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I

(Information)

EUROPEAN PARLIAMENT

WRITTEN QUESTIONS WITH ANSWER

WRITTEN QUESTION No 1109/89

by Mr Kenneth Collins (S)

to the Commission of the European Communities

(19 December 1989)

(92/C 285/01)

Subject: Taxation on alcoholic beverages in the Community

In view of the discussion currently proceeding on both convergence and approximation of excise duties and value added tax, would the Commission please provide the following information relating to each Member State of the Community:

1. Rates of excise duty, chargeable, together with the product descriptions including, where applicable, maximum and minimum strengths and classification numbers chargeable at each rate.
2. The units of measure to which the rates of excise duty apply.
3. The permitted amount of fortification and the rates of excise duty chargeable on fortified alcoholic beverages.
4. The rates of VAT chargeable.
5. Any other taxes borne by alcoholic beverages and their rates.

Answer given by Mrs Scrivener
on behalf of the Commission

(7 September 1992)

Further to its answer of 19 December 1989 ⁽¹⁾ the Commission is sending directly to the Honourable Member and to the Secretariat of Parliament the information requested.

⁽¹⁾ OJ No C 139, 7. 6. 1990.

WRITTEN QUESTION No 486/91

by Mr Joaquin Sisó Cruellas (PPE)

to the Commission of the European Communities

(19 March 1991)

(92/C 285/02)

Subject: Drug trafficking

Drugs, widely regarded as the principal scourge of the 20th century, are a major source of concern for governments today. Corruption and murder go hand in hand with drug trafficking and provide a few with a short cut to wealth.

Drugs find their way into consumer countries by increasingly varied means and it is therefore surprising that no measures are taken to detect drugs in cattle entering the Member States.

Can the Commission therefore say whether it intends to take steps to ensure that Member States prevent trafficking by means of the introduction of drugs in livestock?

Answer given by Mr Delors
on behalf of the Commission

(19 June 1992)

The Community has limited competence to take initiatives against illicit traffic of drugs, which remains mainly under national competence. Even the Maastricht Treaty on European Union will not change this position to any great extent.

Within the existing limits, the Commission, in addition to introducing legislation to combat the diversion of precursor chemicals into illicit drugs manufacture, is engaged in the active support of customs anti-drugs

cooperation organized by the Mutual Assistance Group (MAG) under the Naples Convention.

This includes, in particular, the development and funding of the Community-wide computerized network CIS (Customs Information System) designed to accelerate the exchange of operational information between the investigation services and thus to counter special techniques applied by drugs traffickers such as the one referred to by the Honourable Member.

Police cooperation in this field will be established in the framework of Europol, which complements the cooperation between customs services and covers, in addition, the non-border-related aspects of drug trafficking.

WRITTEN QUESTION No 649/91

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 April 1991)

(92/C 285/03)

Subject: Need to review programmes and monitoring measures in connection with special funding to combat unemployment

The Commission has occasionally adopted special programmes for combating unemployment and has also approved funding and aid for EC Member States to undertake immediate investments to bring down the numbers of the unemployed and to boost employment in general.

However, despite the existence of these specific programmes and the fact that the special aid was allocated for a specific purpose, some EC Member States are spending these substantial sums non-productively and on economic activities which do not contribute to reducing unemployment and job creation through productive investments.

As part of their national policies some EC Member States are implementing very far-reaching programmes to privatize the public sector and public services measures which generally lead to mass redundancies among the older members of the workforce with most onerous family responsibilities.

An example of this trend is the far-reaching privatization programme which the Greek Government has begun to implement with regard to 'problematic' public enterprises, other public enterprises and bodies, bank subsidiaries, urban transport, etc.

It is estimated that in an initial phase these privatization programmes will lead to the dismissal of more than 50 000 workers who will become permanently unemployed since they are on average between 45 and 55 years old.

Does the Commission intend

1. To take urgent measures making it compulsory to offer jobs to unemployed persons belonging to the above categories as a matter of priority?
2. To oblige the governments of the Member States fully to implement the programmes for combating unemployment adopted by the Community?
3. To set up a special fund to provide financial assistance for the unemployed in an initial phase so as to avert large-scale social problems which is embarking on a very far reaching programme to privatize the public sector?

Answer given by Mrs Papandreou
on behalf of the Commission

(30 June 1992)

The Commission has adopted a good many programmes to combat unemployment and boost employment in the Member States. They were based on the Community support frameworks for 1989—1993.

In conformity with the new rules of the structural Funds, the Commission checks that these programmes have the proper impact and that the available resources are used correctly.

To this end, in cooperation with the competent bodies in the Member States, it has set up committees to monitor the implementation, inspection and assessment of structural Fund assistance. As regards Greece in particular, the Commission has set up monitoring committees, one of which is a national CSF monitoring committee. They use their assessments as a basis for reform of the programmes. They monitor not only the implementation of Commission decisions but also the resolutions found to such problems as arise.

As part of the regional programmes, the monitoring committees, acting on proposals from the OAED (*) have introduced specific vocational training and employment schemes for persons made redundant by firms in difficulty.

These measures are integrated in the IMPs for Central and Eastern Greece, Attica and the Aegean region and the regional programmes for Eastern Macedonia, Thrace, and Central and Eastern Greece.

The total cost of these measures in Ecu 50 million; there have been 6 000 beneficiaries.

The Commission intends to consider each additional measure which might contribute to the occupational reintegration of these categories of unemployed persons.

Unemployed benefit does not constitute expenditure eligible for financing from a special fund. But priority is given to proposals for new programmes to train redundant workers and find employment for them.

(¹) National employment agency.

WRITTEN QUESTION No 1682/91

by Mr Yves Verwaerde (LDR)

to the Commission of the European Communities

(6 August 1991)

(92/C 285/04)

Subject: Validity of the practice of 're-mailing', with regard to Article 85(1) of the EEC Treaty

Could the Commission clarify whether the practice of 're-mailing', whereby post can be sent from the Member State with the lowest postal charges, is not in contravention of Article 85(1) of the EEC Treaty in so far as certain postal services have, it would appear, favoured such practices?

However, would any ban on 're-mailing' not, in turn, contravene the principle of free choice for the customer?

Answer given by Sir Leon Brittan
on behalf of the Commission

(10 August 1992)

Remail is an international mail service in which the operator of a private postal service may pick up bulk mail in one country and deposit it with the postal administration of another country for delivery there or in a third country. Such a service is unlikely to be in contravention of Article 85(1) of the Community because in principle its object or effect would be to introduce competition into the market for international mail. However, the EEC Treaty guarantees the free circulation of services.

WRITTEN QUESTION No 2360/91

by Mr Sérgio Ribeiro (CG)

to the Commission of the European Communities

(22 October 1991)

(92/C 285/05)

Subject: 'Two-speed Europe' and economic and social cohesion

The non-paper by the Netherlands Presidency on Economic and Monetary Union proposes that EMU be

introduced at different speeds EMU thereby postponing indefinitely the achievement of economic and social cohesion.

This is a cause for great concern, particularly since it is confirmed by the basic draft for Political Union under discussion, which omits all social aspects of interest to Community citizens, including social policy, consumer protection policy, the economic, social and cultural aspects of tourism and other sectors, and sets out to reduce the Community citizens into a mere pawn serving the major economic interests of the internal market.

Our concerns are further strengthened by the draft Community budget for 1992 adopted by the Council, since it contains a reduction of Ecu 1,6 million in the Community support frameworks and of over Ecu 200 million in the appropriations earmarked for internal Community policies in respect of culture, youth and other sectors.

Can the Commission confirm that the political guidelines embodied in the EMU and PU projects under discussion have been approved by the Twelve, in so far as they exclude economic and social cohesion, tourism and other measures from the future Treaties and, if so, what measures will the Commission submit to the European Parliament with a view to remedying this?

Answer given by Mr Delors
on behalf of the Commission

(31 July 1992)

Contrary to fears about the future role and importance of economic and social cohesion, particularly relative to the purely economic interests of the Single Market, the Maastricht European Council has strengthened the Treaty references to economic and social cohesion (Article 130B) and stressed the importance of cohesion as one of the pillars of the Community's structure.

Indeed, in pursuit of the actions leading to the strengthening of economic and social cohesion a new Cohesion Fund, in addition to the existing Community Funds, was given the go-ahead at Maastricht. This will provide a financial contribution in the four less-favoured Member States to projects in the field of environment and trans-European networks in the area of transport infrastructure.

WRITTEN QUESTION No 2369/91**by Mr Herman Verbeek (V)****to the Commission of the European Communities***(22 October 1991)**(92/C 285/06)**Subject: Human rights situation in Greece*

1. Is the Commission aware that in Greece there have been increasingly alarming reports of torture of persons detained by the police (since 1987, 51 cases have been reported in the press)?
2. Is it aware of the five-month prison sentence passed on the editors of seven Greek newspapers by an Athens court on the basis of a recent law imposing significant restrictions on the freedom of speech?
3. What is the Commission's opinion, in the light of the above and other facts, of the human rights situation in Greece, in particular when measured by the European Conventions on the Protection of Human Rights and the provisions concerning this in the EEC Treaty and the preamble to the Single European Act?

**Answer given by Mr Delors
on behalf of the Commission***(29 June 1992)*

The Commission attaches profound importance to respect for human rights and is convinced that all the Member States respect these rights, forming as they do the very foundation of the Community.

The Treaties do not confer general powers on the Community for ensuring respect for fundamental rights. Its powers in this field are limited to the application of Community law, which is based on respect for fundamental rights.

The Commission's responsibilities as custodian of the Treaties cannot therefore be invoked with regard to the situation referred to by the Honourable Member.

Respect for human rights and fundamental freedoms is largely ensured in the Member States by effective monitoring systems both internally through the national courts and externally through the machinery set up by the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms.

WRITTEN QUESTION No 2547/91**by Mrs Teresa Domingo Segarra (GUE)****to the Commission of the European Communities***(8 November 1991)**(92/C 285/07)**Subject: Interpretation in joint committee meetings*

As part of the democratic framework of the Community, hundreds of committees meet periodically throughout the year.

These committees are of different levels and range from the Commission itself to those representing workers or housewives.

Since the Community uses different languages, simultaneous interpretation is needed to make any real progress and the Community should ensure that this is provided in each and every Community language.

The lack of interpretation into Spanish in many committees means that Spanish members of these committees, particularly workers, attend less than 40% of the meetings, with the result that Spain is unable to make its voice heard in the Community under the same conditions as other Member States.

Complaints have been made on many occasions and most recently by members of the ECSC Consultative Committee at its meeting of 17 September in Luxembourg.

Does the Commission intend to find a solution to this problem or does it, on the contrary, propose to perpetuate a situation which can only be described as discrimination?

**Answer given by Mr Delors
on behalf of the Commission***(15 June 1992)*

Given the importance which the Commission attaches to involving the representatives of the two sides of industry in the building of Europe, it takes care to give their meetings priority for interpretation facilities in the Community's nine working languages. But it can happen as was the case at the meeting held on 17 September 1991 referred to by the Honourable Member that not all the interpreters needed are available when a request for their services is made to the department that supplies them.

The Commission is anxious to improve this situation and is continuing its efforts not only to recruit but also to train conference interpreters, since some Member States lack adequate training facilities. As regards Spanish, the Commission has been providing intensive postgraduate training of interpreters since 1979; this has produced 86% of the Spanish interpreters now on its permanent staff. For several years, the search for candidates and the

training of Spanish conference interpreters has been carried out in cooperation with the State Secretariat for the European Communities.

WRITTEN QUESTION No 2575/91

by Mr John Cushnahan (PPE)

to the Commission of the European Communities

(14 November 1991)

(92/C 285/08)

Subject: The postal services in the weaker regions of the Community

Does the Commission have any plans or proposals aimed at strengthening and developing the postal services of the Community's weaker regions?

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

(4 August 1992)

The Commission has examined the question raised by the Honourable Member in its Green Paper on the development of the single market for postal services ⁽¹⁾.

⁽¹⁾ COM(91) 476 final.

WRITTEN QUESTION No 2691/91

by Mr Florus Wijsenbeek (LDR)

to the Commission of the European Communities

(19 November 1991)

(92/C 285/09)

Subject: Prevention of accidents caused by steel shot

Is the Commission aware that, as of 1 February 1993, the Netherlands Government intends to make the use of steel shot in unrifled shotguns compulsory?

Is the Commission aware that many shotguns and sporting guns are not built to withstand the increased pressure resulting from the gas contained in steel-shot cartridges?

Is the Commission aware of the safety risks caused by this provision in certain Member States and the inadequate facilities of testing weapons for such risks?

Is the measure envisaged by the Netherlands Government in accordance with Council Directive 91/477/EEC ⁽¹⁾ and has the Netherlands Government submitted this draft legislation to the Commission accompanied by an explanatory statement?

Does the Commission not consider such legislation to run counter to the Community objective of establishing a single economic area without internal borders, in which citizens are placed in as little danger as possible from unharmonized legislation?

⁽¹⁾ OJ No L 256, 13. 9. 1991, p. 51.

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

(2 June 1992)

The Commission has not been informed by the Dutch Government of any draft legislation for making the use of steel shot in unrifled shotguns compulsory with effect from 1 February 1993.

According to the information in the Commission's possession, the use of steel shot is in response to the need to protect water fowl from the harmful effects of lead.

It has been found that, in wetlands, lead shot used by hunters remains deposited on the beds of ponds and the like, with the danger that palmipeds will ingest the shot and be poisoned (saturnism).

The alternative to lead shot, namely steel shot, presents potential risks for the hunter using a firearm not built to withstand the increased pressure resulting from the use of steel shot (explosion of the firearm).

Article 3 of Directive 91/477/EEC on control of the acquisition and possession of weapons, which was adopted as a countervailing measure ahead of the dismantling of controls on individuals at intra-Community frontiers, stipulates that Member States may adopt in their legislation provisions which are more stringent than those laid down in the Directive. Directive 91/477/EEC does not, therefore, prevent a Member State from prohibiting certain categories of firearms or weapons not listed in Category A (prohibited firearms) of Annex I to the Directive.

If the Dutch authorities intend to bring in the draft legislation referred to above, they will have to give prior notification in accordance with the procedure laid down in Directive 83/189/EEC ⁽¹⁾. At this stage, matters such as the possible risks of using steel shot in the case of certain firearms can be looked into more closely, as can the impact of such measures on the movement of the products in question within the Community and possible solutions.

⁽¹⁾ OJ No L 109, 26. 4. 1983.

WRITTEN QUESTION No 2859/91
by Mr John Cushnahan (PPE)
to the Commission of the European Communities

(5 December 1991)

(92/C 285/10)

Subject: Town twinning schemes in the Community

Is the Commission satisfied with the town twinning schemes which have received Community funding since the system began in 1989? If so, would the Commission agree that Community assistance for such schemes should be expanded to allow for a greater number of twinings, particularly with towns and cities in central and eastern Europe?

Answer given by Mr Delors
on behalf of the Commission

(27 July 1992)

The Commission considers that Community action since 1989 to promote town twinning has been a success. Several thousand towns have received support in this context and hundreds of new twinings, including some involving municipalities in the countries of central and eastern Europe, have been organized thanks to Community aid.

Given the growing number of actual and potential applications emanating from European municipalities and the appropriations available, funding is necessarily on a limited scale.

WRITTEN QUESTION No 2902/91
by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities

(9 December 1991)

(92/C 285/11)

Subject: Promotion of dental care for Community citizens

According to recent reports by dental experts, tooth decay is still a problem in certain Community Member States, for example Greece, where it affects 90% of the population. Experts claim that the countries in which preventive medicine has made the greatest progress have brought the incidence of tooth decay down to below 5%.

As a measure of preventive health education, will the Commission launch a mass-media campaign for the promotion of dental care for Community citizens?

Answer given by Mrs Papandreou
on behalf of the Commission

(15 June 1992)

The Commission agrees with the Honourable Member that the situation in the European Community regarding tooth decay is diverse. Due to this very diversity, it is not appropriate to initiate a Community Programme through the mass media.

However, the implementation of the Council resolution on school health education in Member States⁽¹⁾ has helped to develop school health education programmes which cover the aspect of oral health and eating habits (sweets).

⁽¹⁾ OJ No C 3, 5. 1. 1989.

WRITTEN QUESTION No 3162/91
by Mrs Mary Banotti (PPE)
to the Commission of the European Communities

(24 January 1992)

(92/C 285/12)

Subject: Arts training

Could the Commission inform me whether they are preparing any new concrete initiatives in the arts training field, following their previous discussion document?

Answer given by Mr Dondelinger
on behalf of the Commission

(22 June 1992)

As a follow-up to the conclusions of the Council and the Ministers for Cultural Affairs meeting within the Council on 19 November 1990 on vocational training in the cultural sector, the Commission plans to put before the Council proposals relating to artistic and cultural training.

Nevertheless, before developing Community action in this field, the Commission must take account of the implications of the Treaty article relating to culture and the guidelines which the Council adopts in this field in response to the communications on new prospects for Community action in the cultural field which the Commission has just presented.

The priorities set out by the Commission in its communication concern, in particular, ways of taking account of the cultural dimension in other Community policies and the encouragement to be given to artistic and cultural creation.

WRITTEN QUESTION No 24/92

by Mr Gary Titley, Mrs Pauline Green, Mr Alan Donnelly, Mrs Carole Tongue, Mr David Bowe, Mr James Ford, Mr Terence Wynn, Mr Lyndon Harrison, Mr Alex Smith, Mrs Imelda Read, Mr Brian Simpson, Mr Henry McCubbin, Mr Wayne David, Mr Stephen Hughes, Mrs Christine Oddy, Mr David Martin, Mr Kenneth Collins, Mr Kenneth Coates, Mr Michael Elliot, Mr Alfred Lomas, Mr Anthony Wilson, Mr David Morris, Mr Kenneth Stewart, Mr John Tomlinson, Mr Arthur Newens and Mr John Bird (S)

to the Commission of the European Communities

(4 February 1992)

(92/C 285/13)

Subject: Internal impact of the EC's external policy towards Central and Eastern Europe

Whereas the Community is currently negotiating Association Agreements with Poland, Hungary and Czechoslovakia,

Whereas the Community has also agreed or is also negotiating trade and economic cooperation agreements with other countries in Central and Eastern Europe,

Whereas the Community is currently considering its policy towards the territories of the former Soviet Union,

1. Does the Commission intend to carry out a study of the impact of such policies on the regions with the Community?
2. Does the Commission consider that in the light of the Community's policies towards Central and Eastern Europe a significant increase in structural funds is required in order to protect and strengthen social and economic cohesion within the Community?

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

(25 May 1992)

1. In the autumn of 1991, the Commission launched a study on the investment and trade impact of economic reform in the Central and Eastern European Countries (CEEC) on the regions of the Community in general and its lagging regions in particular.

A companion study addresses the spatial consequences of the integration of the new German Länder in the Community and the improving relations between the EC and the CEEC.

Concurrently, the Commission is undertaking an evaluation at the national level of the consequences for the Community market of the present-day process of economic reforms and opening-up occurring in the CEEC.

The final reports of the above studies are expected in the autumn of 1992.

The Honourable Members could also refer to the replies to oral questions No H-953/91 ⁽¹⁾ by Mr Titley and No H-1019/91 ⁽²⁾ by Mr Chabert.

2. The likely impact on the Community, and in particular its weaker regions, of opening up the market to more trade from the CEEC, was one of the factors which led the Commission to propose a further large increase in the structural Funds for the period up to 1997.

These countries could become significant competitors in industries which are particularly important in some of the Community's less developed regions. The Commission's decision to launch a Community initiative to promote the modernization and diversification of industry in the Community regions most heavily dependent on the textiles and clothing industry (Retex) is a reflection of its sensitivity to these issues.

⁽¹⁾ Debates of the European Parliament, No 3-410 (October 1991).

⁽²⁾ Debates of the European Parliament, No 3-411 (November 1991).

WRITTEN QUESTION No 36/92

by Mrs Janey Buchan (S)

to the Commission of the European Communities

(4 February 1992)

(92/C 285/14)

Subject: EC adjustment of fishing capacity policy

Spain and the Netherlands are countries with significant programmes for adjustment of capacity/decommissioning programmes.

How have these two countries adopted the EC's decommissioning regulations into their own national legislation? How are they implementing the programme? What are the control mechanisms they apply in order to ensure the effective implementation of the policy?

With regard to the amount allocated to Spain and the Netherlands could we have a breakdown (1987, 1988, 1989, 1990, and if available in 1991) of how much in each country was used as compensation for:

- the scrapping of the vessels
- the definite transfer of vessels concerned to a third country
- the definitive assignment of vessels to purposes other than fishing in Community waters.

Finally, could you provide the details of the companies involved in both Spain and the Netherlands, the amount of compensation they received and whether this was for the scrapping, transfer or re-assignment vessels.

Council Regulation (EEC) No 3944/90 ⁽¹⁾ contains the guidelines on Community aid to Joint Enterprises, first implemented in 1991. Could we again know for both Spain and the Netherlands what was the amount of aid given for the decommissioning of vessels under this Regulation? For the two countries could we have a list of the vessels and the joint enterprises involved?

⁽¹⁾ OJ No L 380, 31. 12. 1990, p. 1.

**Answer given by Mr Marin
on behalf of the Commission
(16 June 1992)**

According to Article 22 of Regulation (EEC) No 4028/86, as last amended by Regulation (EEC) No 3944/90, Member States may grant a final cessation premium for the permanent withdrawal of certain fishing vessels. Spain and the Netherlands have taken the initiative in implementing the adjustment in capacity of their fishing fleets and have set up the corresponding legal, administrative and control measures as provided by Article 24, paragraph 4, of the abovementioned Regulation.

The Community reimburses, under strict conditions, the EC share of the expenditure incurred by the Member States. In particular it is to be noted that the EC share is only paid on the basis of certificates from the Member States confirming that the vessel concerned has been struck off the register of fishing vessels. The list of vessels for which the final cessation premium has been paid is published in the *Official Journal of the European Communities* (see Article 24 paragraph 5) ⁽¹⁾. Regular controls are made by the Commission and by the Court of Auditors to ensure the correct implementation of the adjustment scheme.

The final cessation premium is fixed at a standard rate on the basis of the vessel's tonnage. The EC share was the following for the two Member States concerned:

(in million Ecu)

Member State	Year	Scrapping export, purposes other than fishery
Netherlands	1987	5,871
	1988	3,000
	1989	6,100
	1990	10,000
	1991 ⁽¹⁾	7,810
Spain	1987	0,271
	1988	3,139
	1989	4,500
	1990	7,508
	1991 ⁽¹⁾	22,920

⁽¹⁾ It is to be noted that only since 1991 has the EC share been differentiated which means 70% of the fixed eligible cost for scrapping an 50% of the fixed eligible cost for export or purposes other than fishing.

In 1991 the Commission granted aid of 15,9 million Ecu to six projects of joint enterprises submitted by the Spanish authorities. No project has been submitted by the Netherlands.

⁽¹⁾ As regards the vessels deleted from the register, see OJ No C 320, 26. 12. 1989 and OJ No C 319, 10. 12. 1991.

WRITTEN QUESTION No 69/92

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(6 February 1992)

(92/C 285/15)

Subject: Failure of the Spanish Government to implement Council Directive 89/427/EEC

Has the Spanish Government notified the Commission of national measures implementing Council Directive 89/427/EEC ⁽¹⁾ on the environment? What action has the Commission taken?

⁽¹⁾ OJ No L 201, 14. 7. 1989, p. 53.

WRITTEN QUESTION No 151/92

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(10 February 1992)

(92/C 285/16)

Subject: Failure by the Spanish Government to comply with Council Directive 88/314/EEC

Any failure to incorporate Community Directives into national law says at great deal about the willingness of

national governments to support Community legislation and also about the level of efficiency of their civil services.

This is, moreover, an issue which affects the conservation of our common heritage, the obligations of economic and social operators and, in general terms, the rights and duties of citizens.

What reasons does the Spanish Government give for its delay in incorporating Council Directive 88/134/EEC ⁽¹⁾ on consumers?

Has the Commission already issued the 'reasoned opinions' corresponding to the relevant 'letters of formal notice', for failure to notify it of national implementing measures?

⁽¹⁾ OJ No L 142, 9. 6. 1988, p. 19.

WRITTEN QUESTION No 152/92

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(10 February 1992)

(92/C 285/17)

Subject: Failure by the Spanish Government to comply with Council Directive 88/315/EEC

Any failure to incorporate Community Directives into national law says a great deal about the willingness of national governments to support Community legislation and also about the level of efficiency of their civil services.

This is, moreover, an issue which affects the conservation of our common heritage, the obligations of economic and social operators and, in general terms, the rights and duties of citizens.

What reasons does the Spanish Government give for its delay in incorporating Council Directive 88/315/EEC ⁽¹⁾ on consumers?

Has the Commission already issued the 'reasoned opinions' corresponding to the relevant 'letters of formal notice', for failure to notify it of national implementing measures?

⁽¹⁾ OJ No L 142, 9. 6. 1988, p. 23.

WRITTEN QUESTION No 174/92

by Mr José Valverde López (PPE)

to the Commission of the European Communities

(10 February 1992)

(92/C 285/18)

Subject: Failure by the Spanish Government to implement Council Directive 89/622/EEC

Failure by Member States to incorporate Community Directives into national legislations is always an

indication of how much a government is willing to take effective action to back Community law and of the efficiency of their administrations. It also jeopardizes the effective maintenance of what has been jointly achieved, the obligations of economic and social operators and the rights and obligations of citizens in general.

What reasons were given by the Spanish Government for its delay in implementing Council Directive 89/622/EEC ⁽¹⁾ relating to the internal market?

Following its letters of formal notice to the Spanish Government for failure to notify it of national measures implementing the Directive has the Commission already issued the relevant 'reasoned opinions'?

⁽¹⁾ OJ No L 359, 8. 12. 1989, p. 1.

Joint answer to Written Questions Nos 69/92, 151/92, 152/92 and 174/92

**given by Mr Delors
on behalf of the Commission**

(12 June 1992)

The Commission has initiated infringement proceedings against Spain under Article 169 of the EEC Treaty for failure to notify it of the national measures to implement the Directives referred to by the Honourable Member.

WRITTEN QUESTION No 105/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(7 February 1992)

(92/C 285/19)

Subject: Wetland habitat at Vonitsa

Various groups in Aetolo-Acarnania are protesting against the construction of a marina in the beautiful bay of Vonitsa. As the Ambracian Gulf, on which Vonitsa is situated, is a wetland habitat protected under the Ramsar Convention and as the waters of the Gulf are shallow, how does the Commission intend to demonstrate its concern for the protection of the ecosystem in the area?

WRITTEN QUESTION No 106/92**by Mr Sotiris Kostopoulos (S)****to the Commission of the European Communities***(7 February 1992)**(92/C 285/20)**Subject: Gulf of Maliakos wetland*

Ecologists and other interested parties in the Lamia area are calling for the protection of the Gulf of Maliakos wetland and the delta of the river Sperchios. As their members report there is continual disturbance of both the terrestrial and marine environment, which have reduced the numbers and quality of birds and fish in the area. In particular, farming and fishing practices, together with industrial pollution, threaten the destruction of the wetland. Will the Commission therefore provide aid for studies for making the Maliakos wetland part of a special conservation regime, for defining its limits and specifying land-use in the surrounding area?

**Joint answer to Written Questions Nos 105/92 and 106/92
given by Mr Van Miert
on behalf of the Commission**

(5 August 1992)

Greece has not yet classified the areas in question as special protection areas in accordance with Article 4 of Directive 79/409/EEC on the conservation of wild birds⁽¹⁾ which is at present the only legal basis for Community action in the field of biotope conservation.

In consequence, and in accordance with the principle of subsidiarity (Article 130r (4) of the Treaty), it is up to the Greek authorities to take whatever measures are necessary to ensure sustainable use of these biotopes.

Without referring to specific sites, the Commission has, however, initiated a general infringement procedure against Greece for inadequate classification of protection areas.

Furthermore, it should be pointed out that the plan for constructing a marina is covered by Annex II of Directive 85/337/EEC⁽²⁾ and must therefore undergo an environmental impact assessment if the effects on the environment are deemed to be significant.

Since Greece has not yet fully transposed this Directive, it is not possible for the Commission to assess the measures which the Greek authorities intend to take in this connection.

If, under the LIFE Regulation, Greece submits a request for financial support for measures concerning the

conservation of the abovementioned biotopes, the Commission will study it while taking account of all the available information.

⁽¹⁾ OJ No L 103, 25. 4. 1979.

⁽²⁾ OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 201/92**by Mr Rogério Brito (CG)****to the Council of the European Communities***(10 February 1992)**(92/C 285/21)*

Subject: Radioactive pollution of the Águeda river by the Enusa (with ERDF financing)

A uranium enrichment plant is now being built at Saelices El Chico in Spain near the Portuguese border, and has led to vehement protests by the local authorities and local inhabitants on both sides of the border. The project is receiving ERDF financing, which prompted protests to the Commission in 1990. A recent edition of the Spanish Official Gazette contained an authorization for the Enusa to use 24 litres of water per second for industrial purposes from the river Agueda, which flows through both countries, without the Portuguese authorities being consulted. The Agueda is one of the few unpolluted rivers on the Iberian Peninsula. It constitutes a rich and varied ecosystem and supplies water to a number of Spanish and Portuguese towns.

In view of the danger of irreversible radioactive pollution of rivers and water tables, thereby affecting arable and livestock farming, wildlife and fish species and, inevitably, man what effective action will the Council take in this matter which was reported as early as 1990 and unfortunately has not yet been given proper consideration, and constitutes a serious violation of the population's legitimate right embodied in Community environmental Directives and principles to enjoy a healthy environment and a safe future?

Answer*(1 October 1992)*

1. The Council reaffirms the importance it attaches to protection of the health of the general public and of workers and to protection of the environment from the dangers of ionizing radiation.

In accordance with the provisions of Chapter III of the Euratom Treaty, it has adopted a series of legal acts to strengthen and maximise such protection: particular mention should be made of the Directives laying down basic standards ⁽¹⁾, which undergo regular revision particularly to adapt them to scientific advances.

2. As regards the question of the possible transfrontier effects of the siting of the nuclear plants in the Community, the Honourable Member's attention is drawn to the fact that the provisions of Chapter III of the Euratom Treaty, and in particular Article 37 thereof ⁽²⁾, must be complied with.

The Commission is responsible for seeing that the relevant Community provisions are applied and the Member States are obliged to take all the measures required to ensure that the resulting obligations are fulfilled.

⁽¹⁾ For the health protection of the general public and workers against the dangers of ionizing radiation, in particular Directive 80/836/Euratom (OJ No L 246, 17. 9. 1980, p. 1).

⁽²⁾ See also Commission recommendation 91/4/Euratom on the application of Article 37 (OJ No L 6, 9. 1. 1991, p. 16).

WRITTEN QUESTION No 220/92

by Mrs Marijke Van Hemeldonck (S)

to the Commission of the European Communities

(13 February 1992)

(92/C 285/22)

Subject: Recognition of Yiddish as a minority language

Is the Commission considering including Yiddish in its programme for minority languages in the Community (Budget Article B3-106, Community measures in favour of the languages and cultures of regional and ethnic minorities)?

Is the Commission aware that Bashevis Singer was awarded a Nobel prize for his work written in Yiddish and that, in 1987, Yiddish was recognized by Unesco as a threatened minority language?

Does the Commission appreciate the urgent need for it to support research into Yiddish culture and language teaching Yiddish since, following the extermination of millions of Yiddish speakers during the holocaust, only a limited number of Yiddish theatres and Yiddish publications remain?

Answer given by Mrs Papandreou on behalf of the Commission

(16 June 1992)

Yiddish has an extremely rich body of literature and can indeed be regarded as one of the traditional minority languages of Europe and part of our continent's cultural heritage.

However, as far as the Commission is aware, no representatives of the Yiddish community have as yet joined any of the national committees of the European Office for the Less Widely-used Languages.

No projects for the preservation and promotion of the Yiddish language have yet been submitted to the Commission.

WRITTEN QUESTION No 234/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(13 February 1992)

(92/C 285/23)

Subject: Protection of the wildlife habitat at Alyki on the Island of Kos

The Alyki area on the Island of Kos is an important wildlife habitat in south-east Greece. Owing to its position in the south-east Aegean, the island is used as a resting place by migratory birds, the Caretta Caretta and Mydas turtles lay their eggs on its beaches and a wide range of waterfowl, including swans and flamingoes breed, rest and hibernate there. The area was also studied under a Community programme carried out by the European Union for Coastal Conservation (EUCC) and is classified as an important habitat featuring an extensive system of low sand dunes and a wide variety of halophytic vegetation. A serious conservation problem was created in the summer of 1990 when the Committee for Compulsory Purchases decided to cede part of the wetland to a private individual on the pretext that the plots would be used for farming. In fact, because of the nature and the location of the land and the potential profit to be made through tourist development they were to be used for a future hotel complex. The decision caused a storm of protest from the Kos local authorities, the village of Asfendiou, the Alyki Directorate of the Ministry of Industry and a host of private individuals. Given that

1. the Alyki region of Kos is one of the last wetlands in the eastern Aegean,
2. any activity in the area is unacceptable since it effectively takes place along the coast and shoreline,
3. proper protection and conservation of the wetland will create a basis for the development of 'eco-tourism' on Kos and help extend the tourist season,
4. the EEC recently adopted a Directive protecting natural and semi-natural habitats,
5. Alyki is a point of passage for migratory birds and is protected under Article 4 of Directive 79/409/EEC (¹),

what measures does the Commission intend to take to protect the wildlife habitat at Alyki on the Island of Kos which is home to species of birds and two species of turtle protected under the abovementioned Directives?

(¹) OJ No L 103, 25. 4. 1979, p. 1.

WRITTEN QUESTION No 385/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(27 February 1992)
(92/C 285/24)

Subject: Environmental threat to a wood on Chios

The local ecological and environmental association on Chios has reported the installation of a crusher for breaking up quarry materials in a small wood between the towns of Phyta and Kipouria. As the association points out, areas of greenery have already become a rarity on Chios because of the fires the island has suffered over the last ten years, and in this particular area the only woodland left is this small pine thicket. Does the Commission accept that the installation of such a crusher in a wood is detrimental to the environment? Since the opportunity presents itself, what are the possibilities of EEC funding to plant trees, in the 20 or so quarries on Chios when operations cease so that the landscape may return to its original form?

WRITTEN QUESTION No 386/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(27 February 1992)
(92/C 285/25)

Subject: The wetlands of the River Kalamas

The splendid wetland of the River Kalamas, in the Prefecture of Thesprotia, must be protected. According

to the residents of Sagiada, they are threatened with pollution, because two firms have already started disposing of their waste in the area and are planning shortly to build a jetty and breakwaters, which would constitute another serious threat to the environment. Under what conditions could Community funding be granted for the protection of this area?

WRITTEN QUESTION No 633/92

by Mr Sotiris Kostopoulos (S)
to the Commission of the European Communities
(23 March 1992)
(92/C 285/26)

Subject: Protection of the Aposelemis wetlands in Crete

The Aposelemis wetlands, which are situated 20 km from Heraklion in the direction of Agios Nikolaos (Crete), are of undeniable ecological value. Unfortunately, however, they have recently come under increasing threat from waste and rubble disposal and 'black water' discharges from olive presses while the state authorities turn a blind eye. Does the Commission intend to take action under Directive 79/409/EEC to protect this important wetland area in Crete and to restore the natural environment?

Joint answer to Written Questions Nos 234/92, 385/92, 386/92 and 633/92
given by Mr Van Miert
on behalf of the Commission
(4 August 1992)

According to the information in the Commission's possession the Alyki biotope (Island of Kos), the small wood located between the municipalities of Phyton and Kipourion in the Chios region, the Kalamas wet biotope and the Aposelemy (Crete) wetland have not been classified by Greece as special protection areas in accordance with Article 4 of Directive 79/409/EEC.

Only the Kalamas wet biotope has been identified as an area of special interest for the protection of wild birds within the European Community since it is a haven for species requiring urgent attention.

The Commission is not intending to insist upon the classification of areas not included among those of Community interest.

In accordance with the principle of subsidiarity (Article 130R, item 4 of the Treaty) it is for the Greek

authorities to supply the measures needed for the long-term use of the biotopes at issue.

On the other hand, the Commission has already informed Greece that it considers the 'Kalamas estuary' to be a priority area as regards classification as a special protection area.

Under the LIFE regulation Greece may lodge requests for financial support for action on the conservation of biotopes holding Community appeal.

The Commission feels with more particular reference to the Chio region that the impact of human actions on a natural site depends on the physical characteristics of the site and its capacity for reaction.

Community involvement in the afforestation of the quarries is conceivable as part of the Integrated Mediterranean Programme for the islands in the Aegean Sea and under the multi-fund Operational Programme for the northern Aegean region, each of which contains a forestry section including afforestation activities.

The competent authority in respect of this forestry section is the Forestry Department within the Ministry of Agriculture in Athens.

WRITTEN QUESTION No 244/92

by Mr Alexander Langer (V), Mr Joachim Dalsass (PPE), Mr Heribert Barrera i Costa, Mr Max Simeoni (ARC), Mr Peter Crampton (S), Mr Friedrich-Wilhelm Graefe zu Baringdorf, Mrs Maria Aglietta, Mrs Hiltrud Breyer (V), Mr Kenneth Coates (S), Mr Eugenio Melandri, Mrs Birgit Cramon-Daiber, Mr Virginio Bettini, Mr Juan Bandrés Molet (V), Mr John Hume (S), Mr Luigi Moretti (ARC), Mrs Claudia Roth (V), Mr Jaak Vandemeulebroucke (ARC), Mr Marco Taradash (V), Mr Marco Panella (NI), Mr Juan Gangoiti Llaguno (PPE), Mr Rinaldo Bontempi (GUE), Mr Gene Fitzgerald (RDE), Mr Nereo Laroni (S), Mr Leopoldo Ortiz Climent (PPE) and Mrs Marijke Van Hemeldonck (S)

to the Commission of the European Communities

(13 February 1992)

(92/C 285/27)

Subject: The rights of minority ethnic and linguistic groups in the reform of the Treaties

What is the position of the Commission regarding the advisability, as part of the reform of the Treaties, of incorporating the principle of the rights of minority ethnic and linguistic groups in the Member States, and of providing for specific Community responsibilities in this

area? What initiatives have been or are to be taken in this question? Does the European Council in Maastricht intend to tackle this question?

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

(18 June 1992)

The Commission has not considered the question of incorporating a basic provision in the Community treaties concerning the rights of minority ethnic and linguistic groups.

The Commission would remind the Honourable Members that problems relating to minorities are largely a matter for the Member States concerned. They are also dealt with by other international bodies such as the Council of Europe and the CSCE. The Commission keeps a close watch on their endeavours.

The Council of Europe is behind numerous initiatives in this field, including the European Charter of Regional or Minority Languages.

WRITTEN QUESTION No 423/92

by Mr Alex Smith (S)

to the Commission of the European Communities

(2 March 1992)

(92/C 285/28)

Subject: Assistance to carer organizations in the Member States

Many severely disabled and chronically ill persons of all ages are able to live at home only because there is a relative or friend giving constant and conscientious care.

Will the Commission consider the introduction of a publicity campaign in the Community in order to bring attention to the problems of carers?

Will they further consider providing assistance to carer organizations in the Member States to allow for the development of an effective network, promoting contact between the organizations and individuals?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(2 July 1992)

Under the Helios I programme (1988—1991), the Commission set up a Community network of Local Model Activities in the field of social integration; the aim

was to adapt the physical surroundings of disabled persons and coordinate services designed to promote their social integration, such as daily support services.

There was also a special Helios I programme to promote independent living, which extended to housing, including fittings and home help. Under this programme, annual award schemes were organized for model projects in the Member States.

Some of the problems raised by the Honourable Member would presumably be eligible for the Helios II programme.

In 1993, the European Year of the Elderly and Solidarity between Generations, the Commission is planning a specific operation for persons who assist elderly persons, whether they are family members or not and whether they work on a voluntary basis or not.

Furthermore, the Commission is using the first Community programme for elderly persons (1991—1993) to subsidize a new European home help association.

WRITTEN QUESTION No 462/92

by Mr Mihail Papayannakis (GUE)
to the Commission of the European Communities
(9 March 1992)
(92/C 285/29)

Subject: Infringement of the Council Directive relating to the safeguarding of employees' rights in the event of transfers of undertakings

On 24 December 1991 the Greek Government promulgated Law No 2000 containing provisions on privatization, simplification of liquidation procedures, strengthening of competition rules and other measures (Official Gazette No 206 of 24 December 1991). Articles 5, 6, 7, 8 and 9 (privatization procedures and forms of privatization) do not contain any provisions on safeguarding employees' rights in the event of transfers of businesses or parts of businesses. This constitutes an infringement of certain fundamental provisions of Directive 77/187/EEC ⁽¹⁾ relating to the safeguarding of employees' rights. In 1988 Mr Marin, who was then the Social Affairs Commissioner observed that Greece had failed to incorporate Council Directive 77/187/EEC into its national legislation and that infringement proceedings had been brought against Greece. The Commission had forwarded a reasoned opinion to Greece on 8 February

1988. If Greece did not immediately enact legislation in accordance with the Directive, the Court, in response to the proceedings launched by the Commission, would rule on the compatibility of current legislation with the above Council Directive.

1. What view does the Commission take of the provisions of Law No 2000 and what measures will it take to protect the legitimate rights of employees?
2. What was the reaction of Greece to the Commission's reasoned opinion and what steps did the Greek Government take in response to this?

⁽¹⁾ OJ No L 61, 5. 3. 1977, p. 26.

**Answer given by Mrs Papandreu
on behalf of the Commission**

(22 May 1992)

The Commission commenced Article 169 proceedings against Greece in the Court of Justice on 22 September 1988 (Case 265/88) for failure to transpose Council Directive 77/187/EEC of 14 February 1977 on transfers of undertakings, businesses or parts of businesses. After Greece adopted and notified the measures needed to transpose the Directive, in particular Presidential Decree No 572 of 15 November 1988 (Greek Official Gazette of 6 December 1988), the Commission withdrew its application to the Court, which removed the case from its register by Order of 17 May 1989.

The Commission is currently scrutinizing Greek Law No 2000 on privatization, the simplification of liquidation procedures and other measures for conformity with the Directive.

WRITTEN QUESTION No 485/92

by Mr David Bowe (S)
to the Commission of the European Communities
(9 March 1992)
(92/C 285/30)

Subject: Provision of information to visually impaired persons

What measures does the Commission plan to take to ensure the provision of access to information relating to products and services by the visually impaired population of the European Community in forms other than normal printed — for example extra large print, braille, moon, audio tape?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(17 July 1992)

Over the last few years, the Commission has undertaken a lot of initiatives at the political level with a view to improving economic and social integration of persons with a serious physical or mental disability. The initiatives had been taken within the scope of the Helios I programme (1988—1991).

As regards more precisely the visually impaired, it should be recalled that the Commission:

- has encouraged cooperation between national associations for the blind at Community level and the setting up of a European body representing the blind throughout the Community with a view to ensuring practical cooperation with the Commission;
- has set up four networks of innovative experiments constituted of 130 pilot activities, 55 of which are concerned with all forms of disability including visual impairment, and 16 exclusively with the blind;
- has set up a data bank called Handynet, the first module of which contains a large amount of information on technical aids for the motor disabled, visually handicapped persons and persons with communication disabilities;
- has supported a campaign to establish a European standard for town maps in relief for the blind, to afford them better mobility;
- has organized events specifically aimed at integrating the visually impaired and more particularly the seminar of 28 to 30 June 1990 in Birmingham (UK) on 'vocational training for the blind'.

The Commission intends to continue the concrete initiatives taken in favour of the integration of the blind, in close cooperation with their representative organizations and in particular the dissemination of information in acoustic or Braille form.

WRITTEN QUESTION No 553/92

by Mr Karel De Gucht (LDR)

to the Commission of the European Communities

(19 March 1992)

(92/C 285/31)

Subject: French aid to the Russian Federation

During a recent visit by Russian President Yeltsin to Paris, the French Government agreed to grant the Russian

Federation credit for the purchase of industrial goods in France.

Is the granting of such a loan on the specific condition that it is used only to purchase goods from the creditor country a covert form of State aid to national industry and therefore an infringement of the EEC Treaty?

If so what steps will the Commission take?

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

(22 July 1992)

The French authorities have indeed confirmed that at the start of the year they accorded two credit lines to the former Soviet Union. The first, for FF 2 billion, is to finance exports of cereals and bovine meat over a period of two years. The second, for FF 1,5 billion, is to be used to finance exports of industrial goods. The precise terms of this credit are not yet known. Financing from these credit lines will *a priori* be accorded at market rates. No subsidy from the French Government is involved so they cannot be classed as bilateral aid.

From a broader perspective, Council Decision 82/854/EEC⁽¹⁾ allows Community subcontractors to have access to guarantees and finance accorded by the authorities of the country of the principal contractor (maximum automatic inclusion percentages being set on the basis of the size of the contract). This Decision thus helps reduce any distortions of competition that may be caused when a Member State accords guarantees or finance that another Member State may not be able or willing to give.

In addition, the Council is coordinating work on the harmonization of credit insurance systems, the level of premiums and export credit policies themselves. When this is achieved, there should be much less distortion of competition between the Member States.

On the question of aid accorded by the Member States, the Commission is aware that the Member States, like other donor countries, tie their bilateral aid in varying degrees to purchases from the donor country. At the end of last year the Commission sent the Council a communication to serve as the basis for a policy debate on this subject, since the linking of aid to purchases from the donor country may be regarded as a form of export aid. Whatever the case, the debate will also have to take into account OECD policy on the matter.

⁽¹⁾ OJ No L 357, 18. 12. 1982.

WRITTEN QUESTION No 575/92**by Mr Sotiris Kostopoulos (S)****to the Commission of the European Communities***(19 March 1992)**(92/C 285/32)*

Subject: Functioning of the National Foundation for the Rehabilitation of the Disabled (NFRD)

The National Foundation for the Rehabilitation of the Disabled is facing severe difficulties, according to employees. This Foundation which is the only organization in Greece engaged in the rehabilitation of the disabled runs a hospital unit, a boarding school, a fully equipped physiotherapy centre, technical vocational schools and vocational training schools and units for manufacturing orthopaedic equipment, etc. It is alleged that a shortage of funds coupled with State negligence have seriously jeopardized the operations of the NFRD, leading, inter alia, to staff cuts in all key units. For instance, in the occupational therapy service there are two employees serving 140 beds and the orthopaedic shoe-making unit has only one technical instructor so that the output of orthopaedic footwear is very limited. Does the Commission consider that the Community could contribute through a relevant programme to averting or mitigating the serious problems undermining the effectiveness of this Foundation?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(8 July 1992)

One of the basic priorities of the European Social Fund (ESF) is to promote schemes aimed at the improvement of training and employment opportunities for specific categories of the population such as the handicapped. To this end the ESF finances a wide range of programmes in all Member States that are directed at promoting the occupational and social integration of people with special needs.

For Greece, the Commission has approved a separate Operational Programme for handicapped people under Objectives 3 and 4 of the Greek CSF amounting to 44,1 million Ecu for the period 1990–1993.

In the context of this Operational Programme 'People with special needs', a wide range of organizations and institutions from both the public and private sectors are financed by the ESF for implementing various vocational training and employment promotion programmes. The institution in question, the National Centre for the Rehabilitation of the Disabled, is among the institutions which implement such programmes.

However, the functioning of the abovementioned institutions and more specifically their management personnel policies (or any other operational problems) do not constitute a field for intervention by the ESF. The responsibility for the functioning of these institutions or

for dealing with any problems of the kind mentioned by the Honourable Member lies with the Greek authorities.

WRITTEN QUESTION No 589/92**by Mr Giuseppe Mottola (PPE)****to the Commission of the European Communities***(19 March 1992)**(92/C 285/33)*

Subject: Damage to, and defacement of, the artistic and cultural heritage — the creation of a 'European Cultural Fund'

More than 68 per cent of Europe's heritage, which is of great artistic and cultural value, is situated in Italy, including some of the finest works in Europe and the world. Many of these works are situated in the south of Italy where they are frequently seriously mistreated. This applies in particular to the architecture of buildings, which are sometimes put to improper use, as was recently the case with the 'Palazzo Reale' in Naples, where works were improperly carried out.

In view of the increasing deterioration of priceless works of art and the neglect being shown by the bodies and authorities responsible for conservation:

1. Does the Commission not consider it urgent and indispensable to create a European Cultural Fund for the protection and upgrading of the Community's historical, artistic, cultural and architectural heritage?
2. Can the Commission achieve greater harmonization of national legislation on the conservation of cultural and artistic work in EEC Directives?
3. Does the Commission not consider that the projected fund should be backed up by suitable technical resources to guarantee the administration, practicability and effectiveness of artistic and cultural measures in the twelve Member States?
4. Can the Commission appoint a 'technical and scientific committee' to investigate cases of damage caused and establish where responsibility lies?

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

(2 July 1992)

The Commission first became involved in the conservation of the Community's architectural heritage in 1984, following a number of Parliament resolutions. Since then it has carried out a range of measures including projects, support for the restoration of European monuments and sites of special historical significance and

training grants. Furthermore, in its communication ⁽¹⁾ on new prospects for Community cultural action, it proposed that the Community should treat its cultural heritage as a priority and that protection of the movable heritage should also be taken into account.

The Commission also proposed submitting a comprehensive document on the matter provided that the objectives set out in the new prospects won the approval of the Council and Parliament.

With regard to legislation the Commission would remind the Honourable Member that the Council is guided in its work by the relevant proposals for a Directive and a Regulations ⁽²⁾ the aim of which is to ensure effective protection of the national treasures of the Member States when internal border checks are abolished, by means of a mechanism for the return of cultural objects illegally removed from one Member State to another and export controls at the Community's external borders. The Member States will, however, retain the right to define their national treasures and to take the necessary measures to protect them, provided such measures are compatible with the Treaty.

The Commission does not consider that the creation of a 'cultural fund' with technical and administrative back-up, would be an appropriate measure.

Lastly, it is of the opinion that setting-up a technical and scientific committee for the investigation of damage, with the task of establishing how the damage was caused and who is responsible is a matter for the relevant national and/or regional authorities.

⁽¹⁾ COM(92) 149 final of 29. 4. 1992.

⁽²⁾ COM(91) 447 final — SYN 382 of 10. 2. 1992.

WRITTEN QUESTION No 599/92

by Mr Jesús Cabezón Alonso (S)

to the Commission of the European Communities

(19 March 1992)

(92/C 285/34)

Subject: Objective 5(b) and Cantabria

Commission Decision 89/426/EEC ⁽¹⁾ selected rural areas in the Autonomous Community of Cantabria (Spain) eligible to receive Community assistance under Objective 5(b) as defined by Council Regulation (EEC) No 2052/88 ⁽²⁾.

What projects have received Community funding and what was the amount of the funding for the eligible rural areas in the Autonomous Community of Cantabria?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(12 June 1992)

The operational programme for the application of Objective 5(b) in the Autonomous Community of Cantabria was adopted by a decision of the Commission on 28 May 1991.

The structural Fund contribution to the programme amounts to Ecu 24,448 million (in constant 1991 prices), of which Ecu 19,886 million comes from the EAGGF Guidance Section, Ecu 3,999 million comes from the ERDF and Ecu 563 000 from the ESF.

The structural Fund assistance is divided between the operational programme's four subprogrammes which aim to improve structures and diversify the agricultural sector, protect and improve the environment, diversify economic activity and improve basic support infrastructure, and optimize human resources.

The funding allocated to each subprogramme approved by the Commission allows the national authorities, in accordance with the principle of subsidiarity, to finance specific projects which contribute to the programme's strategic objectives.

WRITTEN QUESTION No 609/92

by Mr Ben Fayot (S)

to the Commission of the European Communities

(23 March 1992)

(92/C 285/35)

Subject: Annual report on the location of Community bodies and departments

Article 10 (2) of the Decision of 8 April 1965 ⁽¹⁾ by the representatives of the Governments of the Member States on the provisional location of certain Community institutions and departments, states:

'To this end, they request the Commission to present to them annually a report on the current situation concerning the location of Community bodies and departments and on the possibility of taking new steps to give effect to this provision.'

account being taken of the need to ensure the proper functioning of the Communities.

⁽¹⁾ OJ No L 198, 12. 7. 1989, p. 1.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 9.

Although in the past this annual report was regularly submitted by the Commission it was not submitted for 1990 and 1991.

Can the Commission say why these reports have stopped?

(¹) OJ No L 152, 13. 7. 1967, p. 18.

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission**

(4 June 1992)

The report on the location of Community departments — situation at the end of September 1990 — was drawn up by the Commission according to the usual procedures and schedules. However, the decision to move out of the Berlaymont building was made practically at the same time as the report was due to be issued; this also coincided with the reorganization of DG IX, one aim of which was to provide the Commission with more efficient instruments for defining a buildings policy. As a result the Commission delayed distribution of the 1990 report and finally decided to present a single report covering 1990 and 1991.

Work on this report is under way and will be completed in the near future.

WRITTEN QUESTION No 655/92

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(26 March 1992)

(92/C 285/36)

Subject: Basking shark

Can the Commission give details of the numbers of basking shark in European waters?

Is the Commission satisfied that this species is not being over-exploited?

Will the Commission undertake a scientific study to establish if the long-term survival of the species is threatened by over-exploitation?

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

(5 August 1992)

The Commission does not have any figures concerning basking shark caught in Community waters, since it is the Member States' responsibility to monitor statistics on fish landing. Nevertheless, the information which is available to the Commission reveals a progressive decrease in basking shark landings.

The Commission does not have necessary scientific information to evaluate with assurance the exploitation of this species. However, the fall of catches in certain fisheries should not necessarily be attributed to over-exploitation, since there is a decreasing economic interest in products from those fisheries.

The Commission will consider all study proposal, concerning exploited fish resources, submitted as research measures.

WRITTEN QUESTION No 657/92

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(26 March 1992)

(92/C 285/37)

Subject: Establishment of Europol

Could the Commission inform me what progress is being made towards establishing Europol following the decision at the Maastricht Summit, and besides international crime (drugs, money laundering), will it have any function in coordinating and gathering intelligence information relating to terrorist attacks in the EC?

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

(3 June 1992)

As the Honourable Member rightly points out, the Maastricht European Council 'agreed on the creation of a European police office (Europol), the initial function of which would be to organize the exchange of information on narcotic drugs at the level of the Community's twelve Member States'.

According to the report of the Trevi Ministers, approved by the European Council, it would primarily be a central organization facilitating the exchange and coordination of crime information and the development of an exchange of information between the Member States regarding crimes committed beyond their frontiers. It was decided that the creation of a Europol unit concerned with narcotic drugs would be the first stage of the development of Europol as an organization capable of analyzing information at European level and disseminating that information to assist the Member States. Later, Europol will gradually widen the scope of its activities to cover other types of crime which collectively threaten the Member States. To that end, criteria will have to be

established to identify these other types of crimes. This exercise, which will no doubt determine whether the collection of information on terrorist attacks in the Community is to fall within Europol's future field of activities, is currently in progress.

excessively long hours in the United Kingdom or anywhere else in the Community.

(¹) OJ No C 254, 9. 10. 1990, OJ No C 124, 14. 5. 1991.

WRITTEN QUESTION No 694/92

by Mrs Christine Oddy (S)

to the Commission of the European Communities

(26 March 1992)

(92/C 285/38)

Subject: Doctors' hours in the UK

Is the Commission aware that junior doctors work far more hours per week in the UK than their counterparts in other EC countries?

According to a briefing supplied by the British Medical Authority (BMA) comparative hours are as follows?

Denmark	51
Germany	72
Spain	58
Ireland	70
Italy	48
Netherlands	60
Portugal	48
United Kingdom	83

What steps will the Commission take to rectify this anomalous position? How will doctors' hours be affected by the proposed directive on working hours?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(28 July 1992)

The Commission is aware that junior doctors in the United Kingdom do work long hours. It is not, however, in a position to comment on the detailed figures referred to in the question, or on their comparability.

The Commission's proposal for a Directive on certain aspects of the organization of working time, as modified following the Opinion of the European Parliament (¹), seeks to ensure that employees have adequate rest periods and do not work excessively long hours, particularly at night. The Commission's proposal would apply to all doctors who are employees.

The Commission expects that when implemented, the Directive will ensure that junior doctors will not work

WRITTEN QUESTION No 697/92

by Mr Juan de la Cámara Martínez (S)

to the Commission of the European Communities

(26 March 1992)

(92/C 285/39)

Subject: Support for farmers

In the context of the CAP reform, has the Commission considered that the Community should support a substantial increase in the incomes of farmers in depressed regions where production in areas of low rainfall is uncompetitive? How does it intend to encourage farmers to remain on the land and young unemployed people to return to rural areas?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(21 August 1992)

The Commission is in complete agreement with the Honourable Member on the need to support the *income* of farmers, especially in the less-developed and vulnerable regions of the Community.

With this in mind the Commission presented and the Council approved a reform of the common agricultural policy providing for direct aids to producers. The existence of uncompetitive agricultural regions has been taken into account, as is evidenced by the fact that the thresholds governing the definition of small producers of arable crops exempted from the set-aside obligation have been defined on the basis of *production volume* and not size of holding. This production volume represents a larger area of holdings in the regions mentioned by the Honourable Member than in the rest of the Community.

Under the 'agri-environmental' measures contained in the reform, extensification aids are not restricted to producers reducing their production intensity but also apply to those who maintain extensive cultivation methods. The latter are normally found in the regions which interest the Honourable Member.

Nevertheless, the Commission is persuaded that the future of the countryside and, in particular, of less-developed agricultural regions, can no longer depend *exclusively* on agriculture. Numerous initiatives have

been taken under the reform of the structural Funds to stimulate, for example, diversification, reafforestation, rural tourism, the creation of small and medium-sized enterprises or the promotion of indigenous development potential.

The Commission intends to pursue this policy and has stated its guidelines for doing so in the document 'From the Single Act to Maastricht and Beyond: the Means to Match our Ambitions' ⁽¹⁾. These guidelines are currently before Parliament and the Council.

⁽¹⁾ COM(92) 2000.

WRITTEN QUESTION No 749/92

by Mrs Mary Banotti (PPE)

to the Commission of the European Communities

(6 April 1992)

(92/C 285/40)

Subject: European Nutrition Year

Could the Commission inform me why the EC initiative to increase public awareness of the importance of diet through the idea of a European Nutrition Year in 1995 has been axed? Does the Commission not believe that this decision is very short-sighted, and would it be prepared to reconsider its decision?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(28 July 1992)

The Commission has given careful consideration to the Council's request for an action programme on nutrition and health ⁽¹⁾.

In the Commission's view any Community initiative on nutrition and health has to be examined in the light of the provisions of the Maastricht Treaty on European Union, once the Treaty has been ratified. Two principles enshrined in the Treaty will be of particular relevance here: that of subsidiarity and that of additionality. In the case of the latter it will be important to ascertain whether or not Community intervention in the area of nutrition will bring a genuine added value to national action.

1992 can appropriately serve as a year of transition and a period for reflection on the role of the Community in supplementing the health promotion measures undertaken by Member States. The recommended initiative could interfere with this discussion process and produce a result contrary to what is intended. However, the Honourable Member can be assured that the

Commission will set in motion the initiatives deemed necessary as soon as this discussion is complete.

⁽¹⁾ OJ No C 329, 31. 12. 1990.

WRITTEN QUESTION No 780/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(6 April 1992)

(92/C 285/41)

Subject: Protection of ecosystems from the natural gas pipeline

The construction and entry into operation of the natural gas pipeline which is being financed by the Community's Structural Funds will bring about major changes in land use and damage certain sensitive ecosystems in Greece. The pipeline is expected to cross wetlands protected under the Ramsar Convention and other special protection zones (as provided for in Community Directive 79/409/EEC ⁽¹⁾). A study drawn up by the Environmental Planning Directorate of the Ministry for the Environment and Regional Planning shows that four important biotopes are at risk: the River Pinios and the picturesque Tembi valley woodland, the River Axios and the Delta of the Rivers Axios, Loudia and Aliakmon, the River Strimonas and Lake Kerkini and, finally, the River Nestos. Does the Commission intend to recommend that the Greek Government ensure the protection of these sensitive ecosystems?

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

**Answer given by Mr Van Miert
on behalf of the Commission**

(4 August 1992)

A pipeline-building project such as that planned for Greece and to be financed by the Structural Funds forms part of the projects listed in Annex II to Directive 85/337/EEC ⁽¹⁾ for which, as required by Article 4 (2), provision has been made for an obligation to carry out an impact study if the repercussions on the environment are considered to be significant.

The Commission had asked the Greek authorities to have an impact study of this type carried out as part of the monitoring of the 'natural gas' operational programme. This has been done.

The Commission will ensure that the safeguards provided for by that impact study will indeed be implemented.

⁽¹⁾ OJ No L 175, 5. 7. 1985.

WRITTEN QUESTION No 836/92**by Mr Eolo Parodi (PPE)****to the Council of the European Communities***(14 April 1992)**(92/C 285/42)*

Subject: Recognition of the Free International University of Tourism and Community Sciences of San Remo (Imperia)

The Free International University for Tourism and Community Sciences was set up in 1989 by notarial act in Milan under Article 33 of the Italian Constitution and Act 168 of 9 May 1989 as a non-profit-making body without state funding. It is directed by Professor Quirino Franchella and offers courses in socio-economics (tourism) the arts and languages and legal-Community studies.

This initiative has been launched in a tourist area of western Liguria in order to provide further study and employment opportunities for young people with a view to 1993. The Free University is still awaiting recognition by the Italian Minister for Universities and Scientific Research and authorization to award qualifications, the application having been made on 7 October 1990 under Article 8 of Act 245.

In view of this and since the application has the backing of the Italian Ministry of Tourism, was initiated on 1 October 1990 by the Imperia Provincial Council and was supported by a detailed and complimentary statement by the San Remo Municipal Council dated 18 October 1991 and by a letter of 14 February 1991 from the Prefect of Imperia to the competent minister, does the Council not consider it appropriate to urge the Italian Ministry responsible for universities and scientific research to approve the application, in view of the quality of the teaching and research activities in question and their importance and relevance to this area?

Answer*(1 October 1992)*

It is not for the Council to approach a Member State concerning a subject (the granting of an authorization to an establishment of higher education to award qualifications) which remains the latter's exclusive responsibility.

WRITTEN QUESTION No 873/92**by Lord O'Hagan (ED)****to the Commission of the European Communities***(14 April 1992)**(92/C 285/43)*

Subject: Social partners

1. How far do the social partners legislate without parliament in each of the Member States?
2. How is such legislation enforced by the courts?
3. Does such legislation necessitate an agreement by the government? If so, can the government amend the legislation?
4. How far is such legislation considered to be binding in international law?

**Answer given by Mrs Papandreu
on behalf of the Commission**

(5 August 1992)

1. Social partners conclude collective agreements in all Member States. Some of these agreements may be followed by legislation (with the exception of the United Kingdom, Denmark and Italy). Collective agreements can be 'extended' by the public authorities through administrative decrees.
2. Conflicts arising from the application of collective agreements may be settled by the courts or tribunals in accordance with national rules of procedure.
3. Any legislation requires a decision by Parliament or by the competent governmental authority if national law so permits, but a distinction must be made between a law and a collective agreement concluded between the social partners which does not always require agreement by the Government or Parliament to be extended.
4. All collective agreements, whether extended or not and any relevant legislation whether proceeded by a collective agreement or not, normally apply within the relevant territorial area. As far as international private law is concerned, these agreements could apply through the use of the rules of conflict of laws.

Article 6 of the Convention of Rome on the law applicable to contractual obligations determines the law which should govern an individual contract of employment ⁽¹⁾.

⁽¹⁾ OJ No L 266, 9. 10. 1980.

WRITTEN QUESTION No 894/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(14 April 1992)
(92/C 285/44)

Subject: In-service training for Community officials in 1991

How many Community officials, by category, received in-service training in 1991?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(16 June 1992)

In-service training provided by the Commission for its officials in 1991 breaks down as follows:

Category A: 2 214,
Category B: 1 499,
Category C: 2 092,
Category D: 119.

WRITTEN QUESTION No 895/92
by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities
(14 April 1992)
(92/C 285/45)

Subject: Sunday trading

What progress has been made in approximating legislation on Sunday trading?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(10 July 1992)

The Commission does not intend to take any action to harmonize arrangements for Sunday trading, for two main reasons.

First, the choice of a closing day for businesses involves considerations of a historical, cultural, tourist, social and religious nature which are peculiar to each Member State. This was expressly brought out by the Court of Justice of the European Communities when it looked into the lawfulness of the objective pursued by a national law (judgment of 23 November 1989). Second, the Court ruled, in two judgments dated 28 February 1991, that the choice of a compulsory closing day was a matter for each Member State.

As stated by the Court in judgment C-312/89 of 28 February 1991, referred to above, any restrictive effects on intra-Community trade resulting from such legislation do not appear to exceed what is necessary for the attainment of the objective pursued.

WRITTEN QUESTION No 948/92
by Mr Bryan Cassidy (ED)
to the Commission of the European Communities
(15 April 1992)
(92/C 285/46)

Subject: Alcohol stocks in the EC

Can the Commission list by volume and value, alcohol stocks throughout the Community by agricultural product origin as at 31 December 1991?

Answer given by Mr Mac Sharry
on behalf of the Commission
(30 June 1992)

In the absence of a common market organization in the sector of ethyl alcohol of agricultural origin, the Commission does not receive information on alcohol stocks of all agricultural product origin on a regular or global basis.

As regards wine alcohol, Member States have to communicate the information requested in Article 20 of Council Regulation (EEC) No 2046/89 (') (quantities produced and disposed of) every two months for both compulsory and voluntary distillation operations. Sales of the wine alcohol (stock) obtained from voluntary distillation operations are the financial responsibility of the Member States producing such alcohol.

The physical but committed EC wine alcohol stock obtained from compulsory distillation amounted to about 4,7 million hectolitres (budget value of about Ecu 24

million) as at 31 December 1991, at which date less than half a million hectolitres of wine intervention alcohol were due to be sold by tender.

(¹) OJ No L 202, 14. 7. 1989.

WRITTEN QUESTION No 951/92

by Mr Alexandros Alavanos (CG)

to the Commission of the European Communities

(15 April 1992)

(92/C 285/47)

Subject: The situation of olive-growers in Greece

The hundreds of thousands of olive oil producers in Greece are facing a crisis as a result of the slump in the olive oil market, bringing prices below the Community intervention level. This has been caused by three main factors:

- this year's overproduction,
- last year's accumulated stocks, and
- substantial imports from Spain and Tunisia.

In certain areas there is a danger of the olive oil deteriorating because of lack of proper storage facilities. There are not private storage facilities in Greece and olive-growers have no guaranteed minimum income.

Will the Commission take measures to ensure:

1. more effective Community intervention for olive growers,
2. the shortest possible delays before producers are paid,
3. that bodies and mechanisms are set up to guarantee transparency in the olive oil sector at Community level and prevent unfair competition, profiteering and fraud at the expense of consumers, small and medium-sized producers, and the Community itself?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(7 August 1992)

1 and 2. The Commission is aware of the problems in the olive oil sector since the start of the year and has taken measures in good time to resolve the difficulties.

On the other hand, the Commission does not believe that the public intervention measures advocated by the

Honourable Member can be accepted in that they run counter to the current direction of the CAP which is tending to relax intervention and bring the market more into play.

To lengthen the intervention or shorten the time limit for payment for oil sold to intervention agencies would conflict with the efforts already undertaken in the olive oil sector and with the general content of the new reform of the common agricultural policy.

3. The Commission would point out that the existence of a single market implies free movement within the Community. It is not aware of any speculative or fraudulent activities in the intra-Community trade.

As for imports from Tunisia, these are subject to a preference system within the context of an annual quota. Application of this system, as well as any import licences issued as part of the inward-processing arrangements, are a matter for the national authorities.

The Commission closely monitors the correct application of the import schemes by the Member States.

WRITTEN QUESTION No 959/92

by Mr Mihail Papayannakis (GUE)

to the Commission of the European Communities

(15 April 1992)

(92/C 285/48)

Subject: Infringement of Council Directive of 22 March 1988 relating to the coordination of procedures on the award of public supply contracts

The recently promulgated Greek Law No 2000 (Official Gazette No 206, 24. 12. 1991), in particular Articles 34—43 thereof, contains amendments to the system of awarding public supply contracts (Law No 1797 of 4 August 1988) without taking account of the provisions of Council Directive 88/295/EEC (¹), amending Council Directives 77/62/EEC (²) and 80/767/EEC (³) relating to the coordination of procedures on the award of public supply contracts. The Greek Government has never in fact brought its legislation into line with the Directives on the award of public supply contracts, even though it requested a special extension of 26 months for the most recent amendment (1 March 1992). Instead, it is continuing to enact provisions running counter to the Treaty (and Article 29a of Council Directive 88/295/EEC) and is failing to take account of Directive 89/665/EEC (⁴) on review procedures.

1. What view does the Commission take of the provisions in question of Law No 2000 and what

measures will it take in response to the systematic refusal of the Greek Government to comply with all the above Directives?

2. What measures has the Commission taken to date as regards the Greek system of awarding public supply contracts?

(¹) OJ No L 127, 20. 5. 1988, p. 1.

(²) OJ No L 13, 15. 1. 1977, p. 1.

(³) OJ No L 215, 18. 8. 1980, p. 1.

(⁴) OJ No L 395, 30. 12. 1989, p. 33.

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

(14 August 1992)

The Hellenic Republic has not yet transposed Directive 88/295/EEC relating to the coordination of procedures on the award of public supply contracts, which entered into force in Greece on 1 March 1992, or Directive 89/665/EEC on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public work contracts, which entered into force in all the Member States on 21 December 1991. An infringement procedure on this matter in accordance with Article 169 of the Treaty is in progress.

The Commission is also carrying out a detailed examination of the new Greek Law No 2000 of 24 December 1991 and will inform the Honourable Member of its findings.

WRITTEN QUESTION No 997/92

**by Mr Yves Verwaerde (LDR)
to the Commission of the European Communities**

(15 April 1992)

(92/C 285/49)

Subject: Use of subcontracting in the Commission's translation service

Further to the Commission's reply to Written Question No 2806/91 (¹) on subcontracting in the translation service, can the Commission provide additional information for 1989 and 1990 on:

1. The name of the firms providing these services and the location of their head office;
2. The sums invoiced by each of the firms concerned?

(¹) OJ No C 159, 25. 6. 1992, p. 44.

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission**

(20 July 1992)

To cope with excess workload, the Translation Service makes use of a great many translation agencies and individual translators. Altogether there are approximately 800 natural or legal persons on the list of freelance translators, about 400 of whom were used in 1989 and 1990. As a general rule, about 80% of subcontracted translation work is done by individual translators and 20% by translation agencies.

WRITTEN QUESTION No 1028/92

**by Mr Filippos Pierros (PPE)
to the Commission of the European Communities**

(27 April 1992)

(92/C 285/50)

Subject: Community aid for peppers

The processing and exporting of pickles is a dynamic industry, involving more than 15 companies in Greece concentrated in the Ilia region. The industry exports 95—97% of its production at a value of US \$ 12 million a year. 280—300 people are permanently employed by these companies and in the summer, the peak season, the number rises to some 400. The raw materials are agricultural produce (peppers, cucumbers, cauliflowers, carrots, etc.) which are produced by a large number of family farms (approximately 2 500) mainly in the mountain areas of Ilia.

Unfortunately, the emergence in recent years of foreign competition, mainly from Turkey, owing to low labour costs and export subsidies, is undermining the further development of a very promising sector of the Community's economy. To help support this major industry, there is an urgent need for assistance from Community resources for the basic product, peppers. What are the Commission's views on this subject and what measures does it propose to take?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(20 August 1992)

Pickled vegetables are indeed a dynamic sector in the Community.

Intra-Community trade amounts to some 100 000 tonnes a year; imports from non-Community countries in 1991 were around 135 000 tonnes and Community exports to non-member countries were around 41 000 tonnes.

Imports into the Community grew by 40% in 1991 while exports to the rest of the world only went up by 3%, and intra-Community trade by 11%.

In other words, competition from non-Community countries increased during last year. Turkey accounts for about 26% of imports into the Community but this share was down by roughly 4% in a single year.

Competition is strongest for cucumbers and gherkins; these account for 64% of all imports, a percentage which has been rising in recent years.

The Commission is following closely the trends in trade in this sector; however, it considers that there is no need to provide specific support for peppers in addition to the many structural measures already available. Support of this kind could be regarded as a precedent for other products in the same sector which face even stronger international competition and would run counter to the Community's commitment in the current GATT Round to reducing its support for the agricultural sector.

Of course, were the Community market to be disturbed, the Commission always has the right to take such measures as are required to deal with such a situation.

WRITTEN QUESTION No 1046/92

by Mrs Anne André (LDR)

to the Commission of the European Communities

(27 April 1992)

(92/C 285/51)

Subject: Objective 2 regions

What steps will the Commission take in response to the memorandum forwarded by eight Objective 2 regions (*) within the framework of the revision of the Structural Funds scheduled for 1993?

(*) Catalonia, Groningen-Drenthe, Nord Pas-de-Calais, North Rhine-Westphalia, North Jutland, Strathclyde, Tuscany and Wallonia.

Answer given by Mr Millan
on behalf of the Commission

(17 July 1992)

The memorandum to which the Honourable Member refers was submitted to the Commission, to the

Parliament and to the Council by eight regions on behalf of all the regions eligible for assistance under Objective 2 of the Structural Funds.

Most of the points made in the memorandum are very close to the Commission's own position. Hence they have to a large extent been considered in the Delors II Package, which pleads in favour of a reinforcement of redevelopment efforts in Objective 2 regions by considerably increasing funding in real terms.

WRITTEN QUESTION No 1063/92

by Mr Ferruccio Pisoni (PPE)

to the Commission of the European Communities

(27 April 1992)

(92/C 285/52)

Subject: Termination of service of officials of the European Communities

Council Regulation (ECSC, EEC, Euratom) No 3518/85 (*) introduces special measures to terminate the service of officials of the European Communities at the time of the accession of Spain and Portugal.

This Regulation, which expired on 31 December 1990, has not been extended. However, it was reported that the Commission intended to submit another proposal for a Regulation to establish similar arrangements on a permanent basis, enabling senior officials to take advantage of early retirement arrangements under certain conditions, in order to provide posts for younger officials and facilitate the recruitment of officials of the former territory of East Germany and, subsequently, other countries, such as Austria, joining the Community.

However, the Commission has not yet submitted such a proposal.

What progress has it made in this direction and will it submit a proposal in the near future?

(*) OJ No L 335, 13. 12. 1985, p. 56.

Answer given by Mr Cardoso e Cunha
on behalf of the Commission

(17 June 1992)

Special termination-of-service arrangements were offered to Community officials and temporary staff at the time of the three enlargements which the Community has undergone since 1972.

The Commission is aware of Parliament's interest in introducing a permanent scheme.

As part of the work being done to reorganize its departments and make best use of its human resources in the wake of the screening report, the Commission is considering a range of measures, including termination-of-service schemes, which will best adapt its staff to the new tasks ahead.

The new prospects of enlargement will have to be analysed in terms of their impact on the structure of human resources in the Commission and the other institutions.

In considering these matters, the Commission will, of course, be attentive to Parliament's wishes.

89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional training of at least three years duration ⁽¹⁾.

This being the case, the Council recently adopted the Directive for a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC ⁽²⁾, which deals with training of a lower level than that of the first system. It might be possible to examine the problem put by the Honourable Member in the context of that Directive.

It should be emphasized, however, that both of the above Directives are concerned only with the recognition of diplomas *for the purposes of practising a regulated profession*.

⁽¹⁾ OJ No L 19, 24. 1. 1989, p. 16.

⁽²⁾ The Directive was adopted on 18 June 1992.

WRITTEN QUESTION No 1069/92
by Mr Jaak Vandemeulebroucke (ARC)
to the Council of the European Communities
(30 April 1992)
(92/C 285/53)

Subject: Recognition of diplomas

Before recognizing her further education diploma as a hostess (two years study at the commercial and further education college in Afsnee-Ghent) the relevant Spanish Ministry in Granada required a Belgian woman (married to a Spaniard) to provide details, not only of her non-university further education but also her secondary education (12—18 years of age).

This appears to be an infringement of relevant EC provisions. Does the Council agree?

Does the Council agree that requesting all previous diplomas involves additional costs for person concerned and should be regarded as an obstacle to the free movement of persons?

What steps can and will the Council take to avoid such problems arising in future?

Answer
(1 October 1992)

As the hostess diploma referred to is not awarded for higher training of at least three years' duration, it does not come within the scope of Council Directive

WRITTEN QUESTION No 1083/92
by Mr Jesús Cabezón Alonso (S)
to the Commission of the European Communities
(30 April 1992)
(92/C 285/54)

Subject: EEC vocational training proposals

It seems necessary to modernize vocational training in Member States in order to respond better to developments in the labour market in the nineties.

The percentage of people with technical training qualifications is 39% of the active population in the Community, 77% in the US and 76% in Japan.

Irrespective of Member States' responsibilities, what does the Commission intend to do about submitting proposals to remedy the Community's deficiency in vocational training in the near future?

Answer given by Mrs Papandreou
on behalf of the Commission
(27 July 1992)

The Commission is well aware of the disparities between the level of technical and vocational training in the Community compared with the USA and Japan, an issue which has already been the subject of much analysis through the industrial Research and Development Advisory Committee (Irdac opinion on skills shortages in Europe of November 1990) and the major study carried out for the Commission on the impact on employment

and training of Information and Communications Technologies in 1991. The Commission recognizes that the development of human resources through vocational training is one of the essential elements in improving the competitiveness of European industry and the completion of the internal market.

The question of technical and vocational training was dealt with in the Conclusions of the Council and Ministers of Education meeting in Council of 14 December 1989. Furthermore, the key problems facing the Community in the vocational training field were the subject of the Commission Memorandum on Vocational Training in the EC in the 1990's, which outlined some of the main areas in which Community action would be needed to face up to the socio-economic and competitive challenges over the next decade. This memorandum is aimed at launching a debate in Member States and at Community level on the role of training policies over the coming years.

In this respect it must be recalled that the Community's role in the field of vocational training is to implement a Community policy to support and complement Member States' own policies and to ensure the Community dimension. Among the general principles governing Community action in vocational training is that of encouraging the development of technical and vocational training, and the adaptation of this training to technological progress.

Over the past few years the Commission has launched a number of programmes which attach a high level of importance to technical and vocational training, including Comett for advanced training in the new technologies, Petra for the initial training of young people, Force for continuing training within enterprises, and Eurotecnet for the adaptation of training systems to technological change. It is the Commission's view that the effective exploitation of the existing programmes is one of the most efficient ways of achieving the objectives sought by the Honourable Member.

WRITTEN QUESTION No 1109/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(11 May 1992)

(92/C 285/55)

Subject: Merger of Pyrkal Ltd and EVO Ltd

The Greek Government recently decided to transfer shares from the firm of Pyrkal to EVO Ltd so that Pyrkal Ltd would become a subsidiary of EVO and be absorbed

by it. However EVO Limited faces enormous financial and production problems and is objectively bankrupt and unable to compete under market conditions. A cursory reading of the balance sheets of these two companies shows that EVO's assets are markedly less (the balance may even be negative) than those of Pyrkal Ltd. Given that the merger of these two companies is against the interests of Pyrkal shareholders does the Commission intend to draw the attention of the Greek Government to this blatant violation of Community law and notably both competition and company law?

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

(30 July 1992)

The Commission does not share the Honourable Member's concern. This is because, under the Greek Law No 2000/1991 on the denationalization of the public sector, which has been notified to the Community authorities, and more particularly Article 4.2 thereof, mergers between enterprises and bodies having the form of public limited companies must be carried out in compliance with the relevant provisions of Codified Law No 2190/1920; under the latter, which already incorporates the provisions of the third company Law Directive on mergers of public limited liability companies, the merger of such companies must always be decided on by the shareholder's general meetings.

On the question of competition law, the Commission does not have the powers to examine the proposed merger since it does not have a Community dimension within the meaning of Article 1 of Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings ⁽¹⁾.

In accordance with the division of responsibilities between the Community and the Member States at the basis of the said Regulation, it is in principle for the national authorities concerned to assess a merger which does not have a Community dimension within the meaning of Article 1 in the light of national competition law.

The Commission can intervene in such merger situations only at a Member State's request and in the manner defined in Article 22 (3) to (6) of the said Regulation.

Quite generally, the subsequent market behaviour of the new unit resulting from a merger remains subject to the rules in Articles 85 and 86 of the Treaty of Rome.

⁽¹⁾ OJ No L 257, 21. 9. 1990.

WRITTEN QUESTION No 1130/92**by Mr Ib Christensen (ARC)****to the Commission of the European Communities***(11 May 1992)**(92/C 285/56)**Subject: Article 235 of the Treaty of Rome*

How many times in the Community's history have legislative acts been adopted on the basis of Article 235 alone and how many times on the basis of Article 235 in combination with other articles?

Can the Commission provide a list of legislative acts adopted on the above legal basis?

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

(19 June 1992)

It can be ascertained from document retrieval systems currently available that 677 legislative acts have been adopted on the basis of Article 235 alone or in conjunction with other legal bases. Of these acts, 407 were in force on 15 May 1992, 226 of them having been adopted on the basis of Article 235 (and possibly the corresponding provision of the Euratom Treaty — Article 203) alone and 181 on several legal bases including Article 235.

Given the volume of documentation involved, the Commission will send lists of the legislative acts in force (acts based on Article 235 and acts based on Article 235 and other Articles), broken down by type of legislative act, direct to the Honourable Member and the Secretariat-General of Parliament.

WRITTEN QUESTION No 1133/92**by Mr Klaus Hänsch (S)****to the Commission of the European Communities***(11 May 1992)**(92/C 285/57)**Subject: Payment of Portuguese pensions to EC citizens*

A citizen of Duisburg receives a monthly pension from Portugal, transferred through the National Pensions Centre, which generally reaches him two months late so that, for example, pension payment for December, forwarded through a French bank, did not reach him until the beginning of February, in addition, bank charges on

the pension cheque may be as much as 6%, thereby reducing the amount of pension actually paid.

It appears that other citizens drawing their pensions from other Member States are frequently affected by delayed payments and transfer charges.

1. What view does the Commission take of the fact that pension payments from Portugal to a German citizen are delayed for two months and that bank charges are deducted?
2. What chance does an EC citizen have of receiving his pension on time in future and is he not entitled to his full pension without charges being deducted?
3. What steps will the Commission take to ensure that, in future, EC citizens receive pension payments from Portugal in the months on which they fall due and without charges being deducted?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(22 July 1992)

The Community Regulations coordinating the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community — Regulation (EEC) No 1407/71 and No 574/72 ⁽¹⁾ — are based on Article 51 of the Treaty of Rome. Their aim is to prevent differences between the various social security schemes from impeding the free movement of workers. One of the underlying principles of these Regulations is the export of pensions.

In the specific area of the transfer of pensions, the above Regulations are limited by the fact that they *coordinate* rather than harmonize national legislation. The decision on how pensions are to be paid consequently falls within the competence of the national authorities alone, as do the bank charges associated with the payment of pensions.

Having examined the case referred to by the Honourable Member, the Commission has found no infringement of the above Regulations. As regards the delay in paying the pension, the Commission will contact the 'Centro Nacional de Pensões' and ask it to look for a way of solving this problem.

⁽¹⁾ OJ No L 230, 22. 8. 1983; as last amended by Regulation (EEC) No 3427/89 — OJ No L 331, 16. 11. 1989.

WRITTEN QUESTION No 1146/92**by Lord O'Hagan (ED)****to the Commission of the European Communities***(11 May 1992)**(92/C 285/58)**Subject: Federalism*

The word 'federalism' appears to be capable of very different interpretations in different Member States.

What does the Commission understand is meant by federalism?

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

(16 June 1992)

The word 'federalism' does not appear in the Treaties establishing the Communities or in any of the Treaties amending them, including the Treaty on European Union which is in the process of being ratified in Member States. It is therefore not for the Commission to interpret a concept which is unknown in Community law.

WRITTEN QUESTION No 1151/92**by Lord O'Hagan (ED)****to the Commission of the European Communities***(15 May 1992)**(92/C 285/59)**Subject: Location of the European Parliament*

At present Commissioners and officials of the Commission waste a lot of time and money going to and from Strasbourg.

Would the Commission support the total removal of the European Parliament to Brussels?

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

(22 July 1992)

The question raised by the Honourable Member is a matter for the Governments of the Member States who are empowered to fix the seat of the institutions, and for the Parliament itself as regards its own internal organization.

WRITTEN QUESTION No 1158/92**by Lord O'Hagan (ED)****to the Council of the European Communities***(15 May 1992)**(92/C 285/60)**Subject: Conciliation meetings with MEPs*

The regularity with which conciliation meetings in which the European Parliament participates is likely to increase:

1. Who takes the minutes of these meetings?
2. Where are the minutes kept?
3. Who has access to these minutes?

Answer*(1 October 1992)*

In reply to the questions raised by the Honourable Member regarding the conciliation procedure introduced by the Joint Declaration by the European Parliament, the Council and the Commission of 1975, the Council would state as follows:

1. The draft minutes of meetings of the Conciliation Committee are taken by the General Secretariat of the Council. After the European Parliament has agreed them, they are submitted to the Council for formal approval.
2. Following the Council's approval, the minutes are kept in the archives of the General Secretariat of the Council.
3. The conditions governing access to the minutes of Conciliation Committee meetings are those applying to the minutes of Council meetings.

WRITTEN QUESTION No 1168/92**by Mr Luigi Vertemati (S)****to the Commission of the European Communities***(15 May 1992)**(92/C 285/61)**Subject: Entry into force of Directive on motor vehicle noise*

The draft Directive on the permissible sound levels of motor vehicles (COM(91) 51) provide that the new limit

values should become mandatory on 1 October 1994 for new models and 1 October 1995 for other models.

This timetable does not coincide with that laid down for the 'second step' emissions from vehicles. The deadlines are 1 October 1995 and 1 October 1996 respectively for commercial vehicles (under Directive 91/542/EEC ⁽¹⁾), and those for cars have yet to be decided on but will be no earlier than 1996—97 (Directive 91/441/EEC ⁽²⁾).

This uncoordinated timing may impose an excessive workload on the authorities and cause manufacturers to incur substantial costs because of the duplication of type approval procedures.

Does the Commission not believe that the dates referred to in the Directive on noise should be the same as those for gaseous emissions?

Does the Commission also believe in particular that the dates for applying the Directive on noise to cars and goods vehicles of up to 2 tonnes should be the same as the dates for applying the new limit values for gaseous emissions to these same categories of vehicle as laid down in Article 4 of Directive 70/220/EEC ⁽³⁾, as amended by Directive 91/441/EEC?

⁽¹⁾ OJ No L 295, 25. 10. 1991, p. 1.

⁽²⁾ OJ No L 242, 30. 8. 1991, p. 1.

⁽³⁾ OJ No L 76, 6. 4. 1970, p. 1.

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

(20 August 1992)

The Commission recognises that coordinating the dates of entry into force of the Directives on the sound levels of motor vehicles (prop. COM(91) 51 final) and those of Directives limiting pollutant gas emissions from various categories of vehicles would enable type approval costs and workloads for the authorities to be cut.

However, other factors also count. Priority must in any case be given to the putting in place of coherent measures for the reduction of the environmental impact of road vehicles.

To this end, the Commission's proposal on vehicle sound levels need to be adopted and applied as soon as possible.

WRITTEN QUESTION No 1189/92

by Mr Kenneth Stewart (S)

to the Commission of the European Communities

(15 May 1992)

(92/C 285/62)

Subject: Illegal immigration by Third World seamen

Is the Commission aware that Third World seamen are being recruited to join ships in European ports, being allowed into the Member State to join the ship on the production of a contract of employment from the shipping company. They then disappear, becoming illegal migrants in the country where they should have joined ship.

This practice is becoming more prevalent. Some seamen sign on the ship and sail with her but many stay on the mainland, using this back-door method to gain entry to the Community.

What action does the Commission intend to take to prevent this happening in the future?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(27 July 1992)

Conditions of entry and stay for third country nationals are defined by the Member States.

However, in its communication to the Council and the European Parliament on immigration ⁽¹⁾, the Commission said that it would be prepared, in the interest of efficiency, 'to submit a suitably revised version of its proposal on the approximation of Member States' legislation on measures to combat illegal immigration and the attendant question of unauthorized work'.

⁽¹⁾ SEC(91) 1855 final.

WRITTEN QUESTION No 1203/92

by Mr Francisco Lucas Pires, Mr John Cushnahan, Mr Panayotis Lambrias and Mr Leopoldo Ortiz Climent (PPE)

to the Commission of the European Communities

(21 May 1992)

(92/C 285/63)

Subject: Cohesion Funds

Following on from the conclusions of the European Summit held in Maastricht (December 91) on the chapter

relating to economic and social cohesion, could the Commission mention the criteria according to which it intends to propose an increase in the financial support of Structural Funds (doubling of fund, incorporation of new German Länder, inclusion or not in calculations of the cohesion Funds . . .) as well as the manner in which they will be funded (new resources)?

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

(7 August 1992)

The Commission suggests that the Honourable Members refer to the following:

- COM(92) 2000: From the Single Act to Maastricht and beyond: The means to match our ambitions
- COM(92) 84: Community structural policies — Assessment and outlook

which contain the initial answers to their concern.

WRITTEN QUESTION No 1207/92

by Mr Jaak Vandemeulebroucke (ARC)

to the Council of the European Communities

(21 May 1992)

(92/C 285/64)

Subject: Establishment of the Committee of the Regions

Having regard to the agreement reached at Maastricht on the establishment of a Committee of the Regions (Article 198a, b and c),

- has the Council commenced work on the actual establishment of the above committee?
- how will the committee fit into the institutional structure of the Union?
- will the Council ensure that the Committee of the Regions consists of elected representatives of each of the regions, thereby safeguarding the democratic credentials of this new body?
- how will the Council ensure that the Committee of the Regions is politically independent of the Economic and Social Committee?
- does the Council intend to involve the European Parliament and the Commission in the establishment of the Committee of the Regions?

Answer

(1 October 1992)

1. The Council is of the opinion that the new Committee of the Regions should be able to carry out its

duties as from the entry into force of the Treaty on European Union. It therefore began examining, at its meeting on 15 June 1992, a number of practical guidelines to facilitate the setting up of the Committee. That examination will continue over the coming months.

2. As laid down in Articles 198a to c, the Committee of the Regions will be consulted by the Council or the Commission where the Treaty so provides and in all other cases in which one of these two institutions considers it appropriate. The Committee may also issue opinions intended for the Council and the Commission on its own initiative, where it considers such action appropriate.

3. Members and alternate members of the Committee of the Regions will be appointed by the Council acting on proposals from the respective Member States; it is therefore for each of the Member States to nominate people to present their regional and local communities without any specific criteria being fixed in the Treaty itself.

4. The Council does not have to ensure that the Committee of the Regions is politically independent of the Economic and Social Committee, as the Treaty itself stipulates that members of the Committee will be completely independent in the performance of their duties, in the general interest of the Community.

5. The Commission participates in meetings of the Council and of the Group of personal representatives of the Ministers for Foreign Affairs, which is responsible for preparing for the Council's proceedings on this matter. The Council would examine carefully any position that the European Parliament might adopt regarding the practical details for setting up the new Committee.

WRITTEN QUESTION No 1223/92

by Mr Freddy Blak (S)

to the Commission of the European Communities

(21 May 1992)

(92/C 285/65)

Subject: Information campaign on sexual harassment

The recently adopted recommendation on action to combat sexual harassment at the workplace is much-needed. This has now been established by studies in Denmark (¹). It is also therefore necessary that the recommendation to the Member States should be followed up by an intensive information campaign. That costs money. Will the Commission therefore say whether resources have been earmarked for this purpose and, if so, at what level?

(¹) Det fri Aktuelt 26. 3. 1992, p. 11.

**Answer given by Mrs Papandreou
on behalf of the Commission**

(27 July 1992)

The Commission is aware of the need for wide publicity for the recommendation on the protection of the dignity of men and women at work and of the good practice code annexed to it.

The Commission is currently assigning priority to the compilation and publication of a handbook showing the best examples of good practice designed to combat sexual harassment in each Member State.

Furthermore, a large-scale campaign to launch the handbook, which will also contain the texts of the recommendation and the good practice code, is to be organized by the Commission in the Member States from the start of 1993.

Pending the publication of this handbook, a compendium of the texts on the protection of dignity (Council resolution, Commission recommendation, etc.) will shortly be available for widespread distribution in all languages.

in the event of suspicion or as part of routine checks carried out by the authorities responsible for implementing laws.

This decision has led the Council to harmonize health rules at the place of origin in order to provide sufficient guarantees for the Member States of destination, especially those with a high health status.

To this end, significant changes have proved necessary in order to determine the conditions required for the completion of the single market at the end of 1992.

This was the case for ending vaccination against classical swine fever and foot-and-mouth disease, to which a majority of delegations agreed in the interest of a compromise.

In the case of rabies, the generalized use in Europe of an inactivated vaccine recognized by the WHO allows vaccinated and non-vaccinated animals to live together without risk, as proved in particular by the approach in Denmark, where animals are not vaccinated but vaccinated animals are admitted without quarantine restrictions.

Moreover, apart from the welfare of animals in isolation for six months, quarantine raises the issue of its efficacy insofar as the only recent cases occurring in the United Kingdom were of animals from quarantine centres where they had been vaccinated against rabies.

The Commission has steadfastly opposed maintaining a quarantine system except in the holding of destination. It has suggested to the Council that the principles of Directive 90/425/EEC, namely the requirement that animals come from a holding on which no case of rabies has been recorded over the previous six months and the possibility of quarantine at the holding of destination, should be maintained for animals susceptible to rabies.

The European Parliament has delivered a favourable opinion in this approach.

On 15 and 16 June 1992, on the basis of a recent opinion of the Scientific Veterinary Committee, the Council reached a compromise on alternative guarantees to be required by Ireland and the United Kingdom for cats and dogs for export by breeders to those countries (vaccination with an inactivated vaccine and a serological test before dispatch).

The question of pets will have to be solved later on the basis of a specific proposal on which the European Parliament will be called upon to deliver its opinion.

WRITTEN QUESTION No 1252/92

by Lord O'Hagan (ED)

to the Council of the European Communities

(4 June 1992)

(92/C 285/66)

Subject: Rabies

There is widespread concern in the United Kingdom about the possible relaxation of British controls on rabies.

Could the Council now make the position clear?

Answer

(1 October 1992)

Directive 90/425/EEC established the principle of the abolition of veterinary checks at frontiers for trade in live animals covered by Annex II to the Treaty, subject to the implementation of more stringent checks at origin and non-discriminatory spot-checks at the place of destination, checks during transit being provided for only

WRITTEN QUESTION No 1255/92**by Lord O'Hagan (ED)****to the Commission of the European Communities***(4 June 1992)**(92/C 285/67)**Subject: Draft Directive on working time*

How many jobs in each Member State does the Commission calculate will be lost if the draft Directive on working time is introduced in its present form?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(28 July 1992)

A number of variables would need to be taken into account before making a calculation of the effect on jobs of the proposal for a Directive on certain aspects of the organization of working time ⁽¹⁾.

These include:

- differences in current legislation and practices within different Member States;
- the way in which the Member States decide to implement the Directive after it is adopted, especially the extent to which they use the possibilities for derogations included within the proposal;
- the extent to which reductions in working hours will be compensated for by increases in wages;
- the benefits in terms of increases in productivity; these can occur both where reductions in individual working hours are linked with a more effective use of plant, equipment and manpower; and, in the longer term because the work-force is less tired and therefore healthier and safer.

Overall, the Commission believes that the effect on jobs will be positive, but it is extremely difficult to quantify this.

⁽¹⁾ OJ No C 254, 9. 10. 1990, OJ No C 124, 14. 5. 1991.

1. Is the Commission discriminating against wine from the United Kingdom?
2. What has been the outcome of the discussion on the Quality of Wine scheme?
3. Is the United Kingdom wine-growing industry contributing to the wine lake in the European Community?
4. What steps is the Commission prepared to take in order to reassure wine growers in the United Kingdom that they will be able to continue to produce their product and compete within the EC on a fair basis?

Answer*(1 October 1992)*

The Community's rules in the wine-growing sector consist principally of Regulations (EEC) Nos 822/87 on the common organization of the market in wine and 823/87 laying down special provisions relating to quality wines produced in specified regions (quality wines psr).

These Regulations make no discrimination amongst producers but take account of the different qualitative and quantitative conditions governing Community wine growing.

Under the management of the market, for example, there is provision for compulsory distillation to dispose of surpluses; it does not, however, apply to Member States in which the total quantity of wines produced is particularly small.

As regards the quality wines psr sector, Regulation (EEC) No 823/87 includes a series of provisions that take account of the specific conditions in each wine-growing area; in particular, the minimum natural alcoholic strength varies from 6,5 % vol in more northerly regions (except for certain production areas for which the figure is 6%) to 10 % vol in more southerly regions of the Community. In 1991 the Council decided that the specified regions of 'England' and 'Wales' would be eligible for the derogation level of 6%.

WRITTEN QUESTION No 1258/92**by Lord O'Hagan (ED)****to the Council of the European Communities***(4 June 1992)**(92/C 285/68)**Subject: Wine production in the United Kingdom*

Wine has been produced commercially in modern vineyards in increasing quantities since 1951.

WRITTEN QUESTION No 1271/92**by Mr Yves Verwaerde (LDR)****to the Commission of the European Communities***(4 June 1992)**(92/C 285/69)**Subject: Community premises in Luxembourg*

Could the Commission draw up a list of the Community premises occupied in Luxembourg, and can it specify the nature of the occupancy thereof?

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(22 July 1992)**

Rented buildings

- Jean Monnet building: Offices
- Cube building: Offices
- Centre Albert Wagner: Offices
- BAK extension: Two-and-half floors of office space rented in this Parliament building
- Tower building: Offices are rented for Council meetings in this Parliament building
- Early childhood centre: Welfare premises for children of officials of the European institutions; the Commission pays 31,16 % of the rent
- Rue Neyen: House used as a cultural centre as a temporary replacement for part of the 'Foyer', vacated for renovation work at the request of the Luxembourg authorities, who own and let it
- Howald depot: Storage for supplies and equipment

Building made available

- Former Weimershof School: Small-scale welfare premises housing eight groups of children from the Early Childhood Centre

**WRITTEN QUESTION No 1276/92
by Mr Rogério Brito (CG)
to the Council of the European Communities
(4 June 1992)
(92/C 285/70)**

Subject: Liberalization of cabotage by air for Madeira and the Azores

Following the most recent Council meeting of Transport Ministers (held on 26 and 27 March 1992), it was announced that the Council was in favour of liberalizing air fares as part of the third package of air transport

liberalization measures and that it supported the principle of general access to all air routes. It was also announced that there was agreement regarding the liberalization of cabotage but that the transitional period relating to such liberalization was still under discussion. Since an end to state subsidies for national airlines is also under discussion at present, what transitional period is likely to be adopted for the liberalization of cabotage as regards Madeira and the Azores, and what are the likely effects of an end to cabotage and state subsidies, on the fares currently charged to the inhabitants of these island regions?

**Answer
(1 October 1992)**

At its meeting on 22 June 1992 *the Council* reached substantive agreement on the three draft Regulations relating to the third package of air transport liberalization measures concerning licences, fares and market access. These Regulations will shortly be formally adopted by the Council and published in the *Official Journal of the European Communities*.

Article 1 (4) of the market access Regulation provides that airports in the Greek islands and in the Atlantic islands comprising the autonomous region of the Azores shall be exempted from the application of the Regulation until 30 June 1993. Unless otherwise decided by the Council, on a proposal from the Commission, this exemption shall apply for a further period of five years and may be continued for five years thereafter. However, the Regulation provides in general that cabotage will be introduced over a transitional period up to 1 April 1997, during which consecutive cabotage will be authorized with a restriction on capacity (50 %).

Concerning the part of the question relating to fares, the Honourable Member's attention is drawn to the fact that, as indicated in the preamble, the Regulation on fares is based on the general principle of free determination of air fares by market forces with adequate safeguards to preserve consumer and industry interests. However, as regards island connections, Article 4 of the market access Regulation recognizes as a general rule the principle whereby a Member State may impose a public service obligation if necessary to maintain adequate provision of scheduled air services to certain regions of a country, including islands in particular. This arrangement makes provisions, under certain conditions, for a Member State to reimburse an air carrier for satisfying standards required by a public service obligation. In addition, as far as the existing situation in some Member States is concerned, the Regulation on access to the market stipulates in Article 5 that on domestic routes for which at the time of entry into force of the Regulation an exclusive

concession has been granted by law or contract and where other forms of transport cannot ensure an adequate and uninterrupted service, such a concession may continue until its expiry date or for three years, whichever date comes first.

the essential collaboration of the European Parliament and in the most appropriate bilateral forms, bearing in mind the institutional framework of Lomé IV?

Answer

(1 October 1992)

WRITTEN QUESTION No 1288/92

by Mr Ernest Glinne (S)

to the Council of the European Communities

(4 June 1992)

(92/C 285/71)

Subject: The need for new politico-economic groupings in Africa and the attitude of the EC

The African continent, an important partner of the European Community, is well aware of the need for new politico-economic groupings, its attempts to achieve which have not been without their failures and partial failures. The Southern African Development Coordination Conference (SADCC), which favours a macroeconomic policy in southern Africa, the Preferential Trade Area (PTA), the Economic Community of the West African States (Ecowas), the now defunct East African Community, etc. have pursued the objective of greater regional cooperation with widely differing results, and are remotivated in the present situation by the fear of the North-South, Euro-African dialogue being pushed aside in favour of East-West cooperation on the continent of Europe.

It is a well-known fact that, in practice, these African initiatives come to grief because of the desire to preserve vulnerable national identities and a suspicion that the Twelve are reverting to neo-colonialism. Paradoxically, in the eyes of the outside world, the armed conflicts which take place within and between African States tend to strengthen the African's desire to preserve their territorial integrity, often with good reason.

Would the Council therefore answer the following questions:

1. Has it been made totally clear to our partners that the aid and 'right of intervention' which are needed do not involve any kind of 'interference or domination'?
2. The African Economic Community, which was established by a recent treaty, sets up a Pan-African Parliament: 'in order to ensure that the peoples of Africa are fully associated in the economic development and integration of the continent, a Pan-African Parliament shall be established. Its composition, powers and organization (...) will be set out in an appropriate protocol'. How does the EC view the commitment thus made, in the light of its wish to provide the reassurance and aid required, with

1. One of the objectives of the Lomé Convention is to encourage regional cooperation among the ACP States. Community support in this field, as indeed in all other fields, is carried out in concert with the cooperation partners based on a mutual dialogue and in full respect of the sovereignty of the countries concerned.

2. In accordance with the resolution on Human Rights, Democracy and Development adopted by the Development Council meeting in November 1991, the Council would welcome the creation of a Pan-American Parliament resulting from fair and free elections and the contribution that such a Parliament would make to promoting human rights, multi-party democracy and regional integration in Africa.

WRITTEN QUESTION No 1321/92

by Mr Juan de Dios Ramírez-Heredia (S)

to the Council of the European Communities

(5 June 1992)

(92/C 285/72)

Subject: Schengen Agreement

Is the Council aware of the statement by German Finance Minister Theo Waigel, in which he said that he would sign the Schengen Agreement only if the German constitution were modified so as to put more restrictions on the right of asylum?

Does the Council consider that some States can be more closed than others in exercising this human rights?

Answer

(1 October 1992)

It is not for the Council to comment on statements made by the Minister of a Member State on the Schengen Agreement, which is not a European Communities matter.

The Council would, however, remind the Honourable Member of the European Parliament's debate in plenary session on the Schengen Agreement, held on 20 February 1991.

As regards *asylum*, the Honourable Member's attention is drawn to the statement on the subject annexed to the Treaty on European Union and to Articles K.1 (1) and K.2 (2) of Title VI.

WRITTEN QUESTION No 1346/92

by Mr José Gil-Robles Gil-Delgado (PPE)

to the Commission of the European Communities

(5 June 1992)

(92/C 285/73)

Subject: Reduced protection for the disabled

In Spain, in accordance with Royal Decree 1723/81, for the purposes of whatever laws, benefits or services are concerned, the condition of disability is recognized in respect of any person whose organic and functional capacities are reduced by at least 33 %.

Previously to Law 26/90 of 20 December 1990, disabled persons suffering from at least 33 % incapacity and aged over 18 were entitled to financial support from the social security system. However, following the entry into force of the above law, disability pensions are now granted only to persons suffering from at least 65 % incapacity or aged under 18 (i.e. below the age of majority).

Does the Commission consider this law to be compatible with paragraph 26 of the Community Charter of the Fundamental Social Rights of Workers? What measures does it intend to adopt to ensure that disabled persons caught in this situation are not deprived of protection?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(23 July 1992)

The Community Charter of the Fundamental Social Rights of Workers is a solemn declaration setting out the broad principles on which the European model of labour law is based. It lays the foundation for social rights to be guaranteed and implemented at national or Community level, as appropriate.

Regulations (EEC) Nos 1408/71 and 574/72, based on Article 51 of the EEC Treaty (⁽¹⁾), are intended not to harmonize the various social security systems within the Community but to coordinate them. It is accordingly for

the individual Member States to define the concept of disability, which is a condition for the granting of disability benefit.

(⁽¹⁾) OJ No L 230, 22. 8. 1983.

WRITTEN QUESTION No 1358/92

by Mr Ernest Glinne (S)

to the Council of the European Communities

(5 June 1992)

(92/C 285/74)

Subject: Disagreement between the S.A.D.C.C. and the Nordic/S.A.D.C.C. Initiative

The Nordic/S.A.D.C.C. Initiative which was set up in 1986 to foster cooperation between the S.A.D.C.C. and the Scandinavian countries, decided at its Windhoek meeting in 1991 to separate its general cooperation activities from its programme of investment, trade relations and enterprises and business development. The business world on both sides seemed to place more confidence in a more direct relationship.

The annual consultation meeting held recently in Maputo was unable to declare itself satisfied with the change; one Nordic consultant, while remaining diplomatic, was scathing in his assessment of the S.A.D.C.C. side. Mr Henrik Wohlk, Denmark's Secretary of State for External Relations, criticized both in private and at a press conference the lack of coordination, bureaucracy, plethora of unnecessarily lengthy meetings, excess of formalities and cumbersome machinery which characterized these relations, a view which met with embarrassed agreement from Mr Simba Makoni, the Secretary-General of the S.A.D.C.C.

A meeting is to be held in June 1992 to iron out these differences, which concerns the whole EC and the whole S.A.D.C.C.

What is the Council's view of this matter, particularly with regard to the charge of over-politicization?

Finally, what positive effects has the Nordic/S.A.D.C.C. Initiative had, taken country by country, and what has been their contribution to the S.A.D.C.C.?

Answer

(1 October 1992)

It is not for the Council to comment on relations between the Nordic countries and the SADCC or on statements made by the Minister of a Member State.

WRITTEN QUESTION No 1396/92**by Mr Sotiris Kostopoulos (S)****to the Commission of the European Communities***(5 June 1992)**(92/C 285/75)**Subject: Cancer in domestic animals*

Cancer does not only affect human beings. Medical studies in recent years have observed a substantial increase in the number and types of tumour in domestic animals and, in particular, in dogs. To date there is no documented epidemiological study to explain the increase in cancer in small domestic animals. What does the Commission intend to do to bring cancer in domestic animals under control?

**Answer given by Mr Mac Sharry
on behalf of the Commission**

(18 August 1992)

The Commission has no plans to fund epidemiological projects to examine the occurrence of tumours in dogs and small domestic animals.

WRITTEN QUESTION No 1415/92**by Mr Ernest Glinne (S)****to the Council of the European Communities***(16 June 1992)**(92/C 285/76)**Subject: Illegal fishing in Mozambican waters*

Pirate vessels — mostly from South Africa — are illegally fishing in Mozambican waters; the main catch is shrimps. Local coastal authorities are powerless and the Government does not have a single patrol boat to intercept these pirates while its helicopters are needed in the civil war still ravaging the country.

In the edition of 23 April 1992 the South African 'Weekly Mail' notes that pirates operate mainly in the Bay of Machungulo, 25 km south of Maputo.

The Mozambican Government has tightened up legislation and made it more difficult to obtain fisheries permits and adopted other measures, amending the calendar of parliamentary business to push these measures through. Nevertheless, in the absence of the physical means to stop piracy it remains powerless. The 'Weekly Mail' has also published a number of declarations on this matter by Mr Ernest Nhambe, director of the Maritime Administration in Maputo, and Mr Luis Martins, biologist at the Secretariat of State for Fisheries.

Given that a decision by the Council and the text of a fisheries agreement concluded between the Community and Mozambique were published in the Official Journal (OJ No L 107 of 24 April 1992), I should like to know how the Council is supporting Mozambican protests to the Republic of South Africa and how it is endeavouring to ensure that these very important natural resources are preserved for Mozambique?

Answer*(1 October 1992)*

As the Treaty of Rome does not provide any legal basis for the Council to express an opinion on this matter, it can only point out that fishing in Mozambican waters must comply with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law.

However, the competent authorities in Mozambique could raise this matter, if they so wished, in the context of the agreement with the Community on fisheries relations and in the joint bodies provided for in the Lomé Convention.

WRITTEN QUESTION No 1417/92**by Mr Ernest Glinne (S)****to the Council of the European Communities***(16 June 1992)**(92/C 285/77)**Subject: 'Disappearance' of information on drugs trafficking and the laundering of drugs money in Switzerland*

The publishing house of Favre has published a very substantial volume entitled 'Contre-enquête' (Counter-inquiry) by journalists Pascal Auchlin and Frank Garbely; it makes extraordinary reading, even after the work by Professor Jean Ziegler 'La Suisse lave plus blanc' (Switzerland washes whiter).

This book by the two journalists is almost unobtainable: it seems that after the publishing house succumbed to pressure copies of the book that had been actually produced were withdrawn from circulation by very suspicious large-scale purchases, presumably by the drugs trafficking networks.

Will the Council provide answers to the following questions:

1. Has it obtained a copy of this work? If not, why not? If so, what conclusions does it draw?
2. Apart from the fact that this book is not available in bookshops, has the Council met with any additional difficulties in obtaining this book?

3. What conclusions can be drawn from the cases of Adams, Ziegler and Auchlin and Garbely as regards the apparent restriction of freedom of expression in Switzerland? Will this have any repercussions on negotiations on the possible accession of the Swiss Confederation to the European Community?

Answer

(1 October 1992)

The Council is not competent to answer the Honourable Member's question.

WRITTEN QUESTION No 1435/92

by Mr James Ford (S)

to the Council of the European Communities

(16 June 1992)

(92/C 285/78)

Subject: Dr Jane Rauch

Will the Council please explain why Dr Rauch was denied a residency permit in the Netherlands for economic reasons in spite of the fact that she would not be a burden on the Dutch social security system; why it took six months to issue a response instead of the usual six weeks; and whether these circumstances are related to Dr Rauch's past membership in the German Communist Party?

Answer

(1 October 1992)

It is not within the province of the Council to answer the Honourable Member's question.

WRITTEN QUESTION No 1460/92

by Mr Sotiris Kostopoulos (S)

to the Commission of the European Communities

(16 June 1992)

(92/C 285/79)

Subject: Greek television lotteries

Most TV channels in Greece are in breach of Articles 85 and 86 of the EEC Treaty which lay down rules on competition between undertakings and establish the conditions ensuring fair competition between the Member States of the Community. Every day TV

channels in Greece broadcast a whole variety of TV lottery games which, although they promise prizes of millions of drachmas, luxury houses and cars, domestic equipment etc., in reality offer very little. Every week there are more than 50 TV games of this kind — both innocent and otherwise — between 6 and 8.30 p.m. Does the Commission intend to ask the Greek authorities to reduce the number of these TV lotteries so as to comply with EEC Directives and Regulations?

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

(17 August 1992)

The Honourable Member refers to alleged violations of Articles 85 and 86 of the EEC Treaty without specifying how these rules have been broken. Without explanation the further statements made in his question do not appear to justify the assertion made. In addition, the question, as presented, raises an issue which appears to be limited in its effects to the Greek market without giving rise to any wider implications under Community law. The Commission is, however, willing to examine any further information which might disclose breaches of either of these Articles of the Treaty.

WRITTEN QUESTION No 1479/92

by Mrs Anita Pollack (S)

to the Commission of the European Communities

(16 June 1992)

(92/C 285/80)

Subject: Racism and xenophobia

1. When does the Commission expect to have the results of its survey on the legal machinery available in Member States for combating racism and xenophobia?

2. In the light of the Ford Inquiry into racism and xenophobia, will it make the results of this survey speedily available to the European Parliament?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(27 July 1992)

The Commission will notify the European Parliament of the results of the survey of legal machinery for fighting

racism as soon as the summary report, scheduled for the end of July, is available in all language versions.

WRITTEN QUESTION No 1483/92

by Mr Sérgio Ribeiro (CG)

to the Commission of the European Communities

(16 June 1992)

(92/C 285/81)

Subject: Privatizations in Portugal

The process of privatization in Portugal has at times been presented as a model or example to be followed.

We have always had serious reservations about this process both with regard to its objectives and its format. These reservations have been proved right in practice.

In recent cases in particular, the intention of all those actually or potentially involved has unequivocally been to enter into gentlemen's agreements to ensure that undertakings are handed over to existing groups or to those in the process of being formed.

The press talks of a cartel, the dictionary definition of which is 'collusion or previous agreement between buyers with the aim of lowering or altering prices or monopolizing the market, with profits being shared out between the parties', and does not hesitate to use the headline 'An End to Competition' in connection with privatization of the Rodoviária Nacional (the national coach company).

Does the Commission, as the body responsible for ensuring compliance with the rules of competition in the Community, not feel a need to intervene or at least to draw attention to the undesirable nature of Portuguese privatization?

**Answer given by Sir Leon Brittan
on behalf of the Commission**

(14 August 1992)

In accordance with Article 222 of the Treaty, privatization policy in the case of public enterprises is a matter solely for the Member States, who alone are responsible for decisions relating to the extension and organization of the public sector.

If they were found to exist, the practices referred to by the Honourable Member would not infringe the rules on competition laid down in the Treaty (Articles 85, 86, 90 and 92 to 94) but could come within the jurisdiction of the Member State concerned.

However, it is for the Commission to ensure that the conditions under which such privatization is carried out do not contravene the rules of the Treaty, and in

particular those prohibiting any discrimination on the basis of nationality, or the rules on competition, and in particular Article 92, which concerns State aid.

Where privatization of Rodoviária Nacional is concerned, the Commission has no information on which to assess the irregularities identified by the Honourable Member.

WRITTEN QUESTION No 1489/92

by Mr Gerardo Fernández-Albor (PPE)

to the Commission of the European Communities

(16 June 1992)

(92/C 285/82)

Subject: Alternative sentences for prisoners addicted to drugs

Jailing offenders driven to crime by drug addiction does not enable them to reintegrate into society and exacerbates their plight as sick people whose suffering can only be understood by their peers.

There is, for this reason, a strong strand of public opinion which considers that drug addicts should receive medical treatment to cure their illness as a precondition for rehabilitation, since they should be regarded as sick people rather than criminals.

Since the problem is widespread throughout the Community, does the Commission consider that it should propose a set of regulations on the subject so that offenders suffering from drug addiction may be given alternative sentences, enabling them to be socially rehabilitated and to become normal citizens again while being cured of their illness?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(27 July 1992)

The Commission is very much alive to the problems to which the Honourable Member refers.

Some information has already been supplied with the answer to his question No 1856/91 (').

Since then, a resolution on the treatment and rehabilitation of drug addicts who receive penal sentences was adopted by the Council of Ministers and Ministers of Health meeting within the Council on 11 November 1991 (').

That resolution calls on the Commission to promote an exchange of views and experience in the field covered by the Honourable Member's question.

(¹) OJ No C 66, 16. 3. 1992.

(²) OJ No C 304, 23. 11. 1991.

WRITTEN QUESTION No 1520/92

by Mrs Cristiana Muscardini (NI)
to the Commission of the European Communities
(16 June 1992)
(92/C 285/83)

Subject: Protection of staff health at the Community institutions

Over the past few years the various EP Secretariat departments in Luxembourg, Brussels, and Strasbourg have been equipped with a host of new, technologically highly advanced appliances which have made work easier but have undoubtedly done severe damage to official's health.

Photocopiers and laser printers, for example, produce ozone, a useful gas in the stratosphere but which, in office, causes various respiratory tract infections and proven serious forms of tumours. Furthermore, some computers give off vinyl chloride, a gas produced when plastic components heat up, electromagnetic radiation, and even X-rays.

Can the Commission say how many cases of tumours have occurred among the staff of European institutions? What steps will it take to protect the health of staff called upon the work with computers, laser printers, and photocopiers?

Why are manufacturers not required to produce certificates, checked by independent experts and based on the most stringent ergonomic standards, concerning the ozone, noxious gas, radiation, and other emissions generated by the office equipment installed for the use of Community personnel? Lastly, can the Commission say what procedures are used to check air conditioning in the various Secretariat buildings and how often checks are carried out?

Answer given by Mr Cardoso e Cunha
on behalf of the Commission
(30 July 1992)

Commission staff use office appliances and equipment as required for their work. Laser printers and photocopiers are major examples.

Rules governing the installation of such equipment are in force in the institution. Inspections are carried out, particularly as regards major installations (printshops), by approved outside agencies.

In general terms,

- the effects of gases produced by photocopiers are limited by the ventilation systems and the renewal of the filters;
- the radiation produced by laser printers stops when these appliances are opened;
- as regards vinyl chloride, the functional cooling systems of the appliances are designed to prevent any emissions;
- there are no X-ray emissions;
- electromagnetic radiation is subject to manufacturers' controls and the values do not exceed those of some ordinary household appliances.

The Commission's medical service has no knowledge of any serious respiratory problems or tumours amongst the members of the Commission's staff whose duties involve the use of such apparatus.

WRITTEN QUESTION No 1527/92

by Mr Hugh McMahon (S)
to the Commission of the European Communities
(16 June 1992)
(92/C 285/84)

Subject: Commission consultation on NGO's of social policies

How does the new European NGO Liaison Group on older people influence Commission plans and policy for the European Year and EC Programme on elderly people? Are joint meetings scheduled between the NGO Liaison Group and the EC Advisory Committee of national civil servants? What mechanisms, if any, are in place to ensure the Liaison Group's views are taken on board by Commission services?

Does the Commission plan any particular involvement of European NGOs in planning of the European Year of Elderly People?

Answer given by Mrs Papandreou
on behalf of the Commission
(23 July 1992)

The Liaison Group on older people meets 2 to 3 times per year for consultation purposes on the implementation of

the elderly programme for the elderly and the preparation of the European Year.

A joint meeting with the Advisory Committee is scheduled for Autumn 1992.

The minutes of the meetings are sent to the Liaison Group members for their approval and for follow-up purposes. The Commission has asked the member organizations of the Liaison Group for an active contribution to the Year along with the help from their national members.

WRITTEN QUESTION No 1546/92

by Mr Sotiris Kostopoulos (S)

to the Council of the European Communities

(16 June 1992)

(92/C 285/85)

Subject: Advertising for tobacco products

At a recent meeting the section on the protection of the environment, public health and consumers of the Economic and Social Committee (Ecosoc) adopted a resolution opposing the Commission's proposal for a Directive COM/91/0111⁽¹⁾ banning advertising for cigarettes and all tobacco products in the European Community. This resolution provides for voluntary restraint by producers on advertising for tobacco products, the rejection of the proposal for a directive, the postponement of any new Commission proposals until January 1994 and plans for a new overall framework. Will the Council state its position on this important matter and does it intend, in principle, to reject the Commission's proposal for a Directive COM/91/0111?

⁽¹⁾ OJ No C 167, 27. 6. 1991, p. 3.

Answer

(1 October 1992)

Is it not for the Council to comment on positions expressed in the context of internal proceedings of the Economic and Social Committee.

When the Economic and Social Committee has delivered its opinion — which it has not yet done — the Council will decide to what extent it can take account of that opinion which, if it were along the lines indicated by the Honourable Member, would be contrary to the opinion expressed by the Parliament.

WRITTEN QUESTION No 1554/92

by Mr Jacques Tauran (DR)

to the Council of the European Communities

(16 June 1992)

(92/C 285/86)

Subject: Summer time

Summer time was introduced in France in March 1975 and is now used in all the Member States of the European Community.

Contrary to the expectations on which the change to summer time was based, energy savings have not been achieved or have been cancelled out by additional expenditure in other areas. Moreover, teachers, company managers and doctors have all reported harmful effects arising from the change to summer time (such as tiredness, various ailments, reduced sleeping time, loss of concentration, lower productivity, etc.).

The following can also be observed:

- an increase in the number of road accidents,
- a worsening of photo-oxidant pollution in built-up areas,
- poor traffic conditions in the morning,
- problems in stock-rearing and other agricultural work.

In view of the above, does the Council intend to review summer time and if so, when and how?

If not, could the Council explain the reasons for its refusal?

Answer

(1 October 1992)

The Council wishes firstly to inform the Honourable Member that studies and reports on the effects of summertime completed to date do not bear out the categorical conclusions on which his question is based.

This being the case, the Council, acting under the cooperation procedure with the European Parliament, adopted the sixth Council Directive on summertime arrangements at its meeting on 26 and 27 March 1992.

The Honourable Member is reminded that on 27 January 1992 the Council had adopted a common position with a view to the adoption of the sixth Directive, whereby it agreed, without amendments, to the text of the Commission proposal.

With regard to the amendments proposed by the European Parliament at its first reading, the Council took formal note that the Commission intended as soon as possible not only to continue the studies it had been carrying out, particularly in the health and environment fields, but also to embark on any study it deemed necessary in collaboration with representatives of the areas involved and national experts of the Member States, so as to have the fullest possible assessment of the situation and outlook regarding summertime arrangements.

WRITTEN QUESTION No 1562/92

**by Mr Juan de Dios Ramírez-Heredia (S)
to the Commission of the European Communities**

(16 June 1992)

(92/C 285/87)

Subject: NGO participation in the fight against poverty and social exclusion

Jacques Delors, the President of the Commission, recently spoke out strongly against the fact that millions of EC citizens live in poverty and a state of social exclusion. Inter alia, he proposed that there should be improved mechanisms for consulting NGOs, with a view to ensuring their participation in official programmes organized by public authorities.

What measures does the Commission intend to take to ensure NGO participation?

**Answer given by Mrs Papandreou
on behalf of the Commission**

(31 July 1992)

As stated by President Delors at the Conference on the theme 'Combating Exclusion, Promoting Integration' held on 2 and 3 April 1992, the Commission will do its utmost within the confines of its powers and resources to make an active contribution to combating social exclusion.

Amongst other things, it therefore intends to develop a permanent dialogue with the non-governmental organizations engaged in combating poverty.

That dialogue has already begun. The Commission has lent its support to the establishment of a European Anti-Poverty Network which brings together non-governmental organizations which are active in this field either within the Member States or at European level. The Commission provides financial support for the network and holds regular meetings with its representatives.

WRITTEN QUESTION No 1570/92

**by Mr Juan de Dios Ramírez-Heredia (S)
to the Council of the European Communities**

(16 June 1992)

(92/C 285/88)

Subject: Community languages and the International Centre for Science and Technology in Moscow

The Council has approved the text of the cooperation agreement on setting up the International Centre for Science and Technology in Moscow, to which the Community will be contributing Ecu 20 million.

Very wisely, the Council has decided that, before it will sign, the text of the agreement must be drawn up in all the other Community languages in addition to French and English.

Does the Council propose to continue to make demands of this nature in future in its relations with the International Centre for Science and Technology in Moscow?

Answer

(1 October 1992)

At the Community's request, the text of the agreement setting up the International Centre for Science and Technology was drawn up in all the Community languages, as well as Russian and Japanese, each text being equally authentic.

The position to be taken by the Community's representatives on the Governing Board of the Centre (Presidency and Commission) as regards the Centre's general policy, its rules of procedure, the criteria and priorities for project approval, the accession of new members and the establishment of branch offices in other republics will be defined by the Council, whose discussions are based on documents in all the official languages of the Community.

WRITTEN QUESTION No 1610/92

**by Mr Yves Verwaerde (LDR)
to the Council of the European Communities**

(24 June 1992)

(92/C 285/89)

Subject: Measures to promote Community cooperation with regard to civil defence

Following the Council resolution of 8 July 1991 on improving mutual aid between Member States in the event

of a natural or technological disaster ⁽¹⁾, can the Council give a number of specific and significant examples of improvements in cooperation in this area at Community level?

(¹) OJ No C 198, 27. 7. 1991, p. 1.

Answer

(1 October 1992)

There is no body within the Council to which the information referred to by the Honourable Member would be forwarded on a regular basis.

Such exchanges of information in fact take place within the Permanent Network of National Correspondents on Civil Protection managed by the Commission's civil protection unit, as recalled in the Council resolution referred to by the Honourable Member.

However as an indication of the general way in which Community cooperation is developing, the following may be mentioned:

- the second self-tuition workshop on forest fire-fighting in May 1992;
- the creation of a group of liaison officers responsible in particular for liaising between authorities faced with an emergency and the authorities of their country of origin in order to help mobilize the means most suited to the situation.

For more detailed information, the Honourable Member should address his enquiries to the Commission's civil protection unit.

WRITTEN QUESTION No 1624/92

by Mr Sérgio Ribeiro (S)

to the Council of the European Communities

(24 June 1992)

(92/C 285/90)

Subject: Committee of the Regions

According to reports following the press conference at the end of the informal meeting of Ministers for Regional Policy held in May in Lisbon, chaired by the Minister, Mr Valente de Oliveira, at which Commissioner Bruce Millan was present, the ministers discussed Maastricht, the Delors II Package and the Cohesion Fund, and recommended setting up a Council for Economic and Social Cohesion and Regional Planning and possibly formally establishing a Regional Development Committee or a committee similarly designated.

However, nothing was apparently said about the Committee of the Regions, despite the fact that it is referred to in the new Treaty as adopted in Maastricht.

Does this mean that the Council has lost interest in the Committee of the Regions, because apart from the fact that the governments no longer require its members to be elected representatives, which is precisely what the Commission proposed, it does not consider that it is worth setting up a purely advisory body, in which central government officials might be consulted, since the governments could do this directly, without having to set up ill-defined and expensive structures?

Answer

(1 October 1992)

The Honourable Member is unduly pessimistic. The Inter-governmental Conference on Political Union decided to set up a committee with advisory status consisting of representatives of regional and local bodies ('Committee of the Regions') precisely because it recognized the importance of associating these bodies closely with the Community's decision-making process.

Far from having lost interest in the Committee of the Regions, the Council considers that this Committee should be able to exercise the powers conferred upon it as soon as the Treaty on European Union enters into force; that is why the Council is already in the process of working out a number of practical guidelines to facilitate the establishment of the Committee within the required space of time.

Finally, the Council has on many occasions — and particularly during Question Time in April, May and June, 1992 — informed the European Parliament of the reasons why the relevant provisions of the Treaty on European Union remain silent on whether or not future members of the committee of the Regions should be elected representatives.

WRITTEN QUESTION No 1634/92

by Mr Giacomo Porrazzini (GUE)

to the Commission of the European Communities

(24 June 1992)

(92/C 285/91)

Subject: Survivor's pension for EEC officials

At the time of the decision on the 'method' for reviewing the salaries of officials and other agents of the European Community, the Council agreed to consider seriously and

in a spirit of openness the Commission's proposals on a survivor's pension.

On 7 November 1991 the Commission forwarded the proposals in question to the Council but the latter was unable to reach agreement on the matter.

Can the Commission explain how it intends to proceed, in the light of the Council's failure to reach a decision, to ensure that the commitments undertaken by the Council vis-à-vis the other institutions and the trade union representatives of officials and other agents of the Communities are respected?

**Answer given by Mr Cardoso e Cunha
on behalf of the Commission**

(4 September 1992)

The Commission is of the opinion that the proposals put before the Council in connection with the revision of the 'method' form a whole.

Throughout the discussions within the Council the Commission therefore endeavoured to facilitate agreement on the proposals regarding the survivor's pension.

This proposal is still before the Council and the Commission will continue its endeavours for an improvement in this field.

WRITTEN QUESTION No 1635/92

**by Mr Giacomo Porrazzini (GUE)
to the Council of the European Communities**

(24 June 1992)

(92/C 285/92)

Subject: Survivor's pension for EEC officials

At the time of the decision on the 'method' for reviewing the salaries of officials and other agents of the European Community, the Council agreed to consider seriously and in a spirit of openness the Commission's proposals on a survivor's pension.

On 7 November 1991 the Commission forwarded the proposals in question to the Council but the latter was unable to reach agreement on the matter.

Can the Council explain why it was unable to muster a majority in favour of the Commission proposals and how it intends to proceed in order to comply with the commitments undertaken vis-à-vis the other institutions and the trade union representatives of officials and other agents of the Communities?

Answer

(1 October 1992)

The Council wishes to stress that it has given careful consideration to the Commission's proposals for an increase in the rate of the survivor's pension, carrying out in particular a comparative analysis of the rates of widow's pension applicable in the Member States and under the Community system. On the basis of that analyse, the Council concluded that the proposed increase did not appear to be justified.

The Council has however taken note of the Commission's intention to explore the possibility of other initiatives which it might be induced to take after fresh consideration of the matter.

WRITTEN QUESTION No 1681/92

**by Mr Bernard Antony (DR)
to the Council of the European Communities**

(1 July 1992)

(92/C 285/93)

Subject: Effectiveness of Community subsidies

It appears that a number of hotel buildings in Crete have remained unfinished and been abandoned. Is this the result of ill-considered or improperly allocated Community subsidies being wasted?

Answer

(1 October 1992)

Implementation of the Structural Funds is the responsibility of the Commission under Article 18 of Regulation (EEC) No 2052/88 of 24 June 1988 and of the Greek State insofar as it is concerned.

WRITTEN QUESTION No 1720/92

**by Mr Louis Lauga (RDE)
to the Council of the European Communities**

(1 July 1992)

(92/C 285/94)

Subject: Freedom of movement for travelling people

As we approach the Single Market and the implementation of the Maastricht Treaty, some thought should be given to the material and non-material interests

of travelling people (caravan dwellers, fairground workers) throughout the Community.

What measures does the Council intend to take, to allow this category of Community citizens to carry on their activities and uphold their dignity in the general context of freedom of movement and freedom of establishment for goods and persons?

Answer

(1 October 1992)

The conditions governing the movement of travelling people within the Community are exactly the same as those applicable to other people.

WRITTEN QUESTION No 1777/92

by Mr Ernest Glinne (S)

to the Council of the European Communities

(2 July 1992)

(92/C 285/95)

Subject: Use of nuclear technology in space

Following the nuclear accidents at the Challenger and Topaz nuclear reactors NASA and the DOE signed the Space Nuclear Power Agreement in July 1991, limiting US liability in the event of a nuclear accident in space to \$ 7,3 billion for material and physical damages caused by radioactive contamination to US nationals and \$ 100 million for the remainder of the world's population. At the beginning of January 1991 the US Government withdrew its support for the UN draft directive on the use of nuclear technology in space because the Defence Department and NASA feared it might adversely affect the ongoing 'Star Wars' programme.

How does the Council view this huge disparity in potential compensation and the United Nations draft directive?

To what extent have the governments of the Member States given their support to this draft, and on what clauses? Is the decision to abandon it irreversible?

Answer

(1 October 1992)

The Council is aware of the problems relating to nuclear third party liability. For this reason, it reaffirms the importance it attaches to the work under way in various international fora in order to improve the international instruments existing in this context⁽¹⁾, and is closely following developments in this connection.

However, it should be remembered that nuclear reactors used as a means of transport are not included in the scope of the abovementioned instruments.

With regard to the first question, the Council is not in a position to express a view on decisions taken by a third country.

As regards the UN draft directive referred to by the Honourable Member, the Council has no information in this connection.

It will certainly act as soon as it receives Commission proposals on the matter.

⁽¹⁾ These instruments are:

- (a) in the OECD context — Nuclear Energy Agency (NEA) —:
 - the 1960 Paris Convention
 - the 1963 supplementary Brussels Convention
 - Additional Protocols to these two Conventions, adopted in 1982;
- (b) in the context of the International Atomic Energy Agency (IAEA), the 1963 Vienna Convention;
- (c) the *Joint Protocol* adopted in Vienna on 21 September 1988 in order to link the two abovementioned sets of arrangements.

WRITTEN QUESTION No 1779/92

by Mrs Marguerite-Marie Dingirard (V)

to the Council of the European Communities

(2 July 1992)

(92/C 285/96)

Subject: Radiocommunications — Merchant ships

Does the Council share the view that, following the change in radiocommunications systems on board merchant ships, the post of radioelectronics officer is still essential for security purposes, complementing all the other radiocommunications systems (in accordance with IMO Resolution A 420)?

Answer

(1 October 1992)

The IMO and the ITU, international organizations dealing with radiocommunications systems on board merchant ships, have finally decided that, contrary to previous practice, the services of specialized staff such as radioelectronics officers are no longer required for the purposes of radio communication. Between 1992 and 1999 the Global Maritime Distress and Safety System (GMDSS) will be installed world-wide. Under the relevant IMO decisions, radiocommunications on board merchant ships will be the responsibility of crew members who hold a radiocommunications qualification. The

conditions attached to acquisition of this general qualification in radioelectronics were fixed by the ITU. All deck officers must have the radiocommunications certificate. During the transitional period between 1992 and 1999, both the old arrangement (specialized radioelectronics officer) and the new will apply.

WRITTEN QUESTION No 1805/92
by Mrs Mechthild von Alemann (LDR)
to the Council of the European Communities
(6 July 1992)
(92/C 285/97)

Subject: Forwarding agents and the internal market

On 6 May 1992 the Commission presented a plan for accompanying measures aimed at adapting the occupation of forwarding agent to the internal market.

Will steps be taken to ensure that associations are immediately informed as to where applications may be made in Germany?

WRITTEN QUESTION No 1807/92
by Mrs Mechthild von Alemann (LDR)
to the Council of the European Communities
(6 July 1992)
(92/C 285/98)

Subject: Forwarding agents and the internal market

On 6 May 1992 the Commission presented a plan for accompanying measures aimed at adapting the occupation of forwarding agent to the internal market.

Will this plan provide for compensation of pay supplements, especially for older employees of the affected companies, in a new employment situation?

WRITTEN QUESTION No 1809/92
by Mrs Mechthild von Alemann (LDR)
to the Council of the European Communities
(6 July 1992)
(92/C 285/99)

Subject: Forwarding agents and the internal market

On 6 May 1992 the Commission presented a plan for accompanying measures aimed at adapting the occupation of forwarding agent to the internal market.

Can the Council confirm that the funds may be used as from 1 January 1993 since forwarding agents will be needed in their present jobs until 31 December 1992?

Joint answer
to Written Question Nos 1805/92, 1807/92 and 1809/92
(1 October 1992)

The Council does not have the information needed to give a detailed reply to the questions put by the Honourable Member. As indicated in the Commission communication to which the Honourable Member refers, responsibility for this area lies primarily with the Member States, particularly as regards provision of information to the relevant professional bodies.

The accompanying Community measures referred to in the communication, which will cover 1992 and 1993 and thus partly anticipate the new situation which will arise as from 1 January 1993, will require 'the Commission and the Member States concerned to coordinate their procedures very closely'. The situations described by the Honourable Member will no doubt be the subject of such coordination.

WRITTEN QUESTION No 1816/92
by Mr Peter Crampton (S)
to the Council of the European Communities
(6 July 1992)
(92/C 285/100)

Subject: Fisheries: 12-mile coastal limit

The Commission's 1991 report to the Council and the European Parliament on the common fisheries policy (doc. SEC/91/2288) says, regarding the twelve-mile coastal limit 'unless there is any adjustment on the basis of this report, the equal access conditions stipulated in Regulation (EEC) No 101/76 ⁽¹⁾ would be restored after 2002, except if the Council decides otherwise'.

In its deliberations on this matter will the Council take full account of the Commission's idea of 'entitlement' (patrimonialization) with a view to retaining the twelve-mile coastal limit after 2002?

⁽¹⁾ OJ No L 20, 28. 1. 1976, p. 19.

Answer
(1 October 1992)

Following a detailed examination of the 1991 Report referred to in the question put by the Honourable

Member, the Council recently concluded, inter alia, that certain basic elements of the common fisheries policy should be maintained, such as the derogations from freedom of access within the twelve-mile limit.

The Council however reserved the option of examining, at the initiation of the Commission, whether and to what extent one or other of these elements could be adjusted.

The Council will carefully examine any proposal submitted to it by the Commission in this connection.

Article 2 (3) of the Council Decision states that the work shall first and foremost concentrate on the occupational qualifications of skilled workers.

Will the Council also extend the investigation to Levels 3 and 4? Have steps already been taken in this direction?

(¹) OJ No L 199, 31. 7. 1985, p. 56.

Answer

(1 October 1992)

WRITTEN QUESTION No 1820/92
by Mr Victor Manuel Arbeloa Muru (S)
to the Council of the European Communities
(6 July 1992)
(92/C 285/101)

Subject: Abolition of internal controls in the EC

Can the Single European Act be seen as 'purely an economic document', as some countries appear to see it, which would allow the abolition of controls on individuals as economic subjects but not as citizens?

Answer

(1 October 1992)

The Council has no jurisdiction to answer the Honourable Member's question. The Court of Justice alone is responsible for ensuring compliance with the law in interpretation and application of the Treaties.

WRITTEN QUESTION No 1900/92
by Mr Jaak Vandemeulebroucke (ARC)
to the Council of the European Communities
(23 July 1992)
(92/C 285/102)

Subject: Comparability of qualifications

On 16 July 1985 the Council adopted Decision 85/368/EEC (¹) on the comparability of vocational training qualifications for (Level 2) skilled workers in the various Member States. The project is now nearing its end.

The Council is awaiting a Commission proposal on vocational training qualifications further to Council Decision 85/368/EEC of 16 July 1985.

The Council will examine that proposal as soon as it has received it.

WRITTEN QUESTION No 1981/92

by Mr Ernest Glinne (S)
to the Council of the European Communities
(1 September 1992)
(92/C 285/103)

Subject: Transport of plutonium by sea

In issue No 16 of 16—23 April 1992 the South African Weekly Mail echoes concern at the fate of millions of people and other living beings should an accident occur on a ship carrying plutonium around the Cape of Good Hope.

Will the Council consider the following:

1. According to the Weekly Mail, it is estimated on the basis of computer simulations that an accident in the Bay of Tokyo releasing 50 kg of plutonium (or around 5% of the total cargo) might make it necessary to evacuate up to 40 million people. The same source states that, according to Greenpeace, a 1984 consignment of 250 kg of plutonium was considered so dangerous that a multinational escort was organized comprising vessels from France, the United Kingdom, the United States and Japan, and provision was made for helicopter surveillance. The United States Defence Department then recommended that such shipments should not be undertaken because even the greatest possible precautions could not

guarantee their safety. The United States Government would also be opposed to the routing of such transport through the Panama Canal, in view of the risk of contamination in the south-east of the US;

2. Canada has rejected the possibility of transport by air, and, when questioned on the matter (cf. my Written Questions Nos 2709/87 to the Council ⁽¹⁾ and 2708/87 to the Commission ⁽²⁾), the Council stated that 'the possible implications for the Community of the various aspects of the proposed cooperation between the United States and Japan ... have been carefully scrutinized by the Council on the basis of various Commission communications'. What is the present situation?

What are the Council's current views on the two types of transport, regardless of the route taken?

⁽¹⁾ OJ No C 229, 5. 9. 1988, p. 34.

⁽²⁾ OJ No C 114, 8. 5. 1989, p. 9.

Answer

(1 October 1992)

1. The Council cannot comment on decisions taken by third countries or on material published in the press.
2. The Council is alive to the potential dangers connected with the transport of radioactive material. Without prejudice to non-proliferation aspects (Chapter VII of the Euratom Treaty) and to the Physical Protection of Nuclear Material, which is governed by an international Convention to which the Member States and the Community as such have acceded, the Council reaffirms the importance it attaches to protecting the health of the general public and workers against the dangers arising from ionizing radiation. Under Chapter III of the Euratom Treaty it has in recent years adopted a series of legal acts designed to optimize that protection, which in the Community is centred on Directives laying down basic standards ⁽¹⁾.
3. Regarding the Council's position on the transport of radioactive material, a distinction has to be made between two types of such transport:

- (a) The first involves the transport of radioactive material governed by Community legislation (even if only partially and/or indirectly). Here, the relevant Community legislation (as referred to at 2 above) applies, and the Member States are bound to take any appropriate measure, whether general or particular, to ensure fulfilment of the obligations arising therefrom. It is the Commission's task to ensure that that legislation is applied. In addition, a number of

international Conventions and the IAEA rules (particularly those of 1985 laying down technical requirements in this area, to which all the Member States have subscribed) are also applicable.

It should further be noted that on 27 November 1989 the Council adopted conclusions in which it stressed the importance of this field of activity, including its consistency with the single market. It specifically asked the Commission to pursue its efforts to continue to ensure that the transport of radioactive materials within the Community was conducted in complete safety and considered it necessary to continue the preparatory work on setting up a joint data bank on hazards and on agreements and procedures to be applied in the event of an accident.

- (b) As regards all the other cases governed at international level by numerous international instruments such as international conventions covering certain specific transports and the IAEA rules referred to earlier, it should be noted that discussions are under way in various international transport agencies.

For further information in this connection the Honourable Member is referred to the Commission.

4. On the question of the possible implications for the Community of the Agreement between the United States and Japan on the peaceful use of nuclear energy, signed on 4 November 1987, this was also taken into consideration in the Council Decision of 6 December 1991 (based on the second paragraph of Article 101 of the Euratom Treaty) issuing directives to the Commission for the negotiation of a new co-operation agreement between Euratom and the United States, which is due to enter into force on 1 January 1996 and which covers among other aspects the transfer of nuclear material and equipment.

⁽¹⁾ In particular, Council Directive 80/836/Euratom (OJ No C 246, 17. 9. 1980, p. 1).

WRITTEN QUESTION No 1985/92

by Mrs Carmen Díez de Rivera Icaza (S)
to the Council of the European Communities
(1 September 1992)
(92/C 285/104)

Subject: Age discrimination on the part of the Council

On 21 June 1992 the Council of the European Communities published a notice regarding a open competition with a view to drawing up a reserve list of Spanish-language translators. The conditions included the requirement that candidates must have been born after 31 December 1942.

1. Can the Council say whether the above notice is its contribution to the organization of the 1993 European year of the elderly and solidarity between generations?
2. What are the Council's reasons for setting the above age limit, given that internationally renowned writers such as Borges, the translator of Virginia Woolf's 'Orlando', to mention just one example, have often produced their best work in their later years?
3. Should the Council not reconsider the conditions laid down in the above notice and, if necessary, cancel it, since at one stroke it excludes all European translators aged 50 or above and thus penalizes intellectual effort in one of the most fruitful periods in the lives of those people who have dedicated themselves to this highly demanding work, which is, moreover, bound to diminish the quality of translations?

Answer

(1 October 1992)

The General Secretariat of the Council has been considering the policy to be followed regarding age limits for participation in the open competitions which it organizes to recruit officials.

Following this consideration, it has raised the age limit for some competitions, as an experiment. The first open competition where this new age limit was applied was open competition Council/LA/333 (Spanish language translators of both sexes) published in Official Journal No C 153 A of 18 June 1992. The next competitions to be published in September 1992 will also have the age limit raised to 50.

This in no way prejudices the future policy of the General Secretariat of the Council in this connection.

WRITTEN QUESTION No 2009/92

by Mr Alex Smith (S)

to the Council of the European Communities

(1 September 1992)

(92/C 285/105)

Subject: Representation of Member States' views in Council Decision

What information does the Council routinely receive on environmental, defence and nuclear energy matters discussed by the Parliaments of the Member States? Does the Council take into account the expressed views of

Member States' parliamentarians? Does the Council inform Members of these Parliaments how the concerns of their constituents are considered during Council meetings?

Answer

(1 October 1992)

The institutional system established by the treaties does not provide for relations between the Council and national parliaments.

Nevertheless, the Honourable Member's attention is drawn to the fact that in accordance with Article 146 of the EEC Treaty, the members of the Council are members of the governments of the Member States. They are therefore able, according to their respective constitutional requirements, to ensure that the points of view of national parliaments are taken into consideration when the Council is exercising its powers. They are also able to inform members of those parliaments of the progress of the Council's proceedings.

WRITTEN QUESTION No 2013/92

by Mr Alex Smith (S)

to the Council of the European Communities

(1 September 1992)

(92/C 285/106)

Subject: Council agenda and minutes

What proposals are before the Council for consideration to make public 1. the full agenda prior to Council meetings and 2. minutes of the Council deliberations at an early date following meetings?

Answer

(1 October 1992)

The Council has not, at this juncture, received any proposal relating to the objectives to which the Honourable Member refers.

WRITTEN QUESTION No 2016/92

by Mr Alex Smith (S)

to the Council of the European Communities

(1 September 1992)

(92/C 285/107)

Subject: Import of toxic waste and irradiated nuclear fuels

What proposals will the Council consider during the United Kingdom presidency to control imports of

1. hazardous, toxic and radioactive waste and
2. irradiated nuclear fuels into the European Communities;

and to restrict the international commerce in nuclear weapons, usable materials such as plutonium and highly enriched uranium?

Answer

(1 October 1992)

1. To date, the Council has not received any Commission proposal in this field.

2. The Honourable Member will at all events note that the following rules apply to imports of irradiated nuclear fuels, in the main in the areas of

- (a) health protection of the public at large and workers: Chapter III of the Euratom Treaty and in particular the Directives laying down the basic safety standards governing radiation protection in the Community ⁽¹⁾ and the ensuing Community and national provisions?

(b) non-proliferation: fissile materials of this kind are subject in the Community to Euratom safeguards pursuant to Chapter VII of the Euratom Treaty and to IAEA safeguards; in the broader international context, IAEA safeguards and recommendations issued by IAEA and international bodies such as the Nuclear Suppliers Group apply; it should furthermore be noted that in this area the Convention on the Physical Protection of Nuclear Material (to which all Member States and the Community as such have acceded) applies.

3. As regards non-proliferation in this area of nuclear trading, the Honourable Member would be advised to consult the replies given in point 2 (b) above, as regards the Community. For problems relating to nuclear trading outside the Community, we would refer the Honourable Member to European Political Cooperation for further information.

⁽¹⁾ In particular, Council Directive No 80/836/Euratom (OJ No L 246, 17. 9. 1980, p. 1).