾ OJ No C 180, 22. 7. 1981, p. 19.

WRITTEN QUESTION No 317/81

by Miss Brookes

to the Commission of the European Communities

(6 May 1981)

Subject: The Confederation of British Industry's attack on unnecessary EEC regulations

In the light of the Confederation of British Industry's assertion that unnecessary regulations, particularly with regard to the harmonization of legislation, adversely affect the efficiency of companies, would the Commission consider decreasing the number of restrictions on companies?

**Answer given by Mr Narjes
on behalf of the Commission**

(25 June 1981)

The Commission considers that the single environment for enterprises that is being created on the basis of different chapters of the EEC Treaties has already eliminated a significant number of restrictions on enterprises. In assessing the value of harmonization measures in the field of corporate accounting, for example, recognition should be given to their fundamental effect which is to reduce the extent to which enterprises with activities in different Member States must cope with divergent regulations, thereby contributing directly to the efficiency of their operations.

Similarly, the Commission's initiatives for harmonization of the technical laws and regulations of the Member States do not lead to unnecessary regulation for European industry, indeed they represent a direct attack on the technical barriers to trade which are the very creation of the differing national requirements. The Commission intends to continue to emphasize in its various fields of activity measures which result in the

removal of constraints on the cross-frontier activities of Community enterprises.

The assertions in the study prepared by the staff of the Confederation of British Industry have been noted with interest by the Commission, as has the intention of the Confederation to raise these issues within the framework of the Union of Industries of the European Community. The Commission considers perspective on these issues to be desirable since the necessity for harmonization measures cannot be properly assessed within a single national context. The same applies to an appreciation of the extent to which a measure achieves an appropriate balance between its objectives and the continued efficient operation of enterprises.

WRITTEN QUESTION No 324/81

by Mr Kavanagh

to the Commission of the European Communities

(6 May 1981)

Subject: Dumping of mussels from Korea on the Community market

Is the Commission aware of the dumping of mussels from Korea on the Community market? Have any formal complaints been made and what remedies can be applied?

Answer given by Mr Haferkamp
on behalf of the Commission

(25 June 1981)

The Commission has no information concerning the dumping of mussels from Korea on the Community market. No formal complaints have been made. If the internal market of mussels in the Community were to be disturbed by the effect of dumping, adequate measures would be taken.

WRITTEN QUESTION No 320/81

by Mrs Poirier

to the Commission of the European Communities

(6 May 1981)

Subject: Imports of footwear from the applicant countries

1. Can the Commission provide statistics showing the trend, for 1978, 1979 and 1980, in imports of finished and semi-finished footwear originating in:

- (a) Spain;
- (b) Portugal?

2. Can the Commission give details for each Member State?

Answer given by Mr O'Kennedy
on behalf of the Commission

(24 June 1981)

The Commission is sending the statistics requested direct to the Honourable Member and to Parliament's Secretariat.

WRITTEN QUESTION No 384/81

by Mr Seefeld

to the Commission of the European Communities

(19 May 1981)

Subject: Proceedings under Article 169 of the EEC Treaty

1. In respect of which violations has the Commission initiated proceedings under Article 169 of the EEC Treaty?

2. Against which Member States have these proceedings been brought?

3. What legal arguments has the Commission put forward in each specific case?

**Answer given by Mr Thorn
on behalf of the Commission**

(25 June 1981)

The question asked by the Honourable Member is much too wide for the Commission to answer in detail, because since the Treaties entered into force the Commission has instituted proceedings under Article 169 of the EEC Treaty in over a thousand cases. To set out the legal arguments it relied upon in each individual case, the Commission would first have to describe the case, an operation that would involve a considerable amount of work and material running into dozens of pages of the *Official Journal of the European Communities*.

However, the Commission can inform the Honourable Member that of all the infringement proceedings initiated (the initiation of proceedings being signified by the sending of a letter of formal notice), it has found it necessary to deliver a reasoned opinion in only about 40 % of the cases and to go on to bring the matter before the Court of Justice in only about 25 % of the cases in which it had delivered a reasoned opinion. The Court itself has had to give judgment in only about 60 % of the cases brought before it. All the other cases have been settled either during the administrative part of the infringement proceedings or in the course of litigation before the Court has given judgment.
