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Tájékoztatások és közlemények

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AZ EURÓPAI UNIÓ INTÉZMÉNYEITŐL, SZERVEITŐL, HIVATALAITÓL ÉS ÜGYNÖKSÉGEITŐL SZÁRMAZÓ TÁJÉKOZTATÁSOK

Európai Parlament

ÍRÁSBELI VÁLASZT IGÉNYLŐ KÉRDÉSEK A VÁLASZOKKAL

2013/C 294 E/01 Az Európai Parlament tagjai által feltett, írásbeli választ igénylő kérdések és az európai uniós intézmények által rájuk adott válaszok 1

(Lásd az olvasónak szóló megjegyzést)

HU

Megjegyzés az olvasónak

Ez a kiadvány az Európai Parlament tagjai által feltett, írásbeli választ igénylő kérdéseket és az európai uniós intézmények által rájuk adott válaszokat tartalmazza.

Minden kérdés és válasz esetében az eredeti nyelvi változat szerepel először az esetleges fordítások előtt.

Egyes esetekben előfordulhat, hogy a válasz más nyelven születik, mint a kérdés. Ez a válaszadásra felkért bizottság munkanyelvétől függ.

E kérdések és válaszok az Európai Parlament eljárási szabályzatának 117. és 118. cikkével összhangban kerülnek közzétételre.

Minden kérdés és válasz megtalálható az Európai Parlament weboldalán (Europarl) a „Parlamenti kérdések" cím alatt:

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IV

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EURÓPAI PARLAMENT

ÍRÁSBELI VÁLASZT IGÉNYLŐ KÉRDÉSEK A VÁLASZOKKAL

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Question for written answer E-008418/12
to the Commission
Salvador Sedó i Alabart (PPE)
(25 September 2012)

Subject: Data belonging to EU air passengers

On 6 May 2012, a journalist of Colombian nationality resident in Paris who was travelling to Cuba from Spain was left behind because an official in the US embassy prevented him from embarking. The official alleged that the person in question was on the list of persons who may mount an attack on the US.

The agreement on Passenger Name Records (PNR) approved by the European Parliament and signed in December 2011 by the US and the European Commission does not apply to this case, since the agreement imposes a duty on European air companies to supply passenger names to the US Department of Homeland Security solely for flights to or from the US. However, since March the North American authorities have been unilaterally requiring all European airlines to send, prior to take-off, the name, date of birth and gender of passengers on aeroplanes flying over US territory. The US cites security grounds to justify this practice.

1. The agreement between the US and the EU does not refer to flying over US air space, as reflected in Article 2 thereof. How does the Commission hope to resolve this situation?

2. This policy affects thousands of passengers in Spain flying to Cuba, Mexico and Canada. However, the companies flying to these destinations do not duly provide information on the transfer of these data, and are therefore infringing the data protection law. What guarantees can the Commission offer regarding the handling of these data?

Preliminary answer given by Ms Malmström on behalf of the Commission
(13 November 2012)

The Commission is collecting the information it needs to answer the questions. It will communicate its findings as soon as possible.

Supplementary answer given by Ms Malmström on behalf of the Commission
(9 January 2013)

The case appears to relate to the *Secure Flight Program* of the United States which is managed by the US Transport Security Agency (TSA) to safeguard aviation security. The TSA conducts pre-screening of information for flights against watch lists of people who are considered to pose a threat to the security of a flight.

Under the program, air carriers are required to collect on behalf of TSA a few data elements and provide them to TSA. TSA uses these data to prevent individuals on the US *No Fly List* from boarding an aircraft and to identify individuals on the US *Selectee List* for enhanced screening. After matching the collected data against government watch lists, the TSA may request air carriers to deny boarding to the specific person or it ask the relevant authorities to carry out a closer examination of that person before a decision is made whether to deny boarding.

The transfer of data under this program does not fall under the EU-US PNR Agreement. It is part of a wider set of issues concerning transfers of Advance Passenger Information (API) to third countries. That issue is complex due to the legal questions involved and the extent to which API data is used globally (EU Member States and 32 other countries already collect API data on air passengers, and API systems are anticipated in another 25 countries).

The Commission is currently examining the issue of transfers of API data to third countries, and the US *Secure Flight Program*. The article 29 Working Party on Data Protection is also looking into these issues and is expected to deliver an opinion in early 2013.

The Commission will keep the Parliament informed of its work and propose a way forward.

(Versión española)

Pregunta con solicitud de respuesta escrita E-008418/12
a la Comisión
Salvador Sedó i Alabart (PPE)
(25 de septiembre de 2012)

Asunto: Datos de los pasajeros aéreos de la UE

El pasado 6 de mayo, un periodista de nacionalidad colombiana residente en París que viajaba a Cuba desde España se quedó en tierra porque un funcionario de la Embajada estadounidense le impidió embarcar. El funcionario alegó que la persona en cuestión se encontraba en la lista de personas que pueden atentar contra los EE.UU.

El acuerdo aprobado por el Parlamento Europeo, firmado en diciembre de 2011 por EE.UU. y la Comisión Europea, sobre el registro de datos de pasajeros (PNR) no sería aplicable a este caso, ya que el acuerdo obliga a las compañías aéreas europeas a suministrar al Departamento de Seguridad del Territorio Nacional estadounidense datos de pasajeros únicamente cuando se trata de vuelos con origen o destino en los EE.UU. Sin embargo, las autoridades norteamericanas exigen unilateralmente desde marzo a todas las aerolíneas europeas que envíen antes del despegue el nombre, la fecha de nacimiento y el sexo de los pasajeros de aviones que sobrevuelen el espacio de los Estados Unidos. Los EE.UU. alegan razones de seguridad para justificar dicha práctica.

1. El acuerdo entre los EE.UU. y la UE no hace alusión al sobrevuelo del espacio aéreo estadounidense, tal y como queda reflejado en su artículo segundo. ¿Cómo espera la Comisión resolver esta situación?

2. Dicha política afecta a miles de pasajeros en España con destino a Cuba, México y Canadá. Sin embargo, las compañías que operan a estos destinos no informan debidamente de la cesión de dichos datos, vulnerando, por consiguiente, la ley de protección de datos. ¿Qué garantías puede ofrecer la Comisión en cuanto al tratamiento de estos datos?

Respuesta provisional de la Sra. Malmström en nombre de la Comisión
(13 de noviembre de 2012)

La Comisión está recogiendo la información necesaria para contestar a su pregunta. Comunicará sus conclusiones lo antes posible.

Respuesta complementaria de la Sra. Malmström en nombre de la Comisión
(9 de enero de 2013)

El caso parece estar relacionado con el *Programa Vuelo Seguro* (*Secure Flight Program*) de los Estados Unidos, que es gestionado por la Agencia de Seguridad del Transporte de los EE.UU. (*Transport Security Agency*, TSA) para salvaguardar la seguridad de la aviación. La TSA lleva a cabo una preselección de la información relativa a los vuelos cotejándola con listas de control de las personas que se consideran una amenaza para la seguridad de un vuelo.

Con arreglo a dicho Programa, las compañías aéreas están obligadas a recoger, en nombre de la TSA, unos pocos datos y entregárselos a la TSA. La TSA utiliza esos datos para evitar que quienes figuran en la lista de personas que tienen prohibido volar en los EE.UU. (*US No Fly List*) puedan subir a un avión, y para identificar a los individuos que figuran en la Lista Restringida (*Selectee List*) de los EE.UU. con vistas a una detección reforzada. Tras comparar los datos obtenidos con las listas de control del Gobierno, la TSA puede solicitar a las compañías aéreas que denieguen el embarque a la persona específica o solicitar a las autoridades competentes que lleven a cabo un examen más detenido de esa persona antes de decidir si se le debe o no denegar el embarque.

La transferencia de los datos en virtud de este programa no entra en el ámbito de aplicación del Acuerdo UE-EE.UU. sobre los registros de datos de los pasajeros (PNR). Forma parte de un conjunto más amplio de cuestiones relativas a las transferencias de información anticipada sobre pasajeros (API) a terceros países. Esta cuestión es compleja debido a las cuestiones legales involucradas y a la medida en que los datos de la API se utilizan a nivel mundial (los Estados miembros de la UE y otros 32 países ya recogen datos API sobre los pasajeros de líneas aéreas y se prevé el uso de sistemas API en otros 25 países).

La Comisión está examinando la cuestión de las transferencias de datos API a terceros países, así como el *Secure Flight Program* de EE.UU. El Grupo de Trabajo del Artículo 29 sobre Protección de Datos también está estudiando estos temas y se espera que emita un dictamen a principios de 2013.

La Comisión mantendrá informado al Parlamento de su trabajo y propondrá un camino a seguir.

(Versión española)

Pregunta con solicitud de respuesta escrita P-008525/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(26 de septiembre de 2012)

Asunto: PNR (registro de nombres de los pasajeros) España-Estados Unidos

Según el acuerdo bilateral entre España y los Estados Unidos, las aerolíneas españolas que sobrevuelan territorio estadounidense deben entregar la información de sus pasajeros a los EE.UU.

El portavoz para asuntos de Justicia e Interior, Michele Cercone, afirmó, en declaraciones a la Cadena SER, que «este es un tema cubierto por acuerdos bilaterales entre algunos países europeos y los Estados Unidos, y España está entre ellos. O sea que cualquier información sobre este tema, las negociaciones o el contenido del acuerdo para sobrevuelos debe dirigirse a las autoridades nacionales porque este es un tema de competencia nacional».

Cabe recordar que el acuerdo europeo para la transferencia de datos de los pasajeros de avión europeos con destino a los Estados Unidos (PNR) fue inicialmente rechazado por el Parlamento Europeo, en mayo del año 2010, y luego fue adoptado en abril de 2012.

Dado el espacio de Schengen y el libre movimiento de las personas de la UE, muchos ciudadanos europeos pueden utilizar el servicio de aerolíneas españolas, pasando o no por ese país, para realizar vuelos intercontinentales que sobrevuelen los EE.UU. Es, por tanto, de imperiosa necesidad limitar ciertos acuerdos bilaterales y asegurar la protección de datos y el derecho a la privacidad de toda la ciudadanía europea, así como su derecho a circular libremente dentro de la UE. Cabe recordar asimismo la incompatibilidad del actual acuerdo UE-EE.UU. sobre PNR con la Carta de los Derechos Fundamentales de la UE.

1. ¿Qué opina la Comisión de este acuerdo entre España y los EE.UU.? ¿Cree que estos acuerdos limitan la capacidad de negociación colectiva de la UE con otros socios como los EE.UU., restringiendo así el espíritu del Tratado de Lisboa?

2. ¿Qué mecanismos piensa adoptar la Comisión para intervenir ante dichos acuerdos bilaterales y garantizar el derecho principal de libre circulación así como los derechos fundamentales de la ciudadanía europea?

Respuesta provisional de la Sra. Malmström en nombre de la Comisión
(29 de octubre de 2012)

La Comisión está recopilando la información necesaria para contestar a las preguntas. Comunicará sus conclusiones lo antes posible.

Respuesta complementaria de la Sra. Malmström en nombre de la Comisión
(9 de enero de 2013)

El caso parece estar relacionado con el *Programa Vuelo Seguro* (*Secure Flight Program*) de los Estados Unidos, que es gestionado por la Agencia de Seguridad del Transporte de los EE.UU. (*Transport Security Agency*, TSA) para salvaguardar la seguridad de la aviación. La TSA lleva a cabo una preselección de la información relativa a los vuelos cotejándola con listas de control de las personas que se consideran una amenaza para la seguridad de un vuelo.

Con arreglo a dicho Programa, las compañías aéreas están obligadas a recoger, en nombre de la TSA, unos pocos datos y entregárselos a la TSA. La TSA utiliza esos datos para evitar que quienes figuran en la lista de personas que tienen prohibido volar en los EE.UU. (*US No Fly List*) puedan subir a un avión, y para identificar a los individuos que figuran en la Lista Restringida *(Selectee List)* de los EE.UU. con vistas a una detección reforzada. Tras comparar los datos obtenidos con las listas de control del Gobierno, la TSA puede solicitar a las compañías aéreas que denieguen el embarque a la persona específica o solicitar a las autoridades competentes que lleven a cabo un examen más detenido de esa persona antes de decidir si se le debe o no denegar el embarque.

La transferencia de los datos en virtud de este programa no entra en el ámbito de aplicación del Acuerdo UE-EE.UU. sobre los registros de datos de los pasajeros (PNR). Forma parte de un conjunto más amplio de cuestiones relativas a las transferencias de información anticipada sobre pasajeros (API) a terceros países. Esta cuestión es compleja debido a las cuestiones legales involucradas y a la medida en que los datos de la API se utilizan a nivel mundial (los Estados miembros de la UE y otros 32 países ya recogen datos API sobre los pasajeros de líneas aéreas y se prevé el uso de sistemas API en otros 25 países).

La Comisión está examinando la cuestión de las transferencias de datos API a terceros países, así como el *Secure Flight Program* de EE.UU. El Grupo de Trabajo del Artículo 29 sobre Protección de Datos también está estudiando estos temas y se espera que emita un dictamen a principios de 2013.

La Comisión mantendrá informado al Parlamento de su trabajo y propondrá un camino a seguir.

(English version)

Question for written answer P-008525/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(26 September 2012)

Subject: PNR (passenger name record) Spain-United States

Under the bilateral agreement between Spain and the United States, Spanish airlines flying over US territory must hand over information on their passengers to the US.

Speaking to the SER radio network, the spokesperson for justice and home affairs, Michele Cercone, said that this was a matter covered by bilateral agreements between some European countries, including Spain, and the United States. This meant that any information on this issue, negotiations or the content of the agreement on overflying should be sent to the national authorities, since this matter fell within national competence.

It might be pointed out that the European agreement on the transfer of European air passenger data to the United States (PNR) was initially rejected by the European Parliament in May 2010 and finally adopted in April 2012.

Thanks to the Schengen area and the free movement of people within the EU, many European citizens are able to use Spanish airlines for intercontinental flights overflying the US, whether or not they pass through Spain. It is therefore vital to limit certain bilateral agreements and guarantee that all European citizens enjoy data protection and the right to privacy, as well as the right to move freely within the EU. Attention might also be drawn to the incompatibility between the current EU-US agreement on PNR and the Charter of Fundamental Rights of the EU.

1. What view does the Commission take of this agreement between Spain and the US? Does it believe that these agreements restrict the EU's collective negotiating ability vis-à-vis other partners such as the US, thereby placing a constraint on the spirit of the Lisbon Treaty?

2. What mechanisms will the Commission use to intervene in relation to these bilateral agreements and guarantee the primary right to free movement and the fundamental rights of European citizenship?

Preliminary answer given by Ms Malmström on behalf of the Commission
(29 October 2012)

The Commission is collecting the information it needs to answer the questions. It will communicate its findings as soon as possible.

Supplementary answer given by Ms Malmström on behalf of the Commission
(9 January 2013)

The case appears to relate to the *Secure Flight Program* of the United States which is managed by the US Transport Security Agency (TSA) to safeguard aviation security. The TSA conducts pre-screening of information for flights against watch lists of people who are considered to pose a threat to the security of a flight.

Under the program, air carriers are required to collect on behalf of TSA a few data elements and provide them to TSA. TSA uses these data to prevent individuals on the US *No Fly List* from boarding an aircraft and to identify individuals on the US *Selectee List* for enhanced screening. After matching the collected data against government watch lists, the TSA may request air carriers to deny boarding to the specific person or it ask the relevant authorities to carry out a closer examination of that person before a decision is made whether to deny boarding.

The transfer of data under this program does not fall under the EU-US PNR Agreement. It is part of a wider set of issues concerning transfers of Advance Passenger Information (API) to third countries. That issue is complex due to the legal questions involved and the extent to which API data is used globally (EU Member States and 32 other countries already collect API data on air passengers, and API systems are anticipated in another 25 countries).

The Commission is currently examining the issue of transfers of API data to third countries, and the US *Secure Flight Program*. The article 29 Working Party on Data Protection is also looking into these issues and is expected to deliver an opinion in early 2013.

The Commission will keep the Parliament informed of its work and propose a way forward.

(Version française)

Question avec demande de réponse écrite E-008915/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Médiation en cas de conflit binational en matière de divorce

En cas de divorce, outre les solutions judiciaires qui sont souvent longues et coûteuses, il existe la médiation. Ce principe permet aux deux parties (les parents) de se réunir autour d'un acteur reconnu et neutre afin de négocier un arrangement sur tous les aspects du divorce: enfants, acquêts, etc.

Lorsqu'un couple binational divorce, et selon les statistiques, ils sont de plus en plus nombreux, proportionnellement à l'augmentation du nombre de mariages binationaux, la médiation s'avère plus délicate.

Les agences de médiation nationale peinent à réunir les acteurs.

Mme Roberta Angelilli, médiatrice du Parlement européen pour les enfants, est confrontée dans son rôle aux difficultés de médiation entre un ancien couple binational.

Pourtant, la médiation permet souvent d'éviter des années de procédures judiciaires, coûteuses et parfois inutiles qui ne mènent à aucune solution.

La Commission réglemente de plus en plus souvent en matière de divorce grâce au règlement Bruxelles 2 *bis*, puis à celui sur le choix de la législation de son divorce, mis en œuvre le 23 juin 2012.

La Commission compte-elle imaginer un système de médiation en matière de divorce plus efficace, notamment par le biais d'une convocation obligatoire en cas de conflit prolongé entre un ancien couple binational?

Que pense la Commission d'un système qu'un citoyen de l'Union européenne, marié ou anciennement en couple ou marié, puisse saisir pour demander une convocation de l'autre partie devant les instances des deux États membres concernés, afin de discuter ou négocier autour d'un divorce?

Quel système la Commission pourrait-elle favoriser pour aider les citoyens de l'Union européenne à faire appel à la médiation?

Réponse donnée par Mme Viviane Reding au nom de la Commission
(27 novembre 2012)

La directive sur la médiation de 2008 est applicable à tous les litiges civils transfrontières, dont les conflits familiaux. Elle contribue de façon décisive au développement de la médiation, y compris dans le domaine du droit de la famille. La Commission partage le point de vue de l'Honorable Parlementaire selon lequel la justice n'est pas toujours convenablement rendue par les voies juridiques. C'est pourquoi la médiation a été désignée comme un élément clef du fonctionnement efficace des systèmes judiciaires.

La Commission estime que le cadre juridique européen existant est suffisamment flexible pour qu'un État membre qui le souhaiterait puisse introduire un système de médiation familiale obligatoire. Elle fournit également une base solide pour élaborer des initiatives plus approfondies en vue de promouvoir la médiation familiale dans les cas de divorces transfrontières. La mise sur pied d'un groupe de travail sur la médiation familiale, sous l'égide du réseau judiciaire européen, serait un exemple de cette approche pragmatique. La Commission contribue également à la médiation familiale avec la traduction du guide de bonnes pratiques en matière de médiation relatif à la convention de La Haye sur l'enlèvement d'enfants.

La Commission a commandité une étude sur la transposition de la directive sur la médiation par les États membres, en gardant à l'esprit que celle-ci ne concerne que les litiges transfrontières. En outre, cette étude évalue également l'efficacité des systèmes nationaux de médiation, puisque l'application des principes de la directive aux affaires nationales est également encouragée (cf. considérant 8). De plus, l'étude s'intéresse à différentes méthodes de médiation, en vue d'une justice plus conviviale pour les citoyens. En s'appuyant sur les informations recueillies, la Commission pourra estimer si des mesures supplémentaires sont utiles à la promotion de la médiation, y compris dans les affaires de droit de la famille.

(English version)

Question for written answer E-008915/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Mediation in cases of cross-border divorce conflicts

Divorce cases can be resolved not only via — often long and costly — judicial processes, but also via mediation. This allows both parties (the parents) to meet with a recognised and neutral player and negotiate the arrangements applicable to all aspects of the divorce, concerning children and acquired property, etc.

When people from different countries divorce — and according to statistics this is happening more and more frequently, in line with the increase in the number of bi-national marriages — mediation becomes more complex.

Mediation agencies in the respective countries find it difficult to bring the parties together.

In her role as the European Parliament's Mediator for International Child Abduction, Roberta Angelilli, has to face the difficulties involved in mediating between former spouses from different countries.

Mediation can, however, often enable them to avoid years of long, costly, and sometimes futile judicial proceedings that resolve nothing.

Council regulations are increasingly becoming applicable in divorce matters: the Brussels IIa regulation and the regulation on the choice of applicable divorce law, implemented on 23 June 2012.

Does the Commission intend to conceive a more effective system of divorce mediation, not least by making it obligatory for former spouses from different countries to appear before a competent body?

How would it view a system under which an EU citizen who is married, or has been married or in a partnership, could apply to the courts for their (former) spouse or partner to be summoned to appear before the competent bodies of the two Member States concerned, in order to conduct divorce negotiations?

What kind of system could it promote to help EU citizens access mediation?

Answer given by Mrs Reding on behalf of the Commission
(27 November 2012)

The 2008 Mediation Directive applies to all cross-border civil disputes including family disputes. It contributes in a decisive way to the development of mediation also in the family law area. The Commission fully shares the views of the Honourable Member that the need for justice is not always met through the Courts . Mediation has been therefore identified as a key element for the efficient functioning of justice systems.

The Commission considers that the existing EU legal framework is flexible enough to allow for a compulsory family mediation if a Member State would like to introduce such a system. It also provides for a solid basis to develop further initiatives to promote family mediation in cross-border divorce conflicts. Setting up a WG on family mediation under auspices of the European Judicial Network is an example of such pragmatic approach. The Commission also contributes to the family mediation by the translation of the Practice Guide on Mediation relating to the Hague Child Abduction Convention.

The Commission has requested a study to analyse the transposition of the Mediation Directive by the Member States, bearing in mind that the directive concerns only cross-border disputes. Beyond that the study also evaluates the effectiveness of the national mediation systems, since the application of the directive's principles to domestic cases is also encouraged (ref. Recital 8). Furthermore, the study deals with different methods of mediation for a more citizen's friendly justice. On the basis of the information gathered, the Commission may consider if further measures are useful to promote the use of mediation, also in the family law cases.

(Version française)

Question avec demande de réponse écrite E-008916/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Respect par l'Allemagne de la libre circulation des personnes en cas de divorce

Un parent allemand qui, après un divorce, estime que son ex-conjoint possédant un droit de garde souhaite enlever l'enfant, peut, avec l'aide du Jugendamt, présenter au juge aux affaires familiales une demande de retrait de l'autorité parentale sur la base de soupçons d'enlèvement et ce, grâce à la procédure d'urgence prévue à l'article 51 du FamFG.

Un parent non-allemand qui possède l'autorité parentale est plus susceptible de vouloir quitter le territoire allemand avec son enfant pendant une visite autorisée afin de le montrer à sa famille d'origine, qu'un parent allemand qui restera sur le territoire du pays, n'ayant pas d'attaches familiales à l'étranger.

Or l'article 51 du FamFG se basant sur des soupçons d'enlèvements, ces soupçons sont plus susceptibles de concerner des parents non-allemands en Allemagne, puisqu'un enlèvement parental semble plus probable lorsque l'enfant quitte le territoire allemand. Conséquence: les parents non-allemands qui divorcent et qui souhaitent rentrer chez eux et y emmener de temps en temps leur enfant resté en Allemagne avec l'autre parent, obtiennent plus difficilement l'autorisation de la justice allemande. De plus, les soupçons d'enlèvement étant plus forts, certains parents se voient accuser, sans preuves, de vouloir enlever leur enfant tout simplement parce qu'ils souhaitent emmener leur enfant le temps de leur garde partagée. Ou bien, ils se voient refuser tout déplacement de l'enfant hors d'Allemagne.

Un choix s'impose presque par défaut: si un parent souhaite revoir son enfant, il doit rester en Allemagne. Cet état de fait, qui s'est vérifié dans plusieurs pétitions reçues au Parlement européen, n'est-il pas une entrave à la libre circulation des personnes?

La Commission estime-t-elle normal qu'un parent divorcé ait comme seul choix de rester en Allemagne et de voir son enfant, ou de déménager et de se séparer ainsi quasi définitivement de l'enfant?

Le règlement «Bruxelles II bis», ne pourrait-il pas aller plus loin en évoquant cette question du déplacement autorisé des enfants en matière de droit de garde pour favoriser les déplacements d'enfants citoyens européens et biculturels?

Réponse donnée par Mme Viviane Reding au nom de la Commission
(6 décembre 2012)

La Commission renvoie l'Honorable Parlementaire aux réponses qu'elle a données aux questions E-007539/2012 et P-0003679/2012 ([1]).

En ce qui concerne l'effet éventuel de décisions attribuant la garde d'enfants à des parents allemands sur l'exercice du droit à la libre circulation des parents non allemands mais citoyens européens, la Commission admet que ces décisions peuvent influer sur la décision des personnes concernées de rester en Allemagne ou de retourner dans leur État membre d'origine.

Le règlement (CE) n° 2201/2003 ([2]), qui constitue le principal instrument dans le domaine du droit européen de la famille, fournit des règles communes concernant la compétence, la reconnaissance et l'exécution des décisions en matière matrimoniale et en matière de responsabilité parentale. Les règles de fond sur la circulation autorisée des enfants et sur le droit de garde ne relèvent cependant pas du champ d'application du règlement.

Au vu des effets éventuels des décisions nationales mentionnés ci-dessus, et afin de renforcer la confiance mutuelle dans les cas de garde d'enfant, la Commission a organisé un atelier ([3]) sur la participation des services de protection de l'enfance dans ces affaires. Des échanges d'idées féconds sur les pratiques observées dans ce domaine ont eu lieu, au cours desquels l'importance de fournir des informations pertinentes aux enfants et aux parents, et une formation appropriée aux professionnels a été soulignée. La Commission encourage par des financements européens ([4]) la formation de professionnels en ce qui concerne la participation des enfants dans les systèmes judiciaires.

([1]) http://www.europarl.europa.eu/plenary/fr/parliamentary-questions.html
([2]) JO L 338 du 23.12.2003, p. 1.
([3]) Au cours du 7e Forum pour les droits de l'enfant, les 13 et 14 novembre 2012.
([4]) Programme «Droits fondamentaux et citoyenneté», http://ec.europa.eu/justice/grants/programmes/fundamental-citizenship/index_fr.htm

(English version)

Question for written answer E-008916/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Compliance by Germany with the principle of the free movement of persons, in divorce cases

Any German parent who, following a divorce, feels that a former partner who has been awarded a right of custody wishes to abduct the child may, with the assistance of the *Jugendamt* and under Article 51 of the 'FamFG' Law, file with the judge competent for such family matters an application to have their parental authority withdrawn on suspicions of an intention to abduct.

A parent with parental authority who is not German is more liable to want to leave Germany with their child to visit their family of origin during their authorised visiting time than is a German parent who does not have such family ties outside the country, and who would therefore remain in Germany.

This means that because Article 51 of the 'FamFG' is based on suspicions of an intention to abduct, those suspicions are more likely to relate to non-German parents living in Germany, since a potential abduction would appear more probable in case where the child is being taken outside Germany. The upshot of this is that non-German parents who divorce and want to return to their home country and occasionally bring a child to visit them there if the child has remained in Germany with the other parent find it more difficult to obtain authorisation from the German justice system. Moreover, if there are strong suspicions of an intention to abduct, some parents find themselves accused, without any evidence, of wanting to abduct their child simply because they wish to take their child out of Germany during their shared custody periods with them. In other words, they find that they cannot take their child outside Germany at all.

Parents are thus left with just one choice, which is that if they want to see their children, they have to stay in Germany. Does the Commission not consider this situation, which has been cited in several petitions received by Parliament, to be an impediment to the free movement of persons?

Does it consider it normal for a parent who is divorced have no choice but to remain in Germany and see their child, or to move and thereby almost definitively alienate themselves from that child?

Might not the Brussels IIa regulation be taken further, to cover this issue of the authorised movement of children and their custody, so as to facilitate the movement of children of parents who are nationals of different EU Member States?

Answer given by Mrs Reding on behalf of the Commission
(6 December 2012)

The Commission refers the Honourable Member to its replies to Questions E-007539/2012 and P-0003679/2012 ([1]).

As regards the possible impact of such decisions attributing custody to the German parents on the exercise of the right to free movement of the non-German parents who are EU citizens, the Commission understands that such decisions can be a factor influencing the decision of the persons concerned to remain in Germany or to return to their Member State of origin.

Regulation (EC) No 2201/2003 ([2]), which represents the main instrument in the EU family law area, provides common rules on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility. Substantive rules on authorised movement of children and their custody fall outside the scope of the regulation.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) OJ L 338, 23.12.2003, p. 1.

Given the possible impact that national decisions can have, as mentioned above, and in order to contribute to the mutual trust in child custody cases, the Commission held ([3]) a workshop on the involvement of child welfare authorities in such cases. Fruitful exchange of views took place on practices in this area and highlighted the importance of providing relevant information to children and parents and appropriate training to practitioners. The Commission encourages through EU funding ([4]) the training of professionals regarding the participation of children in judicial systems.

([3]) During the 7th Forum on the Rights of the Child on 13 and 14 November 2012.
([4]) Fundamental Rights and Citizenship Programme, http://ec.europa.eu/justice/grants/programmes/fundamental-citizenship/index_en.htm;.

(Version française)

Question avec demande de réponse écrite E-008920/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Bisphénol A

L'Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail (Anses) a souhaité, vendredi 28 septembre 2012, un classement plus sévère pour le bisphénol A. L'Anses a demandé à l'Agence européenne des produits chimiques (ECHA) de changer le classement du bisphénol A de toxicité «suspectée» pour la reproduction humaine à «toxicité pour la reproduction humaine». Cela impliquerait des règles plus strictes, comme la substitution, voire l'interdiction, du bisphénol A dans des produits destinés aux consommateurs.

La Commission se prépare-t-elle à agir en cas de reconnaissance de la toxicité du bisphénol A par l'Agence européenne des produits chimiques? Dans quelle mesure?

Les différents avertissements provenant d'agences ainsi que d'études sur la dangerosité du bisphénol A vont-ils faire réagir la Commission?

Après avoir interdit le bisphénol A dans les biberons, la Commission compte-t-elle l'interdire dans tous les produits?

Réponse donnée par M. Potočnik au nom de la Commission
(21 décembre 2012)

La Commission suit de près l'évolution de la situation relative au bisphénol A, y compris la proposition actuellement examinée par l'Agence européenne des produits chimiques (ECHA) concernant le reclassement du bisphénol A de la catégorie «suspicion de toxicité pour la reproduction humaine» dans la catégorie «à toxicité pour la reproduction humaine». La proposition fera l'objet d'une consultation publique au cours de laquelle toutes les informations pertinentes concernant les risques liés au bisphénol A pourront être présentées. Si, sur la base de la proposition et des informations communiquées lors de la consultation publique, l'avis du comité d'évaluation des risques de l'ECHA (CER) sur la proposition recommande le reclassement du bisphénol A, la Commission envisagera de réviser l'annexe VI du règlement CLP et d'évaluer s'il est nécessaire d'adopter des mesures supplémentaires.

Toutes les évaluations pertinentes disponibles effectuées par d'autres agences ainsi que les recherches les plus récentes sur les risques associés au bisphénol A seront prises en considération dans le cadre de la réévaluation des risques liés à l'utilisation du bisphénol A dans les matériaux en contact avec les denrées alimentaires actuellement menée par l'Autorité européenne de sécurité des aliments (EFSA). Il est prévu que l'avis de l'EFSA soit finalisé au plus tard en mai 2013.

En 2010, la Commission a jugé opportun d'appliquer le principe de précaution dans le cas des enfants en bas âge uniquement. La Commission envisagera de nouvelles mesures réglementaires si l'évaluation des risques de l'EFSA révèle que l'utilisation actuelle du bisphénol À présente un risque pour la santé publique.

(English version)

Question for written answer E-008920/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Bisphenol A

On Friday, 28 September 2012, the French National Agency for Food, Environmental and Occupational Health Safety ANSES called for a more stringent classification for Bisphenol A. ANSES asked the European Chemicals Agency (ECHA) to alter its classification from 'suspected toxicity to human reproduction' to 'toxicity to human reproduction'. This would entail stricter rules, such as replacing Bisphenol A in products intended for consumers or even banning its inclusion in such products.

Is the Commission preparing to act in the event of ECHA's recognising the toxicity of Bisphenol A? To what extent?

Will the Commission respond to various indications from agencies and from research of the hazards associated with Bisphenol A?

After having banned Bisphenol A from babies' bottles, will the Commission ban it from all products?

Answer given by Mr Potočnik on behalf of the Commission
(21 December 2012)

The Commission follows closely developments related to Bisphenol A, including the current proposal submitted to the European Chemical Agency (ECHA) to reclassify Bisphenol A from 'suspected toxicity to human reproduction' to 'toxicity to human reproduction'. The proposal will be subject to a public consultation during which all relevant information concerning the hazards of Bisphenol A can be submitted. If, based on the proposal and information submitted during the public consultation, the opinion of ECHA's Risk Assessment Committee (RAC) on the proposal recommends that Bisphenol A should be reclassified, the Commission will consider revising Annex VI of the CLP Regulation and assessing whether there is a need for additional measures.

All available and relevant evaluations from other agencies and the newest research on the hazards associated with Bisphenol A, will be considered in the ongoing re-evaluation of the risks connected to the use of Bisphenol A in food contact materials by the European Food Safety Authority (EFSA). The EFSA opinion is expected to be finalised by May 2013.

In 2010 the Commission considered it adequate to apply precautionary principle in the case of infants only. The Commission will consider further regulatory measures if EFSA's risk assessment indicates that the current use of Bisphenol A poses a health risk to the population.

(Version française)

Question avec demande de réponse écrite E-008922/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Projet Indect

Violences dans le train, mouvements d'une foule paniquée et hooligans dans un stade: le projet Indect semble constituer la contre-attaque des États membres aux comportements criminels. Le projet de recherche Indect — système d'information intelligent soutenant l'observation, la recherche et la détection pour la sécurité des citoyens en milieu urbain — cofinancé par l'Union européenne dans le cadre du 7e programme de recherche et d'innovation et par douze États membres mobilisant leurs chercheurs, crée actuellement la controverse. Indect vise à renforcer les possibilités de surveillance généralisée en utilisant les procédures existantes en la matière — photos et vidéos — mais en les automatisant et en les améliorant pour mieux répondre aux situations de crise.

Cette surveillance automatisée couplée à la collecte de données personnelles peut constituer une menace pour les libertés individuelles:

Ce projet vise-t-il la création d'un nouveau cadre réglementaire pour contrôler les échanges de données et le traçage des activités criminelles sur l'internet?

Quelle suite législative la Commission compte-t-elle donner au projet s'il répond à ses attentes?

L'édition d'un système de reconnaissance de délit automatique sur l'internet et dans la rue est-elle vouée à l'élaboration d'une vaste banque de données?

Enfin, la Commission compte-t-elle rendre un rapport sur les activités de recherche, les résultats obtenus et les objectifs clairs visés par Indect de manière à mettre fin aux interrogations légitimes des citoyens européens?

Réponse donnée par M. Tajani au nom de la Commission
(26 novembre 2012)

La Commission aimerait informer l'Honorable Parlementaire qu'Indect fait partie des projets de recherche du 7e PC et ne fournira pas de systèmes opérationnels. Le projet effectue des recherches en matière de nouvelles technologies de surveillance permettant de maintenir la sûreté et la sécurité publiques. Indect n'élabore pas de cadre réglementaire. Indect, en tant que projet de recherche, n'aboutira à aucune initiative législative. La Commission n'a pas l'intention de créer une base de données exhaustive sur la détection de la criminalité comportant des données personnelles. Indect, comme tous les projets de recherche du 7e PC, est juridiquement tenu de publier des rapports sur ses activités, résultats et objectifs. Toutes ces informations sont publiques et accessibles sur le site web du projet ([1]).

La protection des données personnelles et de la vie privée est un droit fondamental, que la Commission européenne protège et garantit fermement et résolument et qui figure dans la Charte des droits fondamentaux de l'Union européenne.

Le projet de recherche Indect lui-même et l'utilisation de toute technologie au titre du projet doivent respecter cette charte ainsi que la Convention européenne des Droits de l'homme et les règles de l'UE concernant la protection des données. C'est pourquoi nous suivons de près l'avancement du projet et ses implications.

([1]) http://www.indect-project.eu/.

(English version)

Question for written answer E-008922/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: INDECT project

In response to violence on trains, stampeding crowds, football hooliganism and other similar problems, Member States are implementing the INDECT project to tackle criminal behaviour. Co-funded by the EU under the seventh framework programme for Research and involving researchers in 12 Member States, the INDECT project (Intelligent information system supporting observation, searching and detection for security of citizens in urban environment) is currently causing controversy. The project is designed to enhance the way existing mass surveillance tools, such as photographs and video footage, are used by improving the relevant procedures and making them automatic in an effort to ensure that crisis situations are dealt with more effectively.

However, the use of automatic surveillance techniques of this kind combined with the systematic collection of personal data could undermine individual freedoms.

Does the project include plans for a new regulatory framework to monitor exchanges of data and the detection of criminal activity on the Internet?

If the project is successful, how does the Commission intend to follow it up in legislative terms?

Is the introduction of an automatic system for detecting crime on the Internet and on the street part of a plan to create a huge database?

Lastly, does the Commission intend to produce a report on the research activities, outcome and precise objectives of INDECT in order to address once and for all people's legitimate misgivings about the project?

Answer given by Mr Tajani on behalf of the Commission
(26 November 2012)

The Commission would like to inform the Honourable Member that INDECT is an FP7 research project and will not produce operationally ready systems. The project conducts research into new surveillance technologies for use in maintaining public safety and security. INDECT is not developing a regulatory framework. INDECT as a research project will not lead to any legislative initiatives. There is no Commission plan to create an extensive database on crime detection comprising personal data. INDECT, like all FP7 research projects, is legally obliged to publish reports on their activities, results and objectives. All this information is publicly available on the website of the project ([1]).

The protection of personal data and private life are fundamental rights — rights the European Commission firmly and resolutely protects and guarantees, which are enshrined in the EU Charter of Fundamental Rights.

The INDECT research project itself, and the use of any technologies pursuant to the project, must respect the EU Charter of Fundamental Rights and must comply with the European Convention on Human Rights as well as EU rules on data protection — and we are closely monitoring the progress of the project and its implications.

([1]) http://www.indect-project.eu/.

(Version française)

Question avec demande de réponse écrite E-008923/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Commerce des produits japonais

Il est difficile de connaître précisément l'ampleur de la contamination radioactive des eaux océaniques après la catastrophe nucléaire de Fukushima au Japon. Cependant, certains indicateurs, comme les thons rouges provenant du Japon, pêchés en Californie et porteurs de matériaux radioactifs, peuvent nous éclairer sur les risques liés au commerce de ces animaux migrateurs.

À la suite de la catastrophe nucléaire japonaise, la Commission européenne a rapidement appliqué le principe de précaution en publiant le règlement d'exécution du 25 mars 2011 relatif à l'importation de denrées alimentaires et d'aliments pour animaux en provenance du Japon. Cette réglementation s'applique donc exclusivement pour les importations japonaises de poissons.

En ce sens, des produits japonais qui ne peuvent pas directement être importés du Japon pourraient tout de même être commercialisés en Europe en étant importés d'autres pays tiers, sachant que ces produits ne sont pas touchés par le règlement en vigueur.

1. Quel contrôle la Commission a-t-elle mis en œuvre pour les importations de produits de la mer provenant de pays peu éloignés du Japon, dont les produits de la mer ont pu subir une contamination radioactive à l'instar du thon rouge pêché en Californie?

Par ailleurs, le programme alimentaire mondial a récemment autorisé que des produits tels que le maquereau ou les sardines péchées au large des côtes japonaises soient envoyés dans cinq pays en voie de développement, à l'image du Cambodge, en tant qu'aide alimentaire.

2. Sans stigmatiser la pêche japonaise, la Commission considère-t-elle que ces pratiques sont sans risque pour la population cambodgienne?

Réponse donnée par M. Borg au nom de la Commission
(3 décembre 2012)

Par le truchement du système d'alerte rapide pour les denrées alimentaires et les aliments pour animaux *(RASFF news notification 11-0653)*, la Commission a recommandé aux États membres de contrôler la présence de césium-134 et de césium-137 dans les poissons pélagiques migrateurs et leurs produits dérivés ou transformés provenant de la zone de pêche n° 61 de l'Organisation pour l'alimentation et l'agriculture (FAO). Les espèces pélagiques migratrices concernées sont les thons (thon blanc, thon rouge, thon obèse et bonite à ventre rayé) et les poissons à rostre (espadon, marlins). Tous les résultats communiqués par les États membres indiquent une contamination nulle ou très faible [à savoir inférieure à 10 Becquerel (Bq) par kg]. Le niveau de radioactivité du thon rouge capturé en Californie était à peu près de 5 Bq/kg.

Les autorités japonaises contrôlent méticuleusement la présence de radioactivité dans les poissons et les produits de la pêche provenant des zones côtières et des eaux internationales. Elles ont fait état de la contamination de poissons dans les zones côtières de la préfecture de Fukushima et des préfectures voisines. La pêche a cessé dans ces préfectures. La pêche des espèces contaminées a aussi été interrompue.

Le contrôle des poissons et des produits de la pêche provenant des zones côtières des autres préfectures et des eaux internationales n'a permis de constater qu'une contamination nulle ou très faible.

Nous n'avons pas d'information sur l'aide alimentaire du programme alimentaire mondial, mais les mesures effectuées indiquent que les niveaux de contamination des sardines et des maquereaux ne sont plus préoccupants.

(English version)

Question for written answer E-008923/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Trade in Japanese products

It is hard to determine with any accuracy the extent of offshore radioactive contamination caused by the Fukushima disaster in Japan. However, some indicators, such as levels of radioactivity in bluefin tuna from Japan caught in California, can provide an insight into the risks connected to trade in these migratory species.

The Commission was quick to apply the precautionary principle following the disaster and published Implementing Regulation (EU) No 297/2011 of 25 March 2011 imposing special conditions governing the import of feed and food originating in or consigned from Japan, which applies uniquely to Japanese fish exports.

Japanese products — although banned for import into the EU from Japan — can still, therefore, be marketed in Europe if they are exported from other countries, as they then fall outside the scope of these rules.

1. What controls has the Commission implemented on imports of fisheries products from countries near Japan, whose produce may, like bluefin tuna caught in California, have suffered radioactive contamination?

The World Food Programme has recently authorised products such as mackerel or sardines caught off the coast of Japan to be sent as food aid to five developing countries, including Cambodia.

2. Without casting aspersions on Japanese fisheries products, does the Commission consider this to be safe for the Cambodian people?

Answer given by Mr Borg on behalf of the Commission
(3 December 2012)

The Commission has recommended to Member States, through the Rapid Alert System for Food and Feed (RASFF) news notification 11-0653, to monitor for the presence of Caesium-134 and Caesium-137 migratory pelagic fish in FAO Major Fishing Area 61 and derived/processed products thereof. Migratory pelagic fish species of relevance are tuna (albacore, bluefin, bigeye and skipjack) and bill fishes (swordfish, marlin). All results reported by Member States indicate no contamination or at very low level (i.e. less than 10 Becquerel (Bq) per kg). The level of radioactivity in the bluefin tuna caught in California was approximately 5 Bq/kg.

The Japanese authorities monitor intensively the presence of radio-activity in fish and fishery products in coastal areas and international waters. Fish in the coastal areas of the Fukushima prefecture, and neighbouring prefectures, have been found contaminated. Fishing has stopped in Fukushima and in neighbouring prefectures. Fishing for species where contamination has been measured is also stopped.

Fish and fishery products from the coastal areas of other prefectures and the international waters have been found not to be contaminated or only at very low levels.

We have no information on the World Food Programme food aid but measurements indicate that levels of contamination in sardines and mackerel are now below levels that cause concern.

(Version française)

Question avec demande de réponse écrite E-008924/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Niveaux admissibles de contamination radioactive

À la suite de la catastrophe de Fukushima, plusieurs députés ont évoqué le fait que la réglementation communautaire était relativement «confuse» en ce qui concerne les valeurs limites de contamination radioactive admissibles pour les denrées alimentaires et les aliments pour bétail. À ce titre, deux règlements s'appliquent: le règlement (Euratom) nº 3954/87 du Conseil et le règlement (CEE) nº 737/90 spécialement établi pour l'importation de produits agricoles à la suite de l'accident de Tchernobyl.

Ainsi, la Commission peut-elle préciser certains points:

Qui fixe les valeurs limites de contamination radioactive admissibles pour les denrées alimentaires et les aliments pour bétail importés sur le territoire européen?

L'autorité européenne de sécurité des aliments a-t-elle un droit de regard sur la fixation des niveaux admissibles de contamination radioactive?

Réponse donnée par M. Oettinger au nom de la Commission
(28 novembre 2012)

1. Les niveaux maximaux admissibles de contamination radioactive pour les denrées alimentaires et les aliments pour bétail après un accident nucléaire ou dans toute autre situation d'urgence radiologique sont fixés par le Conseil dans son règlement (Euratom) nº 3954/87. En vertu de ce règlement, la Commission peut adopter des règlements d'exécution rendant applicables ces niveaux maximaux admissibles, si elle reçoit des informations officielles sur des accidents ou toute autre situation d'urgence radiologique, lesquelles indiquent que ces taux sont susceptibles d'être atteints ou ont été atteints ([1]).

À la suite de l'accident Fukushima, la Commission a adopté des règlements d'exécution sur l'importation de denrées alimentaires et d'aliments pour animaux en provenance du Japon, sur la base du traité sur le fonctionnement de l'Union européenne. Le dernier en vigueur est le règlement d'exécution (UE) nº 996/2012 de la Commission du 26 octobre 2012 ([2]).

2. L'Autorité européenne de sécurité des aliments ne fixe pas les niveaux maximaux admissibles de contamination radioactive, mais peut être chargée de procéder à une analyse des risques relative à la présence de radionucléides dans les denrées alimentaires et les aliments pour bétail.

([1]) Article 2 du règlement.
([2]) JO L 299 du 27.10.2012.

(English version)

Question for written answer E-008924/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Maximum permitted levels of radioactive contamination

In the wake of the Fukushima disaster a number of MEPs have pointed out that EU regulations are quite confusing as regards the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs. In this area there are two regulations which apply: Council Regulation (Euratom) No 3954/87 and Regulation (EEC) No 737/90, which was adopted specifically to govern imports of agricultural products following the Chernobyl accident.

Could the Commission answer the following questions:

Who sets the maximum permitted radioactive contamination levels for foodstuffs and feedingstuffs imported into Europe?

Does the European Food Safety Authority have any say on the setting of the maximum permitted radioactive contamination levels?

Answer given by Mr Oettinger on behalf of the Commission
(28 November 2012)

1. Maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency have been established by the Council in its Regulation (Euratom) No 3954/87. Under this regulation, the Commission can adopt implementing regulations which render applicable those maximum permissible levels, in the event it receives official information on accidents or on any other case of radiological emergency substantiating that these levels are likely to be reached or have been reached ([1]).

Following the Fukushima accident, the Commission has adopted implementing regulations for the import of food and feed from Japan,on the basis of the Treaty on the Functioning of the European Union. The latest regulation in force is Commission Implementing Regulation (EU) No 996/2012 of 26 October 2012 ([2]).

2. The European Food Safety Authority does not set maximum permitted levels of radioactive contamination, however this Authority can be requested to provide a risk assessment on the presence of radionulides in food and feed.

([1]) Article 2 of the regulation.
([2]) OJ L 299 of 27.10.2012.

(Version française)

Question avec demande de réponse écrite E-008925/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Investissements étrangers

Les investissements étrangers représentent une aubaine pour certains secteurs en crise en Europe. Cependant, cela pose des questions d'indépendance de nos investissements en Europe et de la gestion de notre patrimoine industriel.

La Chine investit partout en Europe, par exemple, dans le rachat pour 3,3 milliards d'euros, en 2010, de la concession du port du Pirée en Grèce, lequel représente une porte d'entrée pour le marché européen. Le Qatar investit, par exemple, des milliards d'euros en France afin d'acquérir des entreprises florissantes ou participer à leur capital. L'industrie du luxe est à ce titre particulièrement concernée.

La France facilite cet investissement grâce à une convention fiscale signée en 1990 avec le Qatar qui accorde des avantages majeurs aux investissements du Qatar en supprimant notamment toute imposition sur les plus-values immobilières.

La Commission prend-elle en considération le patrimoine industriel des États membres dans sa volonté de réindustrialisation de l'Europe? Quelles mesures peut-elle prendre pour éviter que les investissements en matière de recherche et d'innovation effectués par l'Europe ne se retrouvent trop rapidement entre des mains étrangères?

En somme, y a-t-il une vigilance et une limite aux «investissements étrangers directs» évoqués à l'article 206 du traité?

Qu'en est-il de la proposition présentée en décembre 2010 par Antonio Tajani, le commissaire européen chargé de l'industrie et de l'entrepreneuriat, concernant la création d'une Autorité européenne chargée du contrôle des investissements étrangers en Europe à l'instar du CFIUS, le comité chargé des investissements étrangers aux États-Unis?

Réponse donnée par M. Tajani au nom de la Commission
(27 novembre 2012)

La Commission convient qu'il importe de préserver et de promouvoir une solide base industrielle en Europe. Le «patrimoine industriel» européen doit être pris en considération dans une perspective d'avenir. Le meilleur moyen d'y parvenir consiste à créer des conditions propices au développement du meilleur environnement commercial possible afin de garantir la productivité et la compétitivité de l'Europe. La Commission a présenté, en octobre 2012, une nouvelle communication sur sa politique industrielle ([1]). Le climat des investissements constitue la trame de cette communication, axée sur les thèmes utiles pour promouvoir les investissements productifs, notamment l'accès aux moyens de financement, les investissements destinés à l'innovation, le fonctionnement du marché intérieur et les conditions du marché international. Cette communication préconise expressément le maintien d'un «environnement ouvert et non discriminatoire afin de renforcer encore l'attrait des investissements dans l'UE».

Pour ce qui est de la «vigilance» à l'égard des investissements étrangers directs, la Commission réfléchit, en étroite coopération avec les États membres et le Parlement européen, à la manière d'utiliser sa politique en la matière, pour garantir et renforcer la compétitivité de l'Europe. Il reste toutefois clair que l'Union européenne est une économie très ouverte et que cela a contribué au bien-être économique général; tel est et demeure le point de vue de la Commission.

Certains aspects des investissements étrangers font actuellement l'objet de débats. Ces discussions sont loin d'être nouvelles. Il est logique que le commissaire à l'industrie et à l'entreprenariat y prenne part. Toutes ses déclarations doivent être interprétées dans ce contexte. Aucune proposition concrète n'a été formulée en vue de modifier la politique en la matière.

([1]) COM(2012) 582 final.

(English version)

Question for written answer E-008925/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Foreign investments

Foreign investments are a boon to some of the sectors in crisis in Europe. However, they also raise questions about the independence of our investments in Europe and the management of our industrial heritage.

China is investing right across Europe; for example, in the EUR 3.3 billion purchase in 2010 of the concession to operate the port of Piraeus in Greece, which is a gateway to the European market. And Qatar is investing billions of euros in France to acquire or take a stake in successful companies. The luxury goods industry is particularly affected by this.

France facilitates these investments thanks to a tax agreement signed with Qatar in 1990, which grants significant advantages to Qatari investments, including the waiver of all capital-gains taxes on property.

In its desire to reindustrialise Europe, is the Commission taking into account the Member States' industrial heritage? What measures can it take to avoid European investments in research and innovation ending up too quickly in foreign hands?

Is there any vigilance with regard to the 'foreign direct investment' referred to in Article 206 of the Treaty, or any limit?

What has become of the proposal put forward in December 2010 by Antonio Tajani, the Commissioner for Industry and Entrepreneurship, for a European authority responsible for reviewing foreign investments in Europe, along the lines of the Committee on Foreign Investment in the United States?

Answer given by Mr Tajani on behalf of the Commission
(27 November 2012)

The Commission agrees that it is important to preserve and promote a strong industrial base in Europe. Europe's 'industrial heritage' needs to be taken into account in a forward-looking manner. The best way to do this is to create the appropriate conditions for the best possible business environment to produce and compete from Europe. The Commission presented a new Industrial Policy Communication in October 2012 ([1]). The investment climate is a major basis for that Communication, and it focuses on themes relevant for promoting productive investments (access to finance, investments for innovation, the functioning of the internal market, and international market conditions). That Communication explicitly calls for an 'open and non-discriminatory environment in order to further increase the attractiveness of investing in the EU'.

As to 'vigilance' concerning FDI, the Commission is working in close cooperation with Member States and the European Parliament on how our FDI policy should be exercised in order to secure and strengthen European competitiveness. It remains clear, however, that the EU is a highly open economy, and this has contributed to the overall economic well-being. This is and remains the basic position of the Commission.

There is an ongoing debate about some aspects of foreign investments. This has been the case for a long time. It is natural for the Commissioner for Industry and Entrepreneurship to participate in this discussion, and any statement should be seen in that context. There is no conctrete proposal for a policy change on this topic.

([1]) COM(2012) 582 final.

(Version française)

Question avec demande de réponse écrite E-008926/12
à la Commission (Vice-Présidente/Haute Représentante)
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: VP/HR — Création d'un organisme chargé d'évaluer les investissements stratégiques

Les États-Unis disposent d'un Comité pour l'investissement étranger aux États-Unis (CFIUS) chargé d'évaluer les investissements stratégiques étrangers.

À ce titre, le Président Barack Obama a annulé, le 28 septembre 2012, l'achat par une entreprise chinoise *(Ralls Corporation)* de quatre projets de fermes éoliennes près de l'espace aérien restreint d'un site de la marine américaine, dans l'Oregon. Les autorités américaines ont invoqué, pour annuler la transaction, des risques pour la sécurité nationale.

Le Service européen d'action extérieure peut-il mettre en garde un État membre contre un investissement étranger dans un domaine considéré comme sensible pour les intérêts diplomatiques ou militaires européens?

La multiplication des investissements étrangers en Europe, notamment grâce à des liens en matière de politique étrangère comme la relation entre la France et le Qatar, ne va-t-elle pas nuire à la liberté de l'Union européenne en matière de politique étrangère?

Le SEAE est-il conscient de l'utilité d'un organisme chargé d'évaluer ex ante les investissements stratégiques étrangers sur le modèle du CFIUS afin d'avoir une vision claire des entreprises opérant et investissant sur le sol européen?

Réponse donnée par M. De Gucht au nom de la Commission
(6 décembre 2012)

L'évaluation des investissements étrangers peut porter sur la politique étrangère et de sécurité commune de l'UE, mais également, pour certains de ses aspects, sur la politique commerciale commune. Le traité sur le fonctionnement de l'Union européenne expose de manière claire l'attachement de l'UE au principe d'ouverture aux investissements directs étrangers (IDE), y compris en provenance de pays tiers. Première source et première destination des IDE à l'échelle mondiale, l'Union européenne bénéficie largement d'un système économique mondial ouvert et est résolue à faire en sorte que les marchés conservent cette ouverture. Actuellement, l'examen des IDE au regard de la sécurité nationale est effectué à l'échelon de chaque pays. La SEAE ne conseille pas les États membres au sujet des implications des investissements étrangers pour leur sécurité nationale.

(English version)

Question for written answer E-008926/12
to the Commission (Vice-President/High Representative)
Philippe Boulland (PPE)
(4 October 2012)

Subject: VP/HR — Setting up of a strategic investment review body

The United States has a Committee on Foreign Investment in the United States (CFIUS) whose role is to review foreign strategic investments.

In that context, on 28 September 2012 President Barack Obama blocked the purchase by the Ralls Corporation, a Chinese firm, of four wind farm projects close to restricted airspace used by the US Navy in Oregon. In blocking the transaction, the US authorities cited national security concerns.

Can the European External Action Service warn a Member State about a foreign investment in an area considered sensitive for European diplomatic or military interests?

Does the proliferation of foreign investment in Europe, particularly through foreign policy links, such as the relationship between France and Qatar, not risk harming the EU's foreign policy freedom?

Does the EEAS recognise the usefulness of having a body specifically responsible for reviewing foreign strategic investments before they go ahead, along the lines of the CFIUS, in order to have a clear view of firms that are operating and investing in Europe?

Answer given by Mr De Gucht on behalf of the Commission
(6 December 2012)

The review of foreign investment can touch on the EU's common foreign and security policy, but equally has aspects pertaining to the Common Commercial Policy. The Treaty on the European Union sets out clearly the EU's commitment to openness towards foreign direct investment (FDI) including from third countries. As the world's largest source and destination of FDI, the EU is a major beneficiary of an open world economic system and is committed to ensuring that markets remain open. At present, national security reviews of foreign direct investment are carried out at national level. The EEAS does not advise Member States on the national security implications of foreign investments.

(Version française)

Question avec demande de réponse écrite E-008928/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Dispositifs d'accueil pour les enfants demandeurs d'asile

En 2010, 10 295 mineurs isolés ont présenté une demande d'asile dans l'un des 27 pays de l'Union européenne, ce qui correspond à 74 % des mineurs isolés demandeurs d'asile du monde. Caractérisés par une situation extrêmement précaire, ces enfants constituent un groupe fortement exposé, du fait de sa vulnérabilité, à des risques de violation des Droits de l'homme.

De plus, les dispositifs d'accueil et d'hébergement dans les États membres demeurent généralement très insuffisants. Les enfants vivent souvent dans des lieux inadaptés, parfois insalubres, notamment en détention, même s'ils n'ont commis aucun délit, ou dans des lieux d'hébergement qui appliquent des règles de couvre-feu très strictes. Insuffisamment informés sur les moyens juridiques dont ils disposent, les enfants demandeurs d'asile se retrouvent souvent en perdition au sein même de l'État membre dans lequel ils cherchaient refuge.

Cette situation inacceptable ne peut perdurer et constitue un défi sur le plan des Droits de l'homme pour l'Union européenne, compte tenu de la disparité des systèmes d'accueil des États membres.

Afin d'assurer enfin un dispositif d'accueil et d'accompagnement décent, la Commission compte-t-elle rapidement proposer la création d'un système clairement établi de protection des enfants séparés demandeurs d'asile dans l'Union européenne?

Réponse donnée par Mme Malmström au nom de la Commission
(22 novembre 2012)

La Commission est particulièrement préoccupée par la situation des mineurs non accompagnés qui demandent l'asile dans les États membres de l'Union européenne. La Commission a traité le problème de leur vulnérabilité spécifique à la fois par des actes législatifs et par des mesures de coopération pratique.

L'acquis de l'UE en matière d'asile prévoit des garanties spécifiques quant au traitement des mineurs non accompagnés demandeurs d'asile. Elles comprennent l'accès à une représentation, un logement, une éducation et des soins de santé appropriés pendant toute la durée de l'examen de leur demande d'asile.

Les propositions de la Commission visant à modifier les instruments en matière d'asile introduisent des règles plus harmonisées et plus protectrices à cet effet. Notamment, la directive modifiée relative aux conditions d'accueil contraint les États membres à garantir que les mineurs non accompagnés disposent d'une représentation légale et d'un logement adapté à leur âge (avec accès à des activités récréatives) et que la détention n'intervienne que dans des circonstances exceptionnelles où la protection de l'intérêt supérieur de l'enfant l'exige. Cette directive devrait être adoptée par les co-législateurs d'ici la fin 2012.

La proposition de la Commission visant à modifier la directive sur les procédures d'asile prévoit des garanties supplémentaires pour les mineurs non accompagnés. Surtout, elle envisage que ces derniers soit exclus de certains types de procédures, telles que la procédure à la frontière, et que leur soit automatiquement reconnu le droit de demeurer sur le territoire. La proposition modifiée est en cours de négociation entre le Parlement européen et le Conseil. La Commission espère que les exigences élevées qu'elle a proposées seront retenues dans le texte définitif.

Du point de vue de la coopération pratique, des efforts considérables sont actuellement fournis par les BEAA, notamment en vue d'améliorer les pratiques des États membres dans le domaine de l'évaluation de l'âge.

(English version)

Question for written answer E-008928/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Arrangements for housing children seeking asylum

In 2010in the 27 Member States, 10 295 unaccompanied minors applied for asylum, a figure representing 74% of unaccompanied minors seeking asylum in the world. These children live in very precarious conditions and are at particular risk of suffering human rights violations.

What is more, arrangements for receiving and housing such asylum-seekers in Member States are generally very poor: children often are made to live in unsuitable and sometimes insalubrious conditions and are often incarcerated — even if they have committed no crime — or housed in facilities that impose stringent curfews. These children are often live in distress in the very Member State in which they seek asylum as they are insufficiently aware of the legal means at their disposal

This unacceptable state of affairs cannot be allowed to continue and constitutes a human rights challenge for the European Union, given the disparity of arrangements from Member State to Member State.

With a view to laying down arrangements for decent housing and support, does the Commission intend to propose a separate, clearly defined system to protect children seeking asylum in the European Union?

Answer given by Ms Malmström on behalf of the Commission
(22 November 2012)

The Commission is particularly concerned about unaccompanied minors who seek asylum in the EU Member States. The Commission has acknowledged their particular vulnerability, both through legislation and practical cooperation measures.

The EU asylum *acquis* includes specific safeguards on the level of treatment for unaccompanied minors seeking asylum. These include access to appropriate representation, housing, education and healthcare throughout the examination of their asylum application.

The Commission proposals amending the asylum instruments introduce more protective and harmonised rules in this respect. In particular, the amended Reception Conditions Directive obliges Member States to ensure that unaccompanied minors are provided with legal representation, age specific housing (including access to recreational activities), and that detention takes place only in exceptional circumstances when it is needed in view of protecting the child's best interests. The directive is expected to be adopted by co-legislators by the end of 2012.

The Commission proposal amending the Asylum Procedures Directive includes further safeguards for unaccompanied minors. Most importantly, it envisages their exemption from certain procedures concepts, such as the border procedure and the non-automatic right to remain on the territory. The amended proposal is currently being negotiated in the European Parliament and the Council. The Commission hopes that its proposed high standards will be retained in the final text.

On the practical cooperation side, significant efforts are being made by EASO, for instance in view of ameliorating Member States practices in the area of age assessments.

(Version française)

Question avec demande de réponse écrite E-008929/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Informatique dématérialisée

Le jeudi 27 septembre 2012, Nelly Kroes, commissaire européenne à la concurrence, a présenté les futures mesures de la Commission en faveur de l'informatique dématérialisée, qui représente le traitement de stockage de données sur des serveurs internet centralisées.

La Commission prévoit-elle d'inscrire les mesures en faveur de l'informatique dématérialisée dans une approche uniforme des autorités de contrôle?

Quelles garanties l'informatique dématérialisée apporte-t-elle à la protection des données personnelles? À la protection du droit d'auteur?

Réponse donnée par Mme Kroes au nom de la Commission
(30 novembre 2012)

La communication «Exploiter le potentiel de l'informatique en nuage en Europe» ([1]) souligne la nécessité d'aborder le développement de l'informatique en nuage de manière cohérente et uniforme, non seulement en Europe mais également au niveau mondial.

La communication met l'accent sur le fait que la Commission doit associer l'Europe à la dynamique de croissance mondiale de l'informatique en nuage en réexaminant les clauses contractuelles types applicables aux transferts de données personnelles vers des pays tiers et en invitant les autorités nationales de protection des données à approuver des règles d'entreprise contraignantes spécifiques pour les prestataires de services en nuage ([2]) dans le cadre ménagé pour l'informatique en nuage.

La réforme de la protection des données ([3]), adoptée par la Commission le 25 janvier 2012, tient compte de l'évolution de l'informatique en nuage et de la nécessité de moderniser les règles relatives à la protection des données à caractère personnel. Cette réforme repose sur un règlement qui clarifie et harmonise, de façon neutre du point de vue technologique, les règles auxquelles sont soumis notamment les prestataires de services en nuage, tout en renforçant et en modernisant les droits des personnes concernées. Elle comprend un mécanisme conçu pour garantir la cohérence des décisions et des mesures d'exécution prises par les autorités nationales de protection des données.

Le contenu fourni par les prestataires de services en nuage peut être protégé par des droits d'auteur ou des droits voisins conformément aux dispositions législatives de l'UE encadrant les droits d'auteur ([4]), ce qui exige la conclusion d'accords de licence spécifiques entre titulaires de droits et prestataires de services. En outre, la proposition de directive sur la gestion collective des droits permettra de répondre, dans une large mesure, aux besoins en matière d'octroi de licences transnationales pour l'accès au contenu du nuage en matière musicale. La Commission envisage aussi d'autres actions dans le cadre du suivi du livre vert sur l'audiovisuel ([5]) : par exemple, promouvoir et faciliter l'octroi de licences pour la distribution en ligne d'œuvres audiovisuelles.

([1]) COM(2012) 529 final.

([2]) Les avis pertinents du groupe de travail «article 29» (voir WP 195 et WP 153) expliquent le fonctionnement des règles d'entreprise contraignantes. Les règles d'entreprise contraignantes constituent un des moyens permettant de transférer légalement des données au niveau international: elles contiennent des dispositions applicables à la manière dont les différentes entités d'une entreprise, où qu'elles soient établies dans le monde, traitent les données à caractère personnel.

([3]) Proposition de règlement du Parlement européen et du Conseil relatif à la protection des personnes physiques à l'égard du traitement des données à caractère personnel et à la libre circulation de ces données (règlement général sur la protection des données), COM(2012)11 final — 2012/0011 (COD).

([4]) En particulier, les droits de reproduction et de mise à disposition du public consacrés par les articles 2 et 3 de la directive 2001/29/CE.

([5]) Livre vert sur la distribution en ligne d'œuvres audiovisuelles dans l'Union européenne: perspectives et défis sur la voie d'un marché unique du numérique, COM(2011)427.

(English version)

Question for written answer E-008929/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Cloud computing

On Thursday, 27 September 2012, Nelly Kroes, European Commissioner for Competition, presented the Commission's plans for cloud computing, which is concerned with the processing of data storage via centralised Internet servers.

Does the Commission intend to include measures promoting cloud computing in a uniform approach for monitoring authorities?

What guarantees are given by cloud computing concerning the protection of personal data? And the protection of copyright?

Answer given by Ms Kroes on behalf of the Commission
(30 November 2012)

The communication 'Unleashing the Potential of Cloud Computing in Europe' ([1]) underlines the need to have a coherent and uniform approach as regards the development of cloud computing not only in Europe, but also globally.

The communication underlines the need for the Commission to facilitate Europe's participation in the global growth of cloud computing by: reviewing standard contractual clauses applicable to transfer of personal data to third countries and by calling upon national data protection authorities to approve Binding Corporate Rules for cloud providers ([2]) within the framework of cloud computing.

The Data Protection reform ([3]) adopted by the Commission on 25 January 2012 takes into account the development of cloud computing and the need for modernized rules regarding the protection of personal data. The reform is based on a regulation which clarifies and harmonises the rules applicable notably to cloud providers in a technology neutral way, while strengthening and modernizing data subject rights. It includes a mechanism designed to ensure the consistency of decisions and enforcement actions of national data protection authorities.

Content provided by cloud-based services may be protected by copyright or related rights under the EU copyright framework ([4]), requiring specific licensing agreements to be concluded between the right holders and service providers. Moreover, the proposal for a directive on Collective Rights Management will address many of the cross-border licensing needs for cloud content as regards music. The Commission is also considering further actions as a follow-up to the Audiovisual Green Paper ([5]), for example by promoting and facilitating the licensing of audiovisual works for online distribution.

([1]) COM(2012) 529 final.
([2]) The relevant opinions of the article 29 Working Party (See: WP 195 and WP 153) explain the functioning of Binding Corporate Rules. Binding Corporate Rules are one means to allow for legal international data transfers: they govern in an enforceable manner how the different parts of a corporation, regardless of their international location, deal with personal data.
([3]) Proposal for a regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)' COM(2012) 11 final 2012/0011 (COD).
([4]) In particular pertaining to the reproduction and making available rights as laid down in Articles 2 and 3 of the directive 2001/29/EC.
([5]) Green Paper on the online distribution of audiovisual works in the European Union: opportunities and challenges towards a digital single market, COM(2011) 427.

(Version française)

Question avec demande de réponse écrite E-008930/12
à la Commission
Philippe Boulland (PPE)
(4 octobre 2012)

Objet: Accord commercial CETA

Des allégations de ressemblance frappante entre le traité anti-contrefaçon (ACTA) rejeté par le Parlement européen et le projet d'accord commercial entre l'Union européenne et le Canada (CETA), en cours de négociation, sont parues récemment dans la presse et secouent la société civile, en particulier la communauté anti-ACTA.

Quels que soient les arguments et la pression démocratique exercée sur le Parlement européen, la Commission a-t-elle bien pris conscience du fait que refaire passer un texte par la petite porte, avec des critères et/ou une finalité identiques, va provoquer une défiance supplémentaire de la part des citoyens européens envers nos institutions? La Commission compte-t-elle user régulièrement de ce type de pratique pour faire passer des textes de loi en dépit de l'avis des représentants des citoyens européens?

Réponse donnée par M. De Gucht au nom de la Commission
(20 novembre 2012)

Comme indiqué dans la réponse à la question E-006888/2012, la Commission respecte totalement le vote du Parlement concernant l'ACTA et ne fera aucune tentative visant à introduire les dispositions controversées de cet accord dans d'autres négociations.

Le résultat final du chapitre sur les droits de propriété intellectuelle (DPI) dans l'accord commercial entre le Canada et l'UE (CETA) devrait être pleinement conforme à la législation de l'UE, sans aller au-delà ou sans la modifier, et semblable aux chapitres sur les DPI figurant dans d'autres accords de libre-échange, comme celui qui a été récemment conclu avec la Corée du Sud.

(English version)

Question for written answer E-008930/12
to the Commission
Philippe Boulland (PPE)
(4 October 2012)

Subject: Canada-EU Trade Agreement (CETA)

Allegations that there is a striking resemblance between the Anti-Counterfeiting Trade Agreement (ACTA), which was rejected by the European Parliament, and the draft trade agreement between the European Union and Canada (CETA) currently under negotiation, have recently appeared in the press and are causing reverberations in civil society, particularly among the anti-ACTA community.

Whatever the arguments and however much democratic pressure has been put on the European Parliament, is the Commission aware that a repeated attempt to have a text with the same criteria and purpose adopted through the back door will lead to even greater distrust of the institutions of the EU on the part of European citizens? Does the Commission intend to make frequent use of this means of having legislative texts adopted, in spite of the opinion of the European citizens' representatives?

Answer given by Mr De Gucht on behalf of the Commission
(20 November 2012)

As stated in the reply to Question E-006888/2012, the Commission fully respects the vote of the Parliament regarding ACTA and will not make any attempt to introduce the controverted provisions of that agreement in other negotiations.

The final result of the Intellectual Property Rights (IPR) chapter of Canada-EU Trade Agreement (CETA) should be fully in line with EU legislation, without exceeding or modifying it, and similar to IPR chapters existing in other free trade agreements, such as the one recently concluded with South Korea.

(Version française)

Question avec demande de réponse écrite E-008931/12
à la Commission
Gilles Pargneaux (S&D)
(4 octobre 2012)

Objet: Plan environnement-santé

Le thème des liens entre la santé et l'environnement est celui qui suscite le plus d'attentes de la part des citoyens européens. Dans le cas de la France, un sondage IFOP rendu public deux jours avant la conférence environnementale des 14 et 15 septembre 2012 a montré que les Français placent clairement les liens entre santé et environnement en tête de leurs préoccupations et souhaitent à 52 % que des décisions soient prises dans ce domaine en priorité.

Dans ce contexte, on peut regretter que la dernière initiative de la Commission qui lie les problématiques de santé et d'environnement remonte à 2003 avec l'adoption du plan environnement-santé 2004-2010.

Les recommandations formulées par le Conseil des ministres européens de l'environnement le 20 décembre 2010 quant à la mise en place d'un nouveau plan sont restées lettre morte. Elles y invitaient la Commission à promouvoir davantage la santé dans le cadre de la politique environnementale en élaborant dès que possible un nouveau plan.

Deux importantes recommandations avaient été faites concernant l'adoption de ce nouveau plan en demandant la mise en place d'une base de données harmonisée et l'établissement de mesures spécifiques pour les nanomatériaux en ce qui concerne l'évaluation ainsi que la gestion du risque. Le Conseil des ministres avait également évoqué la nécessité d'établir des mesures spécifiques pour les perturbateurs endocriniens et d'évaluer le risque cumulé résultant des effets combinés des substances chimiques.

La Commission peut-elle m'indiquer les raisons qui l'ont poussée à renoncer à l'adoption d'un nouveau plan environnement-santé? Au regard des attentes des citoyens européens et de la recrudescence des cancers liés à des facteurs environnementaux, quelle stratégie intégrée envisage-t-elle de mettre en œuvre en la matière?

Réponse donnée par M. Potočnik au nom de la Commission
(13 décembre 2012)

Afin de veiller à ce que la protection de la santé humaine soit prise en compte dans toutes les politiques et actions de l'Union, comme le prévoit le traité CE ([1]), la Commission a mis au point une stratégie relative à la santé pour la période 2008-2013 ([2]), laquelle porte sur tous les domaines d'action pertinents, en particulier les politiques sociale et régionale, la fiscalité, l'environnement, l'éducation et la recherche.

La Commission a adopté, le 29 novembre 2012, une proposition de septième programme d'action pour l'environnement (7e PAE) sous le titre «Bien vivre, dans les limites de notre planète». Le 7e PAE propose un programme visant à relever les défis environnementaux auxquels l'Europe est confrontée. Il établit en particulier comme un objectif prioritaire de protéger les citoyens de l'Union européenne contre les pressions liées à l'environnement et les risques pour la santé et le bien-être. L'amélioration de la santé publique a été et restera un élément essentiel de la politique environnementale, en particulier lorsqu'il s'agit d'évaluer les avantages d'une action ainsi que d'associer la recherche à la politique.

En ce qui concerne plus particulièrement la question des nanomatériaux, des perturbateurs endocriniens et des mélanges chimiques soulevée par l'Honorable Parlementaire, ces sujets font déjà l'objet d'initiatives stratégiques en cours. L'examen réglementaire relatif aux nanomatériaux a été récemment adopté [COM(2012)572 final du 3.10.2012], tout comme une communication relative aux effets des mélanges chimiques [COM(2012)252 final du 31.5.2012]. La Commission prévoit de présenter des critères législatifs croisés afin d'identifier les perturbateurs endocriniens, ainsi qu'une nouvelle stratégie au cours de l'année 2013.

Dans ce contexte général, la Commission n'a pas l'intention de présenter de nouveau plan d'action distinct en faveur de l'environnement et de la santé.

([1]) Article 152 du traité CE.
([2]) Livre blanc — Ensemble pour la santé: une approche stratégique pour l'UE 2008-2013: http://ec.europa.eu/health-eu/doc/whitepaper_fr.pdf

(English version)

Question for written answer E-008931/12
to the Commission
Gilles Pargneaux (S&D)
(4 October 2012)

Subject: Environment/health plan

The subject of the links between health and the environment is paramount among the concerns of Europe's citizens. In the case of France, an IFOP survey published two days before the environment conference on 14 and 15 September 2012 showed that the French put links between health and the environment firmly at the top of their list of concerns and that 52% of them would like to see decisions in this area given priority.

It is therefore to be regretted that the Commission's most recent initiative linking health and the environment dates from 2003, when the 2004-10 environment/health plan was adopted.

The recommendations drawn up by the Council of European Environment Ministers on 20 December 2010 concerning the formulation of a new plan have gone unheeded. These called on the Commission to improve its promotion of health in the environment policy through a new plan to be drawn up as soon as possible.

Two major recommendations were put forward concerning the adoption of the new plan: the creation of a harmonised database and the establishment of specific measures for the evaluation and risk assessment of nanomaterials. The Council of Ministers had also referred to the need to formulate specific measures for endocrine disruptors and evaluate the cumulative danger arising from the combined effects of chemical substances.

Will the Commission state why it has abandoned the idea of adopting a new environment/health plan? In the light of European citizens' expectations and the increase in cancers linked to environmental factors, what integrated strategy does the Commission intend to implement in this area?

Answer given by Mr Potočnik on behalf of the Commission
(13 December 2012)

To ensure that human protection is integrated in all Community policies and activities as requested by the EC Treaty ([1]), the Commission has developed a 2008-2013 health strategy ([2]) involving all relevant policy areas, in particular social and regional policy, taxation, environment, education and research.

The Commission adopted on 29 November 2012 a proposal for a Seventh Environment Action Programme (7th EAP) under the title 'Living well, within the limits of our planet'. The 7th EAP proposes a programme to address the environmental challenges Europe is facing. It in particular sets out as a priority objective to safeguard EU citizens from environment-related pressures and risks to health and wellbeing. Improving public health has been, and will therefore continue to be, a key determinant underpinning environment policy especially as regards assessing the benefits of action, as well as linking research to policy.

As regards specifically the issues of nanomaterials, endocrine disruptors and chemical mixtures raised by the Honourable Member, these are already the subject of ongoing policy initiatives. The regulatory review on nanomaterials was recently adopted (COM(2012) 572 final of 3.10.2012) as was a communication on Mixture Effects (COM(2012) 252 final of 31.5.2012). The Commission is planning to come forward with cross legislative criteria to identify endocrine disruptors and a new strategy during the course of 2013.

In this general context, the Commission does not intend to put forward a separate new environment and health action plan.

([1]) Article 152 of the EC Treaty.
([2]) White Paper Together for Health: A Strategic Approach for the EU 2008-2013, http://ec.europa.eu/health-eu/doc/whitepaper_en.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-008932/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(4 Οκτωβρίου 2012)

Θέμα: Σύλληψη αστυνομικών

Ο τουρκικός στρατός που βρίσκεται παράνομα στην Κύπρο συνέλαβε την περασμένη εβδομάδα τρεις Κύπριους αστυνομικούς που καταδίωκαν έναν τουρκοκύπριο έμπορο ναρκωτικών εντός της γραμμής κατάπαυσης του πυρός. Η περιοχή αυτή αποτελεί τμήμα της Κυπριακής Δημοκρατίας και ελέγχεται από την Ειρηνευτική Δύναμη Κύπρου. Εγείρονται τα εξής:

— Θέματα ασφάλειας, αφού η Ειρηνευτική Δύναμη απέτυχε να αποτρέψει τη σύλληψη των τριών Κυπρίων αστυνομικών, μέσα σε περιοχή ελεγχόμενη από τα Ηνωμένα Έθνη.

— Θέματα παράνομης σύλληψης, αφού τα όργανα του Νόμου συνελήφθησαν κατά τη διάρκεια άσκησης των καθηκόντων τους, που είναι η προάσπιση των Κυπρίων πολιτών από εγκληματικές ενέργειες, όπως είναι η διακίνηση ναρκωτικών, για την οποία καταδίωκαν τον τουρκοκύπριο.

Ερωτάται η Επιτροπή:

1. Πώς μπορεί να παρέμβει ώστε να διασφαλίζεται ότι τα εδάφη της Κυπριακής Δημοκρατίας που είναι ευρωπαϊκά εδάφη, και τελούν υπό τουρκική κατοχή, θα προστατεύονται από εγκληματικές ενέργειες παρανόμων, που συνήθως προσφεύγουν στα κατεχόμενα, όπου τους παρέχεται «προστασία» από το ψευδοκράτος;

2. Πώς μπορεί να ανέχεται «παράνομα ψευτοδικαστήρια» ενός παράνομου ψευδοκράτους να ζητούν παράλογα ποσά (7 000 ευρώ ανά συλληφθέντα), προσάπτοντας μάλιστα κατηγορίες για δήθεν παραβίαση συνόρων ενός ψευδοκράτους, που δεν αναγνωρίζεται από Διεθνείς οργανισμούς και κανένα κράτος, και επιμένει να λαθροβιεί παράνομα σε βάρος της Κυπριακής Δημοκρατίας, που είναι κράτος μέλος της ΕΕ και του ΟΗΕ;

Ερώτηση με αίτημα γραπτής απάντησης E-009130/12
προς την Επιτροπή
Takis Hadjigeorgiou (GUE/NGL)
(11 Οκτωβρίου 2012)

Θέμα: Απαγωγή τριών Κυπρίων αστυνομικών από το Τουρκοκυπριακό παράνομο κατοχικό καθεστώς

Στις 30 Σεπτεμβρίου 2012 το παράνομο κατοχικό καθεστώς της Τουρκίας στην Κύπρο προχώρησε στην απαγωγή τριών αστυνομικών της Κυπριακής Δημοκρατίας στην υπό επιτήρηση των Ηνωμένων Εθνών νεκρή ζώνη. Σύμφωνα με τις πληροφορίες, η απαγωγή των αστυνομικών έγινε κατά την διάρκεια καταδίωξης υπόπτου για διακίνηση ναρκωτικών. Αυτή τη στιγμή οι τρεις αστυνομικοί κρατούνται παράνομα στα κρατητήρια των κατοχικών αρχών.

Υπενθυμίζουμε στην Επιτροπή την απόφαση του Ευρωπαϊκού Δικαστηρίου Ανθρωπίνων Δικαιωμάτων (1996) ότι η Τουρκία είναι μια κατοχική δύναμη υπεύθυνη για τις πολιτικές και τις ενέργειες των «αρχών» στις κατεχόμενες περιοχές και οι τουρκοκυπριακές «αρχές» είναι η «υποτελής τοπική διοίκηση» της Τουρκίας.

Ερωτάται η Επιτροπή ποια μέτρα προτίθεται να λάβει έτσι ώστε να υποχρεώσει την Τουρκία να προχωρήσει σε άμεση απελευθέρωση των τριών αστυνομικών των οποίων τα βασικά ανθρώπινα δικαιώματα καταπατούνται με τον πιο βάναυσο τρόπο.

Κοινή απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(30 Οκτωβρίου 2012)

Η Επιτροπή γνωρίζει το λυπηρό συμβάν στο οποίο αναφέρεται το Αξιότιμο Μέλος του Ευρωπαϊκού Κοινοβουλίου και εκφράζει ικανοποίηση για το γεγονός ότι οι αρχές της Κυπριακής Δημοκρατίας αντέδρασαν με σύνεση ούτως ώστε να αποφευχθούν μελλοντικές εντάσεις.

Αυτά τα θέματα αποδεικνύουν για μια ακόμα φορά την ανάγκη ταχείας και ολοκληρωμένης διευθέτησης του Κυπριακού, γεγονός που θα κάλυπτε εξίσου τις ανησυχίες του Αξιότιμου Μέλους. Σε μια πρόσφατα παρουσιασθείσα ανακοίνωση για τη στρατηγική διεύρυνσης και τις κυριότερες προκλήσεις για το διάστημα 2012-2013, η Επιτροπή τόνισε την ανάγκη επανέναρξης των διαπραγματεύσεων με στόχο να επιτευχθεί ταχεία ολοκλήρωση των διαπραγματεύσεων, με βάση τη μέχρι σήμερα σημειωθείσα πρόοδο.

Εν τω μεταξύ, η Επιτροπή βρίσκεται σε επαφή με όλους τους ενδιαφερόμενους για να αντιμετωπίσει ορισμένα από τα ζητήματα που έθιξε το Αξιότιμο Μέλος. Η Επιτροπή εκδίδει ετήσια έκθεση σχετικά με τη λειτουργία του κανονισμού για την πράσινη γραμμή (κανονισμός 866/2004) στην οποία καλύπτονται σε σημαντικό βαθμό τα ζητήματα της λαθρομετανάστευσης και της λαθρεμπορίας. Στο πλαίσιο του προγράμματος βοήθειας για την Τουρκοκυπριακή κοινότητα, η Επιτροπή ρυθμίζει και χρηματοδοτεί μέσω της TAIEX (τεχνική βοήθεια και ανταλλαγή πληροφοριών) την παροχή βοήθειας εμπειρογνωμόνων η οποία επικεντρώνεται, μεταξύ άλλων, στην καταπολέμηση της νομιμοποίησης εσόδων από παράνομες δραστηριότητες.

(English version)

Question for written answer P-008932/12
to the Commission
Antigoni Papadopoulou (S&D)
(4 October 2012)

Subject: Arrest of police officers

The Turkish military, which is illegally present in Cyprus, last week wrongfully arrested three police officers from the Cyprus Republic, who had pursued a Turkish drugs dealer into the buffer zone, which is situated in the territory of the Cyprus Republic and is patrolled by the Cyprus peacekeeping force.

This raises the following issues:

— Security, given that the peacekeeping force was unable to prevent the arrest of the three officers within a zone being patrolled by UN forces.

— Illegal arrest, given that the officers were arrested in the line of duty whilst in pursuit of a Turkish Cypriot fugitive, their duty being to protect Cyprus citizens from criminal activities such as, in this case, drugs trafficking.

In view of this:

1. What action can the Commission take to ensure that the territory of the Cyprus Republic, which is also European territory and partly under Turkish occupation, is shielded from the activities of criminals who generally enjoy the 'protection' of the self-styled 'state'?

2. How can it be admissible for the illegal pseudo-courts of an illegal self-styled 'state' to demand extortionate amounts (EUR 7 000 per arrestee) on charges of violating borders not recognised by any international organisation or by any government but continuing to exist outside the law and at the expense of the Cyprus Republic, which is a member of both the EU and UN?

Question for written answer E-009130/12
to the Commission
Takis Hadjigeorgiou (GUE/NGL)
(11 October 2012)

Subject: Kidnapping by the illegal Turkish-Cypriot occupying force of three police officers from the Republic of Cyprus

On 30 September 2012, member of the illegal Turkish occupying force in Cyprus abducted three police officers from the Cyprus Republic in the UN-controlled buffer zone. According to reports, the officers were in pursuit of a suspected drugs dealer.

They are now being illegally held in jail by the occupying authorities.

In view of the decision of the European Court of Human Rights in 1996 that Turkey is an occupying force responsible for the policies and actions of the authorities in the occupied areas and that the Turkish-Cypriot authorities are a 'subordinate local administration' answerable to Turkey:

What pressure does the Commission intend to bring to bear on Turkey with a view to securing the immediate release of the three officers, whose basic human rights are being blatantly infringed?

Joint answer given by Mr Füle on behalf of the Commission
(30 October 2012)

The Commission is aware of the regrettable incident the Honourable Members refer to, and it welcomes that the authorities of the Republic of Cyprus reacted with prudence so as to avoid further tensions.

These questions once again show the need for a rapid comprehensive settlement in Cyprus, which would constitute an effective remedy to address the concerns of the Honourable Member. In its recently presented Communication on the Enlargement Strategy and Main Challenges 2012-2013, the Commission underlined the necessity to re-launch the negotiations with the aim of reaching a swift conclusion of the talks, building on the progress achieved to date.

In the meantime, the Commission is in contact with all stakeholders to tackle some dimensions of the issues raised by the Honourable Members. The Commission issues an annual report on the functioning of Green Line Regulation (Regulation 866/2004) where, for instance the issues of illegal migration and smuggling are covered prominently. In the context of the Aid Programme to the Turkish Cypriot community, the Commission arranges and finances through TAIEX the delivery of expert assistance focusing *inter alia* on the fight against money laundering.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008935/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(4 ottobre 2012)

Oggetto: VP/HR — Deputato accoltellato a morte alle Maldive

Il 1º ottobre 2012 Afrasheem Ali, islamico moderato deputato al parlamento delle Maldive, è stato accoltellato a morte mentre rientrava nella sua abitazione dopo aver preso parte a una trasmissione televisiva. Afrasheem Ali era noto per le sue posizioni a favore di un'interpretazione liberale dell'Islam, a causa delle quali era già stato aggredito due volte. Il deputato aveva fra l'altro affermato che non ci fosse nulla di non islamico nella musica. L'uomo sospettato dell'aggressione è stato sottoposto a fermo.

Si teme che l'arcipelago dell'Oceano Indiano si trovi a rischio di una sempre più crescente diffusione dell'Islam, in particolare in seguito alla caduta del presidente Mohamed Nasheed nel colpo di stato di matrice islamica del febbraio scorso. L'Islam è l'unica religione ufficiale ai sensi della costituzione delle Maldive. Le isole sono molto popolari tra i turisti benché, stando a *The Times*, nel paese si siano già verificati diversi tentativi di proibire i centri di benessere negli alberghi di lusso o il ballo in pubblico. La morte di Afrasheem Ali, membro del partito al potere, il partito progressista, è il primo omicidio di un deputato alle Maldive. Anche Hilath Rasheed, giornalista e critico degli islamici estremisti, è stato aggredito lo scorso giugno e ha rischiato la vita dopo essere stato accoltellato alla gola.

1. È il Vicepresidente/Alto Rappresentante disposto a rilasciare una dichiarazione sull'assassinio di Afrasheem Ali?

2. Qual è la posizione del Vicepresidente/Alto Rappresentante in merito al riportato aumento dell'estremismo islamico alle Maldive?

3. Quali azioni intende intraprendere l'UE a favore di movimenti della società civile e ONG a rischio di attacco da parte di gruppi radicali islamici, a causa del loro lavoro?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(14 dicembre 2012)

L'assassinio del deputato Afrasheem rappresenta un tragico evento in un paese attraversato da costanti tensioni politiche, sfociate in gravi episodi di violenza. L'Alta Rappresentante/Vicepresidente ha rilasciato numerose dichiarazioni che invitano alla cooperazione tra fazioni politiche, al fine di rafforzare i diritti dell'uomo e proteggere personalità di spicco.

L'Alta Rappresentante/Vicepresidente è fermamente convinta che per combattere l'intensificarsi dell'estremismo è indispensabile che tutti i gruppi politici moderati si uniscano per dimostrare che i gravi problemi economici e sociali delle Maldive possono essere affrontati democraticamente.

I capi missione dell'UE con sede a Colombo hanno visitato Malé nel luglio 2012. Nel corso delle riunioni con i rappresentanti della società civile si è discusso della situazione politica, nonché delle limitate risorse finanziarie a loro disposizione e della necessità di assistenza tecnica. Poche ONG locali presenti nelle Maldive hanno legami con ONG insediate in Europa e si teme che alcune di esse siano allineate con programmi politici. L'Unione europea continuerà a seguire molto attentamente gli sviluppi nelle Maldive e intende adoperarsi per preparare il paese alle elezioni.

(English version)

Question for written answer E-008935/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(4 October 2012)

Subject: VP/HR — Member of Parliament stabbed to death in the Maldives

On 1 October 2012, Afrasheem Ali, a moderate Muslim member of parliament in the Maldives, was stabbed to death on his way home from a TV show that he hosted. Mr Ali was known for his views advocating a liberal interpretation of Islam. He had already been attacked twice for his views, which included saying there is nothing un-Islamic about music. The man who is believed to have been behind the attack has been taken into custody.

There are fears that the islands in the Indian Ocean are at risk of rising Islamism, especially after the fall of President Mohamed Nasheed in an Islamist-backed coup in February. Islam is the only official religion under the Maldives' Constitution. The islands are popular among tourists, yet according to *The Times*, there have been attempts to ban spas in luxury hotels and public dancing in the country. The death of Afrasheem Ali is the first killing of an MP in the Maldives. Mr Ali was from the ruling party, the Progressive Party of Maldives. Hilath Rasheed, a journalist and critic of hard-line Islamists, was also attacked in June. He almost died after having his throat cut.

1. Is the Vice-President/High Representative prepared to make a statement on the killing of Afrasheem Ali?

2. What is the position of the VP/HR regarding the reported rise in Islamic extremism in the Maldives?

3. What action is the EU currently taking to reach out to civil society movements and NGOs which are at risk of attacks from radical Islamic groups as a result of their work?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(14 December 2012)

The murder of MP Afrasheem is a tragic development in a country which has seen constant political tensions leading to serious outbreaks of violence. The HR/VP has issued several statements calling for cooperation between the political factions, with a view to reinforcing human rights and protecting prominent figures.

The HR/VP firmly believes that the only way to combat the growth of extremism is for all moderate political groupings to join together in order to demonstrate that the severe social and economic problems Maldivians are facing can be addressed by democratic means.

EU Heads of Mission based in Colombo visited Malé in July 2012. During meetings with civil society representatives, the political situation as well as their current limited financial resources and the need for technical assistance were discussed. Local NGOs with links to European based NGOs have a small presence in the Maldives, and there is concern that some are aligned with political agendas. The EU will continue to follow developments in the Maldives with close attention and intends to play a role in preparing the country for elections.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008936/12
alla Commissione
Oreste Rossi (EFD)
(4 ottobre 2012)

Oggetto: Procedimento per l'eliminazione di sostanze dall'elenco delle sostanze prioritarie

Il relatore del progetto di relazione ([1]) sulla proposta di direttiva del Parlamento europeo e del Consiglio recante modifica delle direttive 2000/60/CE e 2008/105/CE per quanto riguarda le sostanze prioritarie nel settore della politica delle acque, pubblicato il 17 luglio 2012, ha suggerito di mantenere le tre sostanze farmaceutiche proposte (etinilestradiolo, estradiolo e diclofenac) nell'elenco delle sostanze prioritarie, ma senza standard di qualità ambientale (SQA). Ciò significa che vi sono ancora molti quesiti scientifici cui occorre dare una risposta nel corso della prossima revisione dell'elenco da parte della Commissione.

Qualora fosse possibile fornire una risposta soddisfacente a tali quesiti, e le risposte rivelassero che queste sostanze farmaceutiche non rappresentano un rischio significativo per o attraverso l'ambiente acquatico, ai sensi dell'articolo 16, paragrafo 2, della direttiva 2000/60/CE, può la Commissione far sapere quale procedimento è possibile intraprendere per eliminarle dall'elenco?

Risposta di Janez Potočnik a nome della Commissione
(22 novembre 2012)

La Commissione è del parere che vi siano dati sufficienti per stabilire adesso gli standard di qualità ambientale (SQA) per le tre sostanze farmaceutiche in questione, e questa posizione è suffragata dall'esame scientifico.

Non sarebbe utile disporre di ulteriori dati di monitoraggio per la determinazione degli SQA che sono stabiliti in base alle proprietà intrinseche delle sostanze. Tuttavia, se tali dati dimostrassero in maniera incontrovertibile che le tre sostanze non presentano un rischio significativo, saranno tenuti in considerazione nel riesame successivo.

L'articolo 16, paragrafo 4, della direttiva 2000/60/CE (direttiva quadro in materia di acque) ([2]) dispone che la Commissione esamini l'elenco delle sostanze prioritarie almeno ogni quattro anni. Tale riesame può comprendere proposte per l'eliminazione delle sostanze.

([1]) http://www.europarl.europa.eu/meetdocs/2009_2014/documents/envi/pr/909/909091/909091en.pdf
([2]) GU L 327/1 del 22.12.2000, pag. 1.

(English version)

Question for written answer E-008936/12
to the Commission
Oreste Rossi (EFD)
(4 October 2012)

Subject: Mechanism to remove substances from the list of priority substances

The rapporteur of the draft report ([1]) on the proposal for a directive of the European Parliament and of the Council amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy, published on 17 July 2012, has suggested keeping the three suggested pharmaceutical substances (ethinyl-estradiol, estradiol and diclofenac) on the priority substances list, but with no Environmental Quality Standards (EQS). This means there are a number of scientific questions that need to be answered in the Commission's upcoming review of the list.

If the questions can be satisfactorily answered, and the answers reveal that these pharmaceutical substances do not present a significant risk to or via the aquatic environment in terms of Article 16(2) of Directive 2000(60/EC, what mechanism is available to remove them from the list?

Answer given by Mr Potočnik on behalf of the Commission
(22 November 2012)

The Commission's view is that there are sufficient data to set the Environmental Quality Standards (EQS) now for the three pharmaceutical substances in question, and this position is supported by scientific review.

Additional monitoring data would not be relevant to determining the EQS which are set on the basis of the intrinsic property of the substances. However, if such monitoring data were to show conclusively that the three substances did not pose a significant risk, this would be taken into account in the next review.

Article 16.4 of Directive 2000/60/EC ([2]) (Water Framework Directive) requires the Commission to review the list of priority substances at least every four years. Such review may include proposals for the removal of substances.

([1]) http://www.europarl.europa.eu/meetdocs/2009_2014/documents/envi/pr/909/909091/909091en.pdf
([2]) OJ L 327/1, 22.12.2000.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008937/12
alla Commissione
Oreste Rossi (EFD)
(4 ottobre 2012)

Oggetto: Wind farm per soddisfare il crescente fabbisogno energetico

Il fabbisogno energetico del pianeta è in costante aumento e il tema dell'energia ha acquisito un ruolo di primo piano nell'agenda europea. L'energia eolica, in particolare, è la prima fonte di energia elettrica a bassissimo impatto sull'ambiente.

Secondo i dati riportati dall'European Wind Energy Association (EWEA), nel 2011 l'energia eolica prodotta in Europa (93,957 MW) ha permesso di coprire il 6,3 % dell'energia elettrica necessaria e rappresenta il 21,4 % delle cosiddette «nuove energie». È importante mettere in luce che l'industria eolica ha avuto una crescita media annua del 15,6 % negli ultimi 17 anni (1995-2011).

Un recente studio condotto dal Lawrence Livermore National Laboratory ha dimostrato che potenzialmente impianti eolici d'alta quota, che sfruttano le correnti atmosferiche più stabili e più veloci rispetto a quelle di superficie, potrebbero ampiamente coprire il fabbisogno energetico planetario del prossimo futuro. Le turbine atmosferiche che trasformano in energia la forza dei venti sarebbero più efficaci se poste ad alta quota e sarebbero in grado di generare 1.800 TW/h l'anno; in tal modo, queste turbine potrebbero generare una potenza pari a 100 volte il fabbisogno terrestre di energia, che è quantificabile in 18 TW. Le turbine poste a terra o in prossimità dei mari, invece, producono un'energia di 400 TW/h l'anno e, se distribuite uniformemente sulla superficie terrestre, potrebbero generare una potenza pari a 20 volte il fabbisogno terrestre. Secondo questo studio, una distribuzione di wind farm non localizzate esclusivamente in alcune aree del pianeta potrebbe soddisfare ampiamente le necessità energetiche di diversi paesi, ovviando in tal modo all'acquisto di energia da altri Stati.

Considerando che secondo la ricerca in questione il futuro dell'energia eolica sarà determinato da restrizioni di tipo economico, politico e tecnico, piuttosto che da limiti geofisici, può la Commissione far sapere quale politica intende attuare per incentivare ancor di più l'impiego di energie a ridotte emissioni?

Risposta di Günther Oettinger a nome della Commissione
(22 novembre 2012)

A livello di UE lo sviluppo di fonti energetiche a basse emissioni è promosso sia tramite il sistema di scambio di quote di emissioni (ETS) ([1]), la direttiva sulle energie rinnovabili ([2]) e i Fondi strutturali, sia mediante i finanziamenti per la ricerca su nuove tecnologie a basse emissioni erogati nel quadro dell'attuale Settimo programma quadro (2007-2013) e del futuro programma Orizzonte 2020 (2014-2020).

([1]) Direttiva 2009/29/CE del Parlamento europeo e del Consiglio, del 23 aprile 2009, che modifica la direttiva 2003/87/CE al fine di perfezionare ed estendere il sistema comunitario per lo scambio di quote di emissione di gas a effetto serra, GU L 140 del 5.6.2009.

([2]) Direttiva 2009/28/CE del Parlamento europeo e del Consiglio, del 23 aprile 2009, sulla promozione dell'uso dell'energia da fonti rinnovabili, recante modifica e successiva abrogazione delle direttive 2001/77/CE e 2003/30/CE, GU L 140 del 5.6.2009.

(English version)

Question for written answer E-008937/12
to the Commission
Oreste Rossi (EFD)
(4 October 2012)

Subject: Wind farms to meet growing energy needs

The earth's energy needs are constantly growing and the subject of energy has moved to the forefront of the EU's agenda. Wind power, in particular, is the primary source for very low environmental impact electric power.

According to data from the European Wind Energy Association (EWEA), in 2011 wind power generated in Europe (93.957 MW) supplied 6.3% of the electric power needed and accounted for 21.4% of the so-called 'new energies'. It is important to highlight that the wind farm industry has grown by an average of 15.6% per year in the past 17 years (1995-2011).

A recent study by the Lawrence Livermore National Laboratory has shown that high altitude wind turbines, which exploit winds that are steadier and faster than surface ones, could amply supply the energy needs of the planet in the near future. Turbines that convert the wind's strength into energy would be more efficient at a high altitude and would be able to generate 1 800 TW/hr per year. This would mean these turbines could generate power equal to 100 times the earth's energy needs, calculated at 18 TW. Ground-based turbines or ones near to the sea, on the other hand, produce 400 TW/hr per year and, if distributed uniformly across the earth's surface, could generate power equal to 20 times the earth's needs. According to this study, by spreading wind farms out and not clustering them in just some areas of the planet, the energy needs of several countries could be met without their needing to purchase energy from other countries.

According to this research, the future of wind power will be determined by economic, political and technical restrictions, rather than by geophysical limitations. Can the Commission say how it plans to incentivise further the use of low emissions energy?

Answer given by Mr Oettinger on behalf of the Commission
(22 November 2012)

The development of low emissions energy is stimulated at EU level through the ETS-system ([1]), the Renewable Energy Directive ([2]) and the Structural Funds on the one hand, and through funding research into new low-emission technology, within the current 7th Framework Programme (2007-2013) and the future Horizon 2020 (2014-2020) programme, on the other hand.

([1]) Directive 2009/29/EC of the Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community, OJ L 140, 5.6.2009.

([2]) Directive 2009/28/EC of the Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC, OJ L 140, 5.6.2009.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008938/12
alla Commissione
Oreste Rossi (EFD)
(4 ottobre 2012)

Oggetto: Qualità dell'aria e aree geografiche, nuovi parametri?

L'aria e l'ambiente italiano sono sempre più inquinati e l'Italia, nel corso degli anni, non è riuscita ad adeguarsi ai limiti imposti dalle varie direttive europee (direttive 2004/107/CE, 2008/50/CE e 2010/75/UE).

La salute degli italiani è in serio pericolo e, peraltro, l'81 % della popolazione europea è esposto a livelli di inquinamento più elevati rispetto ai limiti raccomandati dall'OMS. A definire l'aria italiana come non salubre è il rapporto 2012 dell'Agenzia europea per l'ambiente (AEA) relativo al periodo 2001-2010; infatti, l'Italia assieme ad alcuni Paesi dell'Europa dell'Est ha sforato i limiti per le sostanze più dannose per la salute umana, come polveri sottili, particolato (in particolare nelle zone rurali), monossido di carbonio e benzene, nonché nickel e ozono. Ad essere coinvolte sono le regioni del Nord Italia ove il clima non è assolutamente caratterizzato da forti venti e piogge, anzi a far da padrona è la nebbia; infatti, in città come Novara, Bergamo e Milano le concentrazioni di ozono hanno superato di oltre 2 volte la soglia limite.

Dall'analisi di questi dati risulta che è dovere e responsabilità collettiva incentivare una politica per la mobilità sostenibile, controllare le emissioni industriali, sviluppare interventi a favore di piani urbani, trasporti locali, trasporto merci e ferrovie sostenibili. Nondimeno è necessario sensibilizzare la popolazione e le amministrazioni per un'informazione capillare che possa favorire una riduzione del traffico privato incentivando l'utilizzo di mezzi di trasporto sostenibili (biciclette e auto elettriche) che possano consentire spostamenti rapidi e integrati con servizi pubblici locali che devono essere anch'essi potenziati per offrire un servizio capillare ed efficiente a tutti i cittadini.

Posto che:

— l'inquinamento atmosferico riduce l'aspettativa di vita di circa 2 anni nelle città e nelle regioni più inquinate;

— la politica perseguita dall'Unione europea è riuscita a ridurre le emissioni di molte sostanze inquinanti nel corso dell'ultimo decennio in diversi Paesi ma non in Italia e che, nonostante ciò, le concentrazioni di sostanze inquinanti rimangono sopra i limiti legali raccomandati e stabiliti per proteggere la salute dei cittadini europei,

intende la Commissione definire parametri specifici per le varie zone europee analizzate, che considerino soprattutto la posizione geografica e l'andamento meteorologico delle zone coinvolte da fenomeni di inquinamento, poiché la pianura padana in particolare non è soggetta a eventi atmosferici (venti e precipitazioni) così frequenti da poter contrastare i livelli di inquinamento dell'aria?

Risposta di Janez Potočnik a nome della Commissione
(20 novembre 2012)

La Commissione è a conoscenza del fatto che alcune regioni europee sono caratterizzate da particolari condizioni meteorologiche e geografiche che rendono nettamente più difficile la riduzione dei livelli di inquinamento atmosferico. Tuttavia, la normativa UE in materia di qualità dell'aria è intesa a prevenire o ridurre gli effetti nocivi per la salute umana e l'ambiente in generale attraverso un livello comune di protezione di base per tutti i cittadini europei. Per queste ragioni la Commissione non ritiene opportuno stabilire parametri specifici per singole regioni.

Al fine di aiutare gli Stati membri ad adeguarsi nei casi in cui le condizioni locali siano difficili, la Commissione ha messo a disposizione varie attività di supporto (scambio di informazioni sulle buone pratiche, linee guida, seminari) e si è impegnata a rafforzare la cooperazione con gli Stati membri (si veda il documento di lavoro dei servizi della Commissione sull'attuazione della politica in materia di qualità dell'aria dell'UE e che ne prepara un riesame globale ([1])).

([1]) SEC(2011)342.

(English version)

Question for written answer E-008938/12
to the Commission
Oreste Rossi (EFD)
(4 October 2012)

Subject: Air quality and geographical areas: possible new parameters

The air and the environment are becoming increasingly more polluted in Italy, which has not managed over the years to bring itself into line with the limits laid down by the various European directives (Directives 2004/107/EC, 2008/50/EC, and 2010/75/EU).

The health of the Italian people is in grave danger; 81% of Europe's population are, moreover, being exposed to pollution levels above the WHO recommended limits. Italian air has been described as unhealthy by the 2012 report of the European Environment Agency (EEA), covering the period from 2001 to 2010; Italy, along with some Eastern European countries, has breached the limits for the substances most harmful to human health, including fine dust, particulate matter (especially in rural areas), carbon monoxide, benzene, nickel, and ozone. The regions affected lie in the North, which tends to escape strong winds and heavy rain but is, however, very prone to fog; in Novara, Bergamo, and Milan, for example, ozone concentrations have risen to more than double the limit.

These facts show where the collective duty and responsibility lies, namely in encouraging a policy for sustainable mobility, controlling industrial emissions, and taking measures to promote town planning and sustainable local, freight, and rail transport. That said, it is also necessary to raise awareness among the public and the authorities through widely disseminated information seeking to reduce private traffic by encouraging the use of sustainable means of transport (bicycles and electric cars) making it possible to move at speed and integrate journeys with local public services, which should also be developed in order to provide a comprehensive, efficient service to all citizens.

Given that:

— atmospheric pollution is lowering life expectancy by about two years in the most polluted cities and regions;

— although EU policy has over the past decade served largely to reduce pollutant emissions in countries other than Italy, pollutant concentrations are still above the recommended legal limits laid down to protect the health of European citizens,

will the Commission define specific parameters for the European regions being monitored, taking into account above all the geographical location of, and weather patterns in, the areas affected by pollution, bearing in mind, especially where the Po Valley is concerned, that weather events (winds and precipitation) do not occur frequently enough to counteract the air pollution levels?

Answer given by Mr Potočnik on behalf of the Commission
(20 November 2012)

The Commission is aware that in some European regions, there are particular weather and geographical conditions that make it significantly more difficult to bring down air pollution levels. However, the EU Air Quality legislation aims to prevent or reduce harmful effects on human health and the environment as a whole, with a common level of basic protection for every European. For these reasons, the Commission does not consider it appropriate to define specific parameters for individual regions.

To help Member States reach compliance in cases where local conditions are difficult, the Commission has provided a number of support activities (exchange of information on best practices, guidelines, workshops) and has committed itself to reinforce cooperation with Member States (see the Commission Staff Working Paper on the implementation of EU Air Quality Policy and preparing for its comprehensive review ([1])).

([1]) SEC(2011) 342.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008939/12
alla Commissione
Oreste Rossi (EFD)
(4 ottobre 2012)

Oggetto: Riconoscimento transfrontaliero dei documenti di stato civile: problematiche irrisolte

Per i cittadini che si trasferiscono in altri Stati Membri è necessario e fondamentale il riconoscimento dei documenti di stato civile che riguardano gli «eventi della vita» (ad esempio nascita, matrimonio, unione registrata, divorzio, adozione o nome). Tuttavia, i registri e i sistemi amministrativi degli Stati membri presentano regimi differenti all'interno dell'UE, con conseguenti problemi legati al riconoscimento transfrontaliero e al pari trattamento dei cittadini che intendano agire presso le opportune sedi giudiziarie.

I cittadini si trovano di fatto coinvolti in una catena di burocrazia che li obbliga ad adempiere formalità lunghe e costose (traduzione, prova aggiuntiva di autenticità dei documenti), — fino agli estremi — a vedersi rifiutare il libero esercizio dei propri diritti.

Considerato che:

— in applicazione del principio comunitario di libera circolazione delle persone, l'UE dovrebbe garantire ai cittadini un rapido accesso alla giustizia civile e penale, in condizioni di uguaglianza in tutti gli Stati Membri;

— secondo le stime ufficiali i cittadini dell'UE coinvolti in procedimenti transfrontalieri sono in continuo aumento, a causa della scarsa conoscenza delle norme procedurali indispensabili per far valere i propri diritti nei tribunali di un altro Stato membro,

chiedo alla Commissione quali misure intende predisporre per garantire un più facile e rapido accesso alla giustizia civile e penale, per tutti i cittadini europei che intendano attivare una procedura di riconoscimento transfrontaliero dei documenti (ad. es. certificati di nascita); — al fine di dare una migliore attuazione al principio di libera circolazione delle persone, se intende predisporre misure e strumenti che in concreto possano garantire una maggiore conoscenza ed una maggiore reperibilità delle informazioni in materia di giustizia.

Risposta di Viviane Reding a nome della Commissione
(4 dicembre 2012)

La Commissione desidera informare l'onorevole parlamentare che è in fase di preparazione un'iniziativa volta a rendere più agevole l'esercizio del diritto del cittadino alla libera circolazione all'interno dell'UE attraverso la riduzione delle formalità burocratiche e misure per facilitare l'autenticazione dei documenti pubblici richiesti in situazioni transfrontaliere. Tale iniziativa sarà un contributo concreto all'Anno europeo dei cittadini 2013, nonché al programma «Giustizia per la crescita».

(English version)

Question for written answer E-008939/12
to the Commission
Oreste Rossi (EFD)
(4 October 2012)

Subject: Cross-border recognition of civil status documents: unresolved problems

When citizens move to other Member States, they need their civil status documents to be recognised, since these record the 'big events' in their lives (for example birth, marriage, a registered partnership, divorce, adoption, or their name). However, the fact that Member States' registers and administrative systems are governed by different rules leads to problems as regards cross-border recognition and equal treatment of citizens dealing with the relevant courts.

In practice, citizens become entangled in red tape and are consequently obliged to complete protracted and costly formalities (translation or additional proof of the authenticity of documents); in extreme cases, they may be denied the freedom to exercise their rights.

Given that:

— in order to implement the Europe-wide principle of free movement of persons, the EU should ensure that citizens can gain access to civil and criminal justice without delay and on equal terms in all Member States;

— according to official estimates, EU citizens are becoming involved increasingly frequently in cross-border proceedings because they are largely ignorant of the essential procedural rules enabling them to assert their rights in the courts of other Member States,

what steps will the Commission take to guarantee easier and swifter access to civil and criminal justice whenever European citizens seek to initiate cross-border recognition procedures concerning birth certificates or other documents — the object being to give more useful effect to the principle of free movement of persons? Will it lay down measures and means serving at the practical level to improve understanding and to make information about court procedures more readily obtainable?

Answer given by Mrs Reding on behalf of the Commission
(4 December 2012)

The Commission wishes to inform the Honourable Member that it currently prepares an initiative in order to make it easier for citizens to exercise their rights to freedom of movement within the EU by reducing red tape and facilitating the authentication of public documents required in cross-border situations. That initiative will be a concrete contribution to the European Year of Citizens 2013 as well as to the policy of the 'Justice for Growth'.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008940/12
alla Commissione
Oreste Rossi (EFD)
(4 ottobre 2012)

Oggetto: Una rete di centri di sostegno e assistenza psicologica per le vittime della tratta

La tratta degli esseri umani è la moderna forma di schiavitù. In Europa questa realtà è in costante aumento e coinvolge sempre più persone che non hanno la possibilità di opporsi a questa condizione e che la crisi economica ha reso ancora più deboli. Nonostante le organizzazioni criminali internazionali incentrino i loro profitti prevalentemente sul traffico di sostanze stupefacenti, un trend in costante crescita è il traffico di essere umani: 21 milioni sono le persone coinvolte, di cui oltre 5 milioni sono bambine e bambini. Il destino dei tre quarti di essi è di essere sfruttati sessualmente e subire violenze, ossia diventare schiavi del sesso: 21 % sono ragazzi e uomini, il restante 79 % è donna — nello specifico il 12 % è minorenne — ed è vittima del commercio del sesso. Queste persone provengono principalmente da Bulgaria, Romania, Polonia e Ungheria, ma anche da Paesi al di fuori dell'UE come Cina, Ucraina, Nigeria, Vietnam; con un viaggio (il più delle volte clandestino) giungono nei Paesi più ricchi, sono costrette a prostituirsi e subire violenze, nonché a tenere un legame costante e difficilmente dissolubile con il malavitoso di riferimento che ricetta i soldi e li reinveste in stupefacenti o immobili.

Considerato che la direttiva 2011/36/UE concerne la prevenzione e la repressione della tratta di esseri umani e la protezione delle vittime, e adotta un'impostazione globale e integrata incentrata sui diritti dell'uomo e sulle vittime riconoscendo la specificità «di genere»; che la tratta è un crimine e di conseguenza viene portato avanti clandestinamente e pertanto deve essere punito dagli Stati membri coinvolti che devono adottare misure necessarie per affrontare tale fenomeno; che in tempi di crisi i Paesi più disagiati sono oggetto di continue emigrazioni per raggiungere condizioni di vita e lavoro più idonee; che i diritti umani e dei minori devono essere tutelati, intende la Commissione supportare le priorità fondamentali proposte nella comunicazione COM(2012)0286 e incentivare lo sviluppo nonché la creazione di una rete di centri di sostegno e assistenza psicologica dedicata alle vittime, nella fattispecie ai minori? Inoltre, intende la Commissione predisporre misure di finanziamento e programmi europei ad hoc al fine di tutelare sotto il profilo psico-fisico le vittime di tratta?

Risposta di Cecilia Malmström a nome della Commissione
(16 novembre 2012)

La direttiva 2011/36/UE, concernente la prevenzione e la repressione della tratta di esseri umani e la protezione delle vittime, e che sostituisce la decisione quadro del Consiglio 2002/629/GAI ([1]), riconosce l'importanza di mettere a disposizione delle vittime della tratta il sostegno necessario prima, durante e per un congruo periodo di tempo dopo i procedimenti penali; obbliga inoltre gli Stati membri a tenere conto delle esigenze specifiche delle vittime, in particolare di circostanze relative alla salute quali lo stato di gravidanza, disturbi mentali o psicologici, o l'aver subito gravi forme di violenza psicologica o sessuale, e a predisporre servizi adeguati alle esigenze specifiche dei minori vittime della tratta.

Individuare, proteggere e assistere le vittime della tratta è una delle priorità indicate nella strategia dell'UE per l'eradicazione della tratta degli esseri umani (2012-2016) ([2]). Per condividere meglio le esperienze e le buone prassi in materia di assistenza e protezione delle vittime, la Commissione istituirà una piattaforma dell'UE per le organizzazioni e i prestatori di servizi della società civile. Prenderà inoltre iniziative volte a migliorare l'individuazione delle vittime e i meccanismi per indirizzarle alle autorità competenti, compresi i prestatori di servizi sociali e sanitari. La Commissione ha finanziato un progetto ([3]) destinato a estendere la cooperazione tra esperti di tratta degli esseri umani dai settori della polizia, della magistratura e delle ONG alle autorità sanitarie, ai prestatori di cure sanitarie e alle guardie di frontiera. Il progetto in corso presta particolare attenzione all'assistenza sanitaria e alla riabilitazione. Per rafforzare la protezione dei minori vittime della tratta, la Commissione intende elaborare orientamenti in materia.

([1]) GU L 101 del 15.4.2011, pag. 1.
([2]) COM(2012)286 final.
([3]) «Joint Efforts of Police and Health Authorities in the EU Member States and Third Countries to Combat and Prevent Trafficking in Human Beings and Protect and Assist Victims of Trafficking» (Impegno comune delle autorità di polizia e sanitarie negli Stati membri dell'UE e nei paesi terzi per combattere e prevenire la tratta di esseri umani e per proteggere e assistere le vittime della tratta).

(English version)

Question for written answer E-008940/12
to the Commission
Oreste Rossi (EFD)
(4 October 2012)

Subject: Network of support and psychological assistance centres for victims of trafficking

Trafficking in human beings is the modern form of slavery. In Europe it is an ever growing phenomenon increasingly affecting those who, having been rendered even more vulnerable by the economic crisis, are in no position to resist. Although international criminal organisations make most of their profits from drug trafficking, the trend towards human trafficking is continuing to rise: there are 21 million people caught up in the latter, more than 5 million of whom are boys and girls. Three quarters of these victims are doomed to suffer sexual exploitation and violence, in other words to become sex slaves — 21% of them are boys and men, and the remaining 79% are women, of whom 12% are under age — and fodder for the sex trade. They come mainly from Bulgaria, Hungary, Poland, and Romania and to some extent from China, Ukraine, Nigeria, Vietnam, and other non-EU countries. Having been brought to (or more often than not smuggled into) richer countries, they are forced to become prostitutes and endure violence, as well as to remain in the near-unbreakable grip of their gangster masters, to whom they pay their money and who reinvest it in drugs or property.

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims takes an integrated global approach centring on human rights and the victims while recognising the 'gender-specific' aspect. Given that trafficking in human beings is a crime and as such carried on in secret, it has to be punished by the Member States affected, which must take the steps required to tackle it. In times of crisis there is a constant exodus from poorer countries as people go in search of more decent living and working conditions. Finally, human rights and the rights of the child must be protected. In view of all these facts, will the Commission endorse the core priorities proposed in communication COM(2012)0286 and offer the encouragement necessary for the purpose of developing and setting up a network of support and psychological assistance centres for victims and especially children? Will it in addition lay down funding measures and European programmes aimed specifically at safeguarding the physical and mental health of the victims of trafficking?

Answer given by Ms Malmström on behalf of the Commission
(16 November 2012)

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA ([1]) recognises the importance of ensuring that victims of trafficking in human beings have the necessary support available to them before, during and for an appropriate time after criminal proceedings. The directive obliges Member States to attend to victims with special needs, including health related issues such as pregnancies, mental or psychological disorders, or a serious form of psychological or sexual violence they have suffered and to provide appropriate services for special needs of child victims.

Identifying, protecting and assisting victims of trafficking is one of the key priorities identified in the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 ([2]). To better share experiences and best practices on assistance and protection of victims, the Commisison will establish an EU Platform for civil society organisations and service providers. The Commission will also take action to improve the identification and referral of victims to relevant authorities, including social and health providers. The Commission has funded a project ([3]) which aims at extending cooperation among experts on trafficking in human beings from law enforcement, the judiciary and NGOs to health authorities, healthcare providers and border guards. This ongoing project pays special attention to health assistance and rehabilitation. To strenghten the protection of child victims of human trafficking, the Commission will develop guidelines on child protection systems.

([1]) OJ 2011 L 101, p. 1.
([2]) COM(2012) 286 final.
([3]) Joint Efforts of Police and Health Authorities in the EU Member States and Third Countries to Combat and Prevent Trafficking in Human Beings and Protect and Assist Victims of Trafficking.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-008941/12
adresată Comisiei
Petru Constantin Luhan (PPE)
(4 octombrie 2012)

Subiect: Recunoașterea stagiilor neremunerate

În recenta propunere a Comisiei Europene de recomandare a Consiliului privind validarea învățării non-formale și informale, COM(2012)0485, se specifică faptul că lipsa de omogenitate a politicilor și practicilor naționale privind validarea experiențelor de învățare și disparitățile existente între statele membre reduc comparabilitatea și transparența sistemelor de validare la nivel unitar. De aceea, cetățenilor le este greu să combine rezultatele învățării obținute în contexte, la niveluri și în țări diferite. De asemenea, se face o distincție clară între învățarea formală, cea non-formală și cea informală, care sunt definite și exemplificate.

Din păcate, însă, nici în conținutul recomandării și nici în definițiile prezentate în Anexa I nu se regăsește vreo mențiune referitoare la stagiile remunerate sau neremunerate.

În majoritatea țărilor Uniunii Europene, stagiile de pregătire practică de specialitate sunt obligatorii în cadrul învățării formale superioare, fiind reglementate ca durată de desfășurare și conținut tematic, dar și integrate ca parte componentă a parcurgerii unui program universitar sau post-universitar.

Însă stagiile (internships/traineeships) efectuate după finalizarea studiilor, cum este exemplul celor oferite chiar de către instituțiile europene, nu sunt considerate activități de învățare. În unele țări din estul Europei, cum este și cazul României, stagiile remunerate sunt apreciate, în majoritate, ca experiență profesională. Însă stagiile neremunerate nu sunt recunoscute de angajatori ca experiență profesională și nici nu pot fi asimilate activităților de voluntariat, întrucât nu respectă condițiile acestora. Totodată, nu pot fi încadrate nici ca forme de învățare alternativă, întrucât în România învățarea non-formală și cea informală nu sunt recunoscute.

Întrebarea pe care v-o propun spre analiză este:

În ce categorie vor fi incluse stagiile neremunerate, dar și cele remunerate, la nivel unitar european, astfel încât tinerii care participă în astfel de programe să le poată fructifica sub formă de plus-valoare în competiția acerbă de pe piața muncii?

Răspuns dat de dl Andor în numele Comisiei
(29 noiembrie 2012)

Nu există categorii europene „uniforme” pentru stagiile de formare. Un studiu recent realizat de Comisie identifică cinci categorii de stagii: stagii ca parte a programelor educaționale, stagii care fac parte din formarea profesională obligatorie, stagii ca parte a politicilor active pe piața muncii, stagii de piață deschise și stagii transnaționale. Studiul concluzionează, de asemenea, că există diferențe importante în ceea ce privește gradul de reglementare a stagiilor, atât între statele membre ale UE, cât și între categoriile de stagii.

În prezent, Comisia lucrează la instituirea unui Cadru de calitate pentru stagii. În acest scop, ea a lansat în aprilie 2012 o consultare publică privind o propunere de cadru de calitate pentru stagii; au fost primite peste 260 de răspunsuri. În septembrie 2012, Comisia a consultat partenerii sociali europeni privind acțiune a UE privind stagiile. Partenerii sociali sunt de acord cu necesitatea de a crește calitatea stagiilor, dar au opinii divergente cu privire la modul în care acest lucru ar trebui să fie realizat. Următoarea etapă ar fi o a doua rundă de consultări cu partenerii sociali cu privire la conținutul cadrului de calitate preconizat. Această consultare ar putea fi demarată ca parte a Pachetului de ocupare a forței de muncă pentru tineri în decembrie 2012.

(English version)

Question for written answer E-008941/12
to the Commission
Petru Constantin Luhan (PPE)
(4 October 2012)

Subject: Recognition of unpaid traineeships

A recent Commission proposal for a Council recommendation on the validation of non-formal and informal learning (COM(2012) 0485) specifies that the 'uneven availability of national validation policies and practices concerning the validation of learning, as well as existing disparities between Member States, reduces the uniform comparability and transparency of validation systems' and that this 'makes it difficult for citizens to combine learning outcomes acquired in different settings, on different levels and in different countries'. Similarly, it makes a clear distinction between formal, non-formal and informal learning, for which it gives definitions and examples.

Unfortunately, however, neither in the body of the recommendation, not in the definitions set out in Annex I to it is there any mention of paid and/or unpaid traineeships.

In most EU Member States, specialist workplace traineeships are a compulsory part of formal higher education, there are rules on their length and content and they also form an integral part of university courses and post-graduate programmes.

On the other hand, internships/traineeships following the completion of studies — e.g. those offered by the EU institutions themselves — are not considered to be 'learning' periods. In some Eastern European countries, like Romania, most paid traineeships are viewed as constituting professional experience. However, unpaid traineeships are not recognised by employers as being professional experience, and neither do they qualify as voluntary work, as they do not fit with the conditions for this. Nor can they be classified as an alternative form of learning, since non-formal learning and informal learning are not recognised in Romania.

In the light of the above, can the Commission indicate into which uniform European category it is that unpaid and paid traineeships will be placed to ensure that young people participating in programmes like those mentioned above can draw benefit from them when entering the keenly competitive job market?

Answer given by Mr Andor on behalf of the Commission
(29 November 2012)

There are no 'uniform' European categories for traineeships. A recent study by the Commission identifies five categories of traineeships: traineeships as part of educational programmes, traineeships that are part of compulsory professional training, traineeships as part of active labour market policies, open market traineeships and transnational traineeships. The study also concludes that there are important differences in the degree of regulation of traineeships both across EU Member States and across categories of traineeships.

The Commission is currently working towards a Quality Framework on Traineeships. To that end, it launched in April 2012 a public consultation on a proposal for a Quality Framework for Traineeships; more than 260 replies have been received. In September 2012 the Commission consulted European social partners on the possible direction of EU action on traineeships. Social partners agree with the need for increasing the quality of traineeships, but they have diverging views on how this should be achieved. The next step would be a second round of social partner consultations on the content of the envisaged quality framework. This consultation could be launched as part of the Youth Employment Package in December 2012.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-008942/12
Komisii
Monika Flašíková Beňová (S&D)
(4. októbra 2012)

Vec: Diskriminácia pohlavia pri určovaní ceny poistného

Európska komisia prijala 22. decembra 2011 usmernenie, na základe ktorého musia poisťovne členských štátov Európskej únie upraviť svoje ponuky tak, aby neboli diskriminačné, čo v praxi znamená zvýšenie ceny ponúkaných produktov pre menej rizikové skupiny. Uvedenú problematiku rodovej rovnosti upravovala smernica, podľa ktorej bolo možné ponúkať rovnaký poistný produkt za rôznu cenu v závislosti od pohlavia, ak empirické dáta ukazovali, že pohlavie je pre vznik poistnej udalosti dôležitý faktor. Európska komisia ale rozdielnu výšku poistného považuje za natoľko neprijateľnú, že svojím rozhodnutím radšej spôsobí zvýšenie ceny poistného nízkorizikových klientov. V praxi totiž dôjde k celkovému zvýšeniu cenovej hladiny poistenia a k čiastočnému zníženiu ceny pre rizikových klientov. Pre niektoré riziká (napr. riziko úmrtia, dlhovekosti, invalidity) sú na základe štatistických pozorovaní kľúčovými faktormi, slúžiacimi na rozdelenie do homogénnych skupín, najmä pohlavie, vek a zdravotný stav. Preto akýkoľvek zákaz používať ich v poisťovníctve by prakticky spôsobil diskrimináciu.

Na základe analýzy, ktorú dala vypracovať Európska federácia poisťovní a zaisťovní, tak zdražie životné poistenie pre ženy v Európe až o tridsať percent. Týmto novým pravidlom sa narúša základný princíp poistenia, pri ktorom je najdôležitejším faktorom zohľadnenie rizika každého klienta. V konečnom dôsledku tak vlastne dôjde k diskriminácii antidiskriminačnou legislatívou. Nová úprava musí byť implementovaná do 21. decembra 2012.

— Akým spôsobom sa Komisia vyrovná s takýmto negatívnym následkom a kontraproduktivitou predmetnej právnej úpravy najmä vzhľadom na fakt, že medzi ciele EÚ patrí najmä posilnenie postavenia žien v spoločnosti?

Odpoveď pani Redingovej v mene Komisie
(14. novembra 2012)

Výklad právnych predpisov EÚ je vo výlučnej právomoci Súdneho dvora Európskej únie, aby sa zabezpečil jednotný výklad a uplatňovanie vo všetkých členských štátoch. Komisia má na základe rozsudku Súdneho dvora vo veci Test-Achats ([1]) povinnosť zabezpečiť, aby boli právne predpisy EÚ v súlade s výkladom Súdneho dvora riadne implementované.

V tomto rozsudku Súdny dvor dospel k záveru, že v právnych predpisoch EÚ o rovnakom zaobchádzaní existuje výnimka umožňujúca cenové rozlíšenie medzi mužmi a ženami, ktorá nie je zlučiteľná so zásadou stanovovania jednotných cien pre obe pohlavia uvedenou v týchto právnych predpisoch. Cieľom usmernení prijatých Komisiou v decembri 2011 ([2]) je uľahčiť vykonávanie tohto rozsudku na vnútroštátnej úrovni, čo je v záujme spotrebiteľov aj poisťovacích spoločností. V usmerneniach sa predovšetkým objasňuje, že rozsudok sa týka len používania pohlavia ako faktora pre posúdenie rizika pri stanovovaní poistného a zliav pre jednotlivcov a neovplyvňuje používanie iných faktorov ako napríklad vek alebo zdravotný stav.

Je pravdepodobné, že tento rozsudok bude mať určitý vplyv na výšku individuálneho poistného. V závislosti od príslušného produktu sa poistné môže zvýšiť alebo znížiť pre mužov alebo ženy. Aj keď je v prípade žien pravdepodobné, že dôjde k zvýšeniu poistného pri životnom poistení na dobu určitú, mali by mať prospech zo stanovovania jednotných cien pre obe pohlavia, pokiaľ ide o zľavy z ročných splátok poistného.

([1]) Rozsudok z 1. marca 2011 vo veci C-236/09, Ú. v. EÚ C 130, 30.4.2011, s. 4.
([2]) Usmernenia k uplatňovaniu smernice Rady 2004/113/ES pri poistení na základe rozsudku Súdneho dvora Európskej únie vo veci C-236/09 (Test-Achats), Ú. v. EÚ C 11, 13.1.2012, s. 1.

(English version)

Question for written answer E-008942/12
to the Commission
Monika Flašíková Beňová (S&D)
(4 October 2012)

Subject: Gender discrimination in setting insurance prices

On 22 December 2011, the Commission adopted guidelines on the basis of which insurance undertakings in the European Union must adapt the insurance products they offer to ensure that they are not discriminatory, which in practice means increasing the cost of these products for lower-risk groups. The issue of gender equality had been governed by a directive allowing the same insurance product to be offered at different prices depending on the gender of the client, since empirical data showed that gender was a significant factor in the risk to be insured against. However, the Commission regards variable premiums of this kind as so unacceptable that it would rather take a decision that causes the cost of insurance for low-risk clients to rise, for in practice the result will be an overall increase in insurance premium levels with a partial drop in price for high-risk clients. For certain risks (e.g. death, longevity, invalidity), statistical analysis shows that the key factors used in allocating clients to homogeneous groups are gender, age and state of health. Therefore, a ban on the use of these factors in insurance would in practice amount to discrimination.

On the basis of an analysis commissioned by the European Insurance and Reinsurance Federation, the cost of life assurance for women in Europe will rise by up to 30%. This new rule violates the fundamental principle of insurance, whereby the key factor is to assess the individual risk of each client. The end result will in fact be to impose discrimination by means of anti-discrimination legislation. The new ruling must be implemented by 21 December 2012.

— How can the Commission come to terms with this negative impact and the counter-productiveness of its proposed new regulation given that one of the main objectives of the European Union is to strengthen the position of women in society?

Answer given by Mrs Reding on behalf of the Commission
(14 November 2012)

It is an exclusive competence of the Court of Justice of the European Union to interpret EC law in order to ensure its uniform interpretation and application in all the Member States. The Commission is, after the Court ruling in the Test-Achats case ([1]), under the obligation to ensure that EC law, as interpreted by the Court, is properly implemented.

In the ruling, the Court found an exception in EU equal treatment legislation allowing for price differentiation between men and women incompatible with the principle of unisex pricing contained in the same legislation. The objective of the guidelines adopted by the Commission in December 2011 ([2]) is to facilitate the implementation of the ruling at national level, in the interest of both consumers and insurance companies. The guidelines notably clarify that the ruling only concerns the use of gender as a risk-rating factor in setting individuals' premiums and benefits, and does not affect the use of other factors such as age or state of health.

It is likely that the ruling will have some effects on individual premiums. Depending on the product concerned, premiums might increase or decrease for men or women. If women are likely to experience premium increases for term-life insurance, they should benefit from unisex pricing as far as annuity benefits are concerned.

([1]) Judgment of 1 March 2011 in Case C-236/09, OJ C 130 of 30.4.2011, p. 4.
([2]) Guidelines on the application of Council Directive 2004/113/EC to insurance, in the light of the judgment of the Court of Justice of the European Union in Case C-236/09 (Test-Achats), OJ C 011 of 13.01.2012, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008944/12
alla Commissione
Mario Borghezio (EFD)
(4 ottobre 2012)

Oggetto: Il rapporto Liikanen e la necessità di una separazione delle attività bancarie da quelle di speculazione finanziaria

Il rapporto redatto dal gruppo di esperti guidato da Erkki Liikanen, presidente della Banca Centrale della Finlandia, presentato alla Commissione il 2 ottobre, si focalizza sulla necessità di una seria riforma del settore bancario europeo. Soprattutto si richiede che in presenza di attività a rischio di trading, tra il 15 e il 25 % del capitale detenuto o a un attivo superiore ai 100 miliardi di euro, si debba procedere alla netta separazione fra le attività bancarie e quelle di speculazione finanziaria. Questo senza compromettere, come suggerisce il rapporto, la capacità di investimento delle banche di deposito, che potrebbero continuare a operare in alcuni settori finanziari, ossia nella copertura di rischi, nella gestione di portafogli di liquidità, nello scambio di valuta e in certe operazioni di swaps. Il rapporto evidenzia come la separazione delle attività tramite, ad esempio, la creazione di specifiche filiali, possa migliorare la capacità di sostenere gli istituti in difficoltà mantenendo la solidità finanziaria.

1. Ritenendo che una revisione del sistema bancario europeo sia urgente e necessaria, in che modo la Commissione intende considerare il rapporto Liikanen in relazione alla proposta di un'unione bancaria?

2. La Commissione prevede di avanzare proposte legislative per attuare tale separazione di attività distinte?

Risposta di Michel Barnier a nome della Commissione
(5 dicembre 2012)

La relazione del gruppo di esperti ad alto livello sulla riforma della struttura del settore bancario dell'UE è stata presentata alla Commissione europea in data 2 ottobre 2012.

Come evidenziato dal gruppo, le raccomandazioni contenute nella relazione potrebbero integrare le proposte relative all'unione bancaria. In particolare, la riduzione della complessità potrebbe facilitare la vigilanza e la risoluzione bancaria.

Il 13 novembre 2012 si è conclusa una consultazione pubblica delle parti interessate riguardante la relazione e le raccomandazioni in essa contenute. Il Collegio deciderà sulle azioni future al momento opportuno, sulla base della relazione, dei risultati della consultazione e delle altre attività volte a calibrare alcune delle raccomandazioni.

(English version)

Question for written answer E-008944/12
to the Commission
Mario Borghezio (EFD)
(4 October 2012)

Subject: The Liikanen report and the need for a separation between banking activities and financial speculation

The report submitted to the Commission on 2 October by the group of experts headed by Erkki Liikanen, President of the Finnish Central Bank, focuses on the need for a serious reform of European banking. Above all, it observes that, where risky trading activity is pursued using between 15 and 25% of the capital held or where the activity exceeds EUR 100 billion, a clear separation should be made between banking activities and financial speculation activities. The report suggests that this could be done without compromising the investment capacity of deposit banks, which could continue to operate in some financial sectors, viz. risk cover, managing liquidity portfolios, currency exchange and certain swap operations. The report shows that separating activities by, for example, setting up specific branches could improve capacity to support institutions in difficulties, preserving their financial soundness.

1. On the basis that a revision of the European banking system is both urgent and necessary, how will the Commission consider the Liikanen report in relation to the proposal for a banking union?

2. Will the Commission submit legislative proposals to bring about this separation of different types of activity?

Answer given by Mr Barnier on behalf of the Commission
(5 December 2012)

The report of the High-level Expert Group on reforming the structure of the EU banking sector was presented to the European Commission on 2 October 2012.

As highlighted by the Group, the recommendations in the report could complement the banking union proposals. Notably, the reduction in complexity could make it easier to supervise and resolve banks.

A public stakeholder consultation on the report and its recommendations ended on 13 November 2012. The College will decide on next steps in due course, on the basis of the report, the consultation replies and further work to calibrate some of the recommendations.

(Versión española)

Pregunta con solicitud de respuesta escrita P-008945/12
a la Comisión
Francisco Sosa Wagner (NI)
(4 de octubre de 2012)

Asunto: Financiación de las becas Erasmus

Un alto funcionario de la Oficina de Presupuestos de la Comisión Europea ha anunciado que los fondos destinados a financiar el programa de las becas Erasmus estarían a punto de agotarse, cuando aún no ha concluido el presente ejercicio.

La noticia es de una gravedad extraordinaria porque afecta a la formación y a la mayor solidez intelectual de los ciudadanos europeos. Además, el referido programa es un pilar fundamental de la integración de Europa.

Por ello, a este diputado le parece fundamental que se arbitren a la mayor brevedad posible los fondos necesarios procedentes de otras partidas presupuestarias que puedan no haber sido enteramente utilizadas para solucionar la situación denunciada desde la Oficina de Presupuestos.

¿Qué medidas va a aprobar la Comisión para resolver de inmediato y para este año la grave situación denunciada?

¿Cómo es posible difundir tan irresponsablemente un asunto que probablemente tiene una solución burocrática?

¿Qué previsiones piensa adoptar la Comisión en el futuro, por la vía del Presupuesto o —más allá— de las «perspectivas financieras 2014-2020», para dotar de una cobertura económica amplia, digna y estable al programa Erasmus?

Respuesta dada por el Sr. Lewandowski en nombre de la Comisión
(15 de noviembre de 2012)

La escasez de créditos de pago afecta a varios programas y a casi todas las rúbricas de gastos del presupuesto de la UE ([1]). La Comisión está haciendo uso de todas las opciones que le brinda el marco jurídico para gestionar la situación, incluida la propuesta de redistribución de los fondos sin utilizar: la Comisión de Presupuestos del Parlamento aprobó recientemente la «Transferencia global» para la reasignación de casi 420 millones de euros en créditos de pago entre distintos programas de gastos. Sin embargo, los créditos de pago autorizados en el presupuesto de 2012 son insuficientes para cubrir las necesidades pendientes.

El acuerdo entre el Parlamento y el Consejo sobre el presupuesto de 2012 supuso un recorte de casi 3 600 millones de euros en créditos de pago, en comparación con el importe propuesto por la Comisión en el Proyecto de Presupuesto (PP). La Comisión ha advertido en repetidas ocasiones de que el nivel de los créditos de pago era demasiado bajo para cubrir todas las necesidades. Para remediar esta situación, aprobó un Proyecto de Presupuesto Rectificativo (PPR) ([2]) solicitando pagos adicionales en el presupuesto de 2012 por un importe de 9 000 millones de euros, de los que 180 millones de euros corresponden al Programa de Aprendizaje Permanente (PAP), cubriéndose la carencia para el programa Erasmus con la mitad de esta cantidad. La Comisión cuenta con el apoyo del Parlamento y del Consejo en esta propuesta.

En su procedimiento presupuestario anual, la Comisión realiza una cuidadosa valoración de las necesidades, que se ve reflejada en la propuesta del PP. La Autoridad Presupuestaria es la que toma la decisión definitiva. El PP de 2012 estableció el nivel de los créditos de pago para el PAP en 1 000 millones de euros; el importe final acordado por la Autoridad Presupuestaria ascendió a 907 millones de euros. Para el año 2013, la Comisión ha propuesto 1 140 millones de euros en pagos para apoyar al PAP, de los que aproximadamente 490 millones de euros se destinarían a becas Erasmus para los intercambios de estudiantes y de personal académico ([3]).

([1]) Sección III.
([2]) PPR 6/2012 de 23 de octubre de 2012.
([3]) Puede encontrarse más información en: http://europa.eu/rapid/press-release_MEMO-12-785_es.htm

(English version)

Question for written answer P-008945/12
to the Commission
Francisco Sosa Wagner (NI)
(4 October 2012)

Subject: Funding of Erasmus grants

A senior official at the Commission's Budget Office has announced that the funds earmarked for the funding of the Erasmus grants programme will be exhausted before the end of this year.

This is extremely serious, as it affects the education of European citizens and efforts to give them a sounder intellectual grounding. In addition, the programme in question is a vital pillar of European integration.

The tabler of this question considers it essential that the necessary funds should be reallocated as soon as possible from other budget lines which may not have been used in their entirety in order to resolve the situation described by the Budget Office.

1. What steps will the Commission take to resolve immediately, for this year, the serious situation described above?

2. How is it possible to announce so irresponsibly a problem for which a solution could probably be found within the administration?

3. What measures will the Commission take in future, by means of the Budgets or — going beyond them — the Multiannual Financial Framework 2014-2020, to provide the Erasmus programme with ample, decent and stable funding?

Answer given by Mr Lewandowski on behalf of the Commission
(15 November 2012)

The shortage in payment appropriations concerns several programmes and almost all expenditure headings of the EU budget ([1]). The Commission is making use of all options within the legal framework to manage the situation, including proposing to reallocate unused funds: the Parliament Committee on Budgets recently approved the 'Global Transfer' for redeployment of almost EUR 420 million in payment appropriations across spending programmes. However, payment appropriations authorised in the 2012 budget are insufficient to cover outstanding needs.

Agreement between Parliament and Council on the 2012 budget entailed a cut of almost EUR 3.6 billion in payment appropriations compared to the amount proposed by the Commission in the Draft Budget (DB). The Commission has repeatedly warned that the level of payment appropriations was too low to cover all needs. To redress the situation it adopted a Draft Amending Budget ([2]) requesting additional payments for an amount of EUR 9 billion in the 2012 budget, of these EUR 180 million concerns the Lifelong Learning (LLL) programme, covering, with half this sum the shortfall for Erasmus. The Commission counts on the Parliament and Council to support this proposal.

In its annual budgetary procedure the Commission makes a careful needs assessment which is reflected in the DB proposal. The final decision is taken by the Budget Authority. The 2012 DB set the level of payment appropriations for the LLL programme at EUR 1 billion; the final amount adopted by the Budgetary Authority was EUR 907 million. For 2013, the Commission has proposed EUR 1.14 billion in payments to support the LLL Programme, of which roughly EUR 490 million would be spent on Erasmus grants for students and academic staff exchanges ([3]).

([1]) Section III.
([2]) DAB 6/2012 of 23 October 2012.
([3]) Further information may be found at: http://europa.eu/rapid/press-release_MEMO-12-785_en.htm

(Magyar változat)

Írásbeli választ igénylő kérdés P-008946/12
a Bizottság számára
Gáll-Pelcz Ildikó (PPE)
(2012. október 4.)

Tárgy: A nőket diszkrimináló biztosítási szerződésekről

Bár a férfiak és nők közötti esélyegyenlőség érvényesítéséről szóló irányelv célja az, hogy a biztosítók ne tehessenek hátrányos különböztetést a nemek között, éppen ennek ellenkezőjét eredményezheti a 2012. december 21-e után kötött biztosítási szerződésekre nézve. Önellentmondás, hogy a biztosítók belső kockázatkezelési gyakorlatában továbbra is megkülönböztethetők a nők és a férfiak, a díjakra azonban ez a jövőben már nem vonatkozik. A férfiak és a nők halálozási valószínűsége között egyre nagyobb a különbség: az előbbieké kétszerese, háromszorosa is lehet az utóbbiakénak. A halálozási valószínűség mellett az egyes betegségtípusok tekintetében is jelentős különbség van a két nem között. Eddig tehát a magasabb kockázat magasabb díjakat indokolt, az átlagárazást alkalmazó új rendszer azonban méltánytalan lehet. Az Oxera adatai szerint például Németországban a nemek szerinti árazással a férfiak a befizetett díj 94%-át, a nők 89%-át kapják vissza biztosítási szolgáltatással. Az új rendszerben viszont a férfiak a befizetett díj 103%-át, a nők 67%-át kaphatják vissza. Ezen adatok szerint tehát nem a régi, hanem az új rendszer diszkriminálja igazán a nőket. Mióta Belgiumban bevezették az uniszex kgfb-árazást, a fiatal férfiaknál 3-4%-os díjcsökkenés, a fiatal nőknél 7-17%-os díjemelkedést okozott az áttérés. További negatív következmény lehet, hogy a nem uniós országból érkező biztosítók továbbra is folytathatnak diszkriminatív árazást, így ad absurdum egy svájci biztosítónál csak nők, egy uniósnál pedig csak férfiak fognak biztosítást kötni.

Mindezek alapján a következő kérdéseket szeretném feltenni a Bizottságnak:

Egyetért-e a Bizottság a fenti a következtetésekkel? Amennyiben igen, nem tartja-e mindezt diszkriminatívnak, s ha igen, hogyan kívánja ezt az ellentmondást rövid távon feloldani? Nem tart-e attól a Bizottság, hogy a nők díjarányosan jóval kevesebb szolgáltatást kapnak majd, mint a férfiak, és akár az is előfordulhat, hogy az Unión kívüli biztosítók a nők, az uniós biztosítók pedig a férfiak szolgáltatójává válnak?

Viviane Reding válasza a Bizottság nevében
(2012. október 31.)

Az uniós jog értelmezése – az összes tagállamban megvalósuló egységes értelmezésének és alkalmazásának biztosítása érdekében – az Európai Unió Bíróságának kizárólagos hatáskörébe tartozik. A Bíróság Test-Achats-ügyben hozott ítéletét ([1]) követően a Bizottság kötelezettsége a Bíróság által értelmezett uniós jog megfelelő végrehajtásának biztosítása.

A Bizottság tudatában van annak, hogy az ítéletnek következményei lesznek a tagállamokra és a biztosítási ágazatra nézve. A Bizottság 2011 decemberében iránymutatást fogadott el az ítélet értelmezésével kapcsolatban ([2]), hogy megkönnyítse annak nemzeti szintű végrehajtását. A Bíróság ítéletének valószínűleg lesznek bizonyos hatásai az egyéni biztosítási díjakra nézve. A díjak az érintett terméktől függően emelkedhetnek vagy csökkenhetnek a férfiak, illetve a nők esetében. Az ítélet nyomán egyes biztosítási termékek nőkre és férfiakra vonatkozó díjainak közeledniük kell egymáshoz. Egy átmeneti időszak során a piacnak is igazodnia kell majd az új keretszabályozáshoz. Az EU területén szolgáltatást nyújtó külföldi biztosítók kötelesek lesznek az uniszex árazás alkalmazására.

([1]) A C-236/09. sz. ügyben 2011. március 1-jén hozott ítélet (HL C 130., 2011.4.30., 4. o.).
([2]) Iránymutatás a 2004/113/EK tanácsi irányelv biztosítási ágazatban történő alkalmazásához, az Európai Unió Bíróságának C-236/09. sz., Test-Achats-ügyben hozott ítéletére figyelemmel (HL C 11., 2012.1.13., 1. o.).

(English version)

Question for written answer P-008946/12
to the Commission
Ildikó Gáll-Pelcz (PPE)
(4 October 2012)

Subject: Insurance contracts which discriminate against women

Although one objective of the directive on implementing equality of opportunity between men and women is to ensure that insurers do not discriminate between the sexes, insurance contracts concluded after 21 December 2012 might well have the opposite effect. It is a self-contradiction that insurers' internal risk management practice should continue to discriminate between men and women but that this should not in future apply to fees. The difference between men and women in terms of the likelihood of their dying is increasing all the time: for men there is twice the likelihood, whilst for women the figure is three times. In addition, there is a significant difference between the sexes in terms of certain kinds of illness. In the past, higher fees were justified by higher risk; however, the new system with its use of mean pricing would be unfair. According to data provided by Oxera, pricing by gender means that in Germany, for example, men get back 94% and women 89% of the fees paid when using insurance services. Under the new system, men would get back 103% and women 67%. The data suggest that it is the new system rather than the old which will discriminate against women. Since the unisex MTPL pricing was introduced in Belgium, fees for young men have fallen by 3-4% whilst those for women have risen by 7-17%. There would be a further negative outcome if insurance companies arriving from non-Member States were able to continue to apply discriminatory pricing, with the absurd situation that only women would take out policies with a Swiss insurer whilst only men would do so with an EU-based insurer.

Does the Commission agree with these conclusions? If so, does it not consider the above to be discriminatory? If it does, how does it intend to resolve this contradiction in the short term? Is the Commission not concerned that women will receive far fewer services than men in proportion to the fees paid? And might the situation not arise whereby insurers from outside the EU provide services to women and those within the EU do so for men?

Answer given by Mrs Reding on behalf of the Commission
(31 October 2012)

It is an exclusive competence of the Court of Justice of the European Union to interpret EC law in order to ensure its uniform interpretation and application in all the Member States. The Commission is, after the Court ruling in the Test-Achats case ([1]), under the obligation to ensure that EC law, as interpreted by the Court, is properly implemented.

The Commission is aware that the ruling will have repercussions for the Member States and for the insurance industry. In order to facilitate its implementation at national level, the Commission adopted guidelines on the interpretation of the ruling in December 2011 ([2]). It is likely that the Court's judgment will have some effects on individual premiums. Depending on the product concerned, premiums might increase or decrease for men or women. For some insurance products the ruling should lead to a convergence of premiums for women and men. In a transitory period, the market will also need to adapt to a new regulatory framework. Foreign insurers providing services in the EU will be obliged to apply unisex pricing.

([1]) Judgment of 1 March 2011 in Case C-236/09, OJ C 130 of 30.4.2011, p. 4.
([2]) Guidelines on the application of Council Directive 2004/113/EC to insurance, in the light of the judgment of the Court of Justice of the European Union in Case C-236/09 (Test-Achats), OJ C 011 of 13.01.2012, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008947/12
alla Commissione
Sergio Gaetano Cofferati (S&D)
(4 ottobre 2012)

Oggetto: Situazione Fnac Italia

La sede centrale di Fnac ha annunciato un'imponente ristrutturazione dell'azienda in un comunicato stampa del 13 gennaio 2012, in cui si delineavano le strategie di risparmio programmate per ciascun paese dove la catena è presente, ma veniva anche sostanzialmente chiusa la prospettiva di una permanenza del gruppo in Italia, giacché: «In Italia, dove non sussistono più le condizioni per un'attività in proprio, la Fnac vaglierà tutte le possibili opzioni e prenderà una decisione entro l'anno».

Nonostante numerose sollecitazioni, successivamente a tale comunicato stampa nessun'altra informazione o chiarimento è stato dato ai lavoratori o alle autorità pubbliche rispetto alle precise intenzioni della dirigenza né per quanto riguarda il destino di Fnac Italia né per quanto riguarda il futuro dei suoi 600 lavoratori. Questo causa oggi un'inaccettabile situazione di totale incertezza.

La mancanza di un piano per il mantenimento dei posti di lavoro e dei punti vendita, eventualmente anche attraverso la loro cessione ad altri soggetti, aumenta le preoccupazioni per una chiusura che comporterebbe gravissime conseguenze occupazionali e sociali, nonché un impoverimento culturale delle realtà coinvolte, dove i punti vendita sono realtà consolidate.

Alla luce di quanto sopra esposto, e anche della sua recente comunicazione in materia di responsabilità sociale di impresa, in cui si invitano le imprese a assumersi la responsabilità «per il loro impatto sulla società», anche attraverso il dialogo ed il coinvolgimento delle parti interessate e dei sindacati, e a integrare quindi anche «le questioni sociali» nelle loro «operazioni commerciali e nella loro strategia di base», può la Commissione riferire:

quali azioni intende adottare per garantire, nei confronti dei lavoratori di Fnac Italia, il rispetto della direttiva 2002/14/CE, che istituisce un quadro generale relativo all'informazione e alla consultazione dei lavoratori, e per favorire il necessario dialogo tra la dirigenza e i rappresentanti dei lavoratori;

se ritiene che il comportamento della dirigenza di Fnac Italia risponda ai principi di una corretta integrazione nella strategia aziendale dei principi di responsabilità sociale di impresa?

Risposta di László Andor a nome della Commissione
(28 novembre 2012)

La direttiva 2002/14/CE concernente il diritto all'informazione e alla consultazione dei lavoratori a livello nazionale è stata recepita in Italia con il decreto legislativo n. 25/2007. Spetta ora alle autorità nazionali competenti, compresi i tribunali, assicurare che la legislazione nazionale summenzionata sia applicata in modo corretto ed efficace in linea con le disposizioni dell'UE, tenendo conto delle circostanze specifiche dei singoli casi.

Con la sua politica in tema di responsabilità sociale delle imprese (RSI) la Commissione incoraggia le imprese ad inserire le tematiche della RSI nella condotta delle loro operazioni commerciali. Gli aspetti sociali dovrebbero essere parte di questa politica integrata. La Commissione ribadisce che il rispetto, ad opera delle imprese, della legislazione vigente in materia sociale e di contratti collettivi è il requisito essenziale per far fronte a tale responsabilità.

(English version)

Question for written answer E-008947/12
to the Commission
Sergio Gaetano Cofferati (S&D)
(4 October 2012)

Subject: Situation at FNAC (Italy)

In a press release of 13 January 2012, FNAC's headquarters announced a major restructuring of the group, setting out the strategies for cutting expenditure in each country where the chain is represented, but at the same time basically indicating that there was no likelihood of the group's remaining in Italy in the long term, because 'In Italy, where the conditions are no longer conducive to continued business activity by the group itself, FNAC will assess all possible options and take a decision before the end of the year'.

Despite numerous requests, since this press release was issued no further information or clarification has been given to employees or the public authorities regarding the exact intentions of the management for the future of FNAC Italy or of its 600 employees. This is giving rise to an unacceptable situation marked by complete uncertainty.

The lack of a plan for the preservation of the jobs and sales outlets, possibly by surrendering them to other operators, is adding to concerns that the company may be closed down, which would have a very serious impact on employment and social welfare, as well as bringing about a cultural impoverishment of the entities affected, where the sales outlets are well established.

In the light of the above, and also of its recent communication on corporate social responsibility, in which undertakings are asked to take responsibility 'for their impacts on society', including through dialogue and the involvement of stakeholders and trade unions, and thus also to integrate 'social concerns' into their 'business operations and core strategy', can the Commission indicate:

— what action it intends to take to ensure that directive 2002/14/EC — which establishes a general framework for information and consultation of employees — is complied with in relation to the employees of FNAC Italy and to promote the necessary dialogue between management and representatives of the workforce?

— whether it believes that the conduct of FNAC Italy's management complies with the precepts governing the correct inclusion of corporate social responsibility principles in a business strategy?

Answer given by Mr Andor on behalf of the Commission
(28 November 2012)

Directive 2002/14/EC regarding the right of information and consultation of employees at national level has been transposed in Italy through Legislative Decree n° 25/2007. It is for the competent national authorities, including the courts, to ensure that the aforementioned national legislation is correctly and effectively applied in line with the EU requirements, having regard to the specific circumstances of each case.

Through its Corporate social responsibility (CSR) policy, the Commission encourages companies to mainstream CSR throughout their business operations. Social aspects should be part of such an integrated policy. The Commission underlines that respect by companies of applicable legislation on social matters and of collective agreements in place is a prerequisite for meeting that responsibility.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-008950/12
do Komisji
Ryszard Antoni Legutko (ECR)
(4 października 2012 r.)

Przedmiot: Modernizacja połączeń kolejowych na terenach przygranicznych

Jednym z priorytetów polityki władz Unii Europejskiej jest stworzenie spójnej polityki transportowej. W związku z powyższym władze UE od wielu lat przeznaczają znaczne środki finansowe w ramach funduszu spójności na realizację tego celu.

Polska znacznym wysiłkiem finansowym stara się zmodernizować linie kolejowe tak, żeby uzyskać zadowalające połączenie z Europą Zachodnią. W tym celu m.in. zmodernizowano po stronie polskiej linie kolejowe na odcinkach: od Warszawy do granicy niemieckiej; od Wrocławia do granicy w miejscowości Zgorzelec, oraz od Wrocławia do granicy w kierunku Berlina. Niestety po stronie niemieckiej modernizacja linii kolejowych nie następuje. Taka sytuacja prowadzi do odcięcia Polski od systemu komunikacji kolejowej w Europie. Należy zaznaczyć, że wspomniane linie kolejowe są również częścią korytarzy paneuropejskich m.in. E 30.

W związku z powyższym proszę o odpowiedź na następujące pytanie:

— czy Komisja podejmie działania, których celem będzie zmobilizowanie strony niemieckiej do przyspieszenia modernizacji linii kolejowych, które są niezbędne do stworzenia spójnego systemu komunikacji kolejowej w Unii Europejskiej?

Odpowiedź udzielona przez Wiceprzewodniczącego Siima Kallasa w imieniu Komisji
(7 listopada 2012 r.)

Dnia 19 października 2011 r. Komisja przyjęła wnioski dotyczące nowych wytycznych dla transeuropejskiej sieci transportowej (TEN-T) i dla instrumentu „Łącząc Europę” ([1]). Wniosek dotyczący wytycznych dla TEN-T ma na celu stworzenie i budowę kompletnej i zintegrowanej sieci, obejmującej wszystkie państwa członkowskie i regiony, poprzez wdrożenie dwupoziomowej struktury, na którą składać się mają: sieć bazowa (ma zostać ukończona do 2030 r.) oraz sieć kompleksowa (ma zostać ukończona do 2050 r.).

Zgodnie z wnioskiem dotyczącym wytycznych dla TEN-T w skład sieci bazowej TEN-T wchodzą linie kolejowe na trasach Warszawa-Frankfurt nad Odrą-Berlin, Wrocław-Zgorzelec-Magdeburg oraz Wrocław-Zgorzelec-Drezno.

Linia Warszawa-Frankfurt nad Odrą stanowi część sieci bazowej dla transportu towarowego i pasażerskiego; jest ona zelektryfikowana i została sklasyfikowana jako „linia konwencjonalna przewidziana do modernizacji w celu dostosowania do dużych prędkości”.

Linia Wrocław-Zgorzelec-Magdeburg stanowi część sieci bazowej dla transportu towarowego; jest ona częściowo niezelektryfikowana (odcinek od polskiej granicy do Hoyerswerdy), częściowo zelektryfikowana (odcinek Hoyerswerda-Magdeburg) i została sklasyfikowana jako „linia konwencjonalna ukończona”.

Linia Wrocław-Zgorzelec-Drezno stanowi część sieci bazowej dla transportu pasażerskiego; jest ona niezelektryfikowana i została sklasyfikowana jako „linia konwencjonalna ukończona”.

Zgodnie z wnioskiem Komisji sieć bazowa ma zostać ukończona i być w pełni zgodna ze stosownymi przepisami do 2030 r. Spełnienie wymagań odpowiednich przepisów obejmuje pełną elektryfikację linii kolejowych. W związku z tym główne międzygraniczne połączenia kolejowe między Polską i Niemcami muszą zostać ukończone do 2030 r.

Ponadto Komisja zaproponowała ustanowienie korytarzy sieci bazowej, które mają zapewnić koordynację procesu planowania inwestycji transgranicznych. Jeden z proponowanych korytarzy biec będzie z Warszawy do Berlina i dalej.

([1]) COM(2011) 650 final/2 oraz COM(2011) 665 final.

(English version)

Question for written answer E-008950/12
to the Commission
Ryszard Antoni Legutko (ECR)
(4 October 2012)

Subject: Upgrading of rail connections in border areas

One of the EU's policy priorities is to create a coherent transport policy. Significant funding has been allocated under the Cohesion Fund over many years with the aim of achieving this goal.

Poland is investing substantial financial resources into upgrading its railways so as to have good rail links with western Europe. The sections already upgraded on the Polish side include the line from Warsaw to the German border, from Wrocław to the border in the town of Zgorzelec, and from Wrocław to the border in the direction of Berlin. Unfortunately, the lines on the German side of the border are not being upgraded. This is having the effect of cutting Poland off from the rail transport system in Europe. It should be noted that these railway lines also form part of various pan-European corridors, including the E 30.

In connection with the above:

— Will the Commission take action to encourage Germany to speed up the modernisation of its railway lines, which are essential to the creation of a coherent rail transport system in the European Union?

Answer given by Mr Kallas on behalf of the Commission
(7 November 2012)

The Commission adopted on 19 October 2011 proposals for new Guidelines for the trans-European network for transport (TEN-T) and for the Connecting Europe Facility ([1]). The TEN-T Guidelines proposal aims to establish and develop a complete and integrated network, covering all Member States and regions, by implementing a dual layer structure consisting of a core network to be completed by 2030 and of a comprehensive network to be completed by 2050.

The railway lines Warsaw-Frankfurt/Oder-Berlin,Wroclaw-Görlitz-Magdeburg and Wroclaw-Görlitz-Dresden are all part of the TEN-T core network, as defined in the TEN-T Guidelines proposal.

The line Warsaw-Frankfurt/Oder is part of the core network for freight and passenger transport, electrified and categorised as 'conventional to be upgraded to high speed'.

The line Wroclaw-Görlitz-Magdeburg is part of the core network for freight transport, partly non-electrified (Polish border-Hoyerswerda), partly electrified (Hoyerswerda-Magdeburg) and categorised as 'conventional completed'.

The line Wroclaw-Görlitz-Dresden is part of the core network for passenger transport, non-electrified and categorised as 'conventional completed'.

According to the Commission's proposal, the core network shall be completed and fully comply with the relevant provisions by 2030. Compliance with the relevant provisions includes full electrification of the railway lines. Consequently, by 2030, the main cross-border rail connections between Poland and Germany shall be completed.

Furthermore, the Commission proposed the setting up of Core Network Corridors that shall guarantee the coordinated planning of investments across borders. One of the Corridors proposed will connect Warsaw to Berlin and beyond.

([1]) COM(2011) 650 final/2 and COM(2011) 665 final.

(Versión española)

Pregunta con solicitud de respuesta escrita E-008951/12
al Consejo
María Irigoyen Pérez (S&D)
(4 de octubre de 2012)

Asunto: Falta de recursos para el Programa Erasmus

Esta semana la Comisión Europea ha hecho pública la falta de recursos para todos los programas de aprendizaje permanente —siendo el Programa Erasmus su cara más visible—, pese a que estos programas son clave para impulsar la movilidad laboral, el espíritu emprendedor y la inserción laboral de los jóvenes.

Por ello, la Comisión ha anunciado que pedirá a finales de este mes a los Estados miembros una ampliación del presupuesto para poder pagar un tercio de la becas de aquí a final de año.

En septiembre de 2011, pregunté a la Comisión (E-008262/2011) si pensaba aumentar la dotación destinada a las acciones de los programas de Aprendizaje Permanente y el programa La Juventud en Acción como forma de impulsar la inserción en el mundo laboral de los jóvenes. La respuesta que obtuve fue que la Comisión defendía para el próximo presupuesto financiero plurianual la inclusión de propuestas relativas al programa Erasmus para todos 2014-2020, con un incremento propuesto del presupuesto superior al 70 % (un total de 15 200 millones de euros para el período de siete años), con el objetivo de reforzar el impacto de la actuación europea en la educación y la empleabilidad de los jóvenes.

¿Cómo piensa garantizar el Consejo que los Estados miembros cooperen para que no se interrumpan estos programas de reconocido éxito? ¿Se compromete el Consejo a no reducir las partidas destinadas a este programa en los presupuestos de 2013? ¿Mantendrá el Consejo su compromiso con este programa en el próximo Marco Financiero Plurianual 2014-2020 o los recortes afectarán también a esta partida?

Respuesta
(10 de diciembre de 2012)

Se ruega a Su Señoría que se remita a la respuesta aportada por el Consejo en la sesión del Parlamento Europeo del 25 de octubre de 2012.

(English version)

Question for written answer E-008951/12
to the Council
María Irigoyen Pérez (S&D)
(4 October 2012)

Subject: Lack of resources for the Erasmus programme

This week, the European Commission announced that there was a lack of resources to cover all the lifelong learning programmes — the most visible of these being the Erasmus programme —, despite these programmes being of key importance for encouraging labour mobility, entrepreneurship and youth employment.

Consequently, the Commission has announced that at the end of this month it will ask Member States for an increase in the budget in order to pay a third of the grants by the end of the year.

In September 2011, I asked the Commission (E-008262/2011) if it was intending to increase the sums allocated to actions under the lifelong learning programmes and the Youth in Action programme as a way of helping young people to gain employment. The reply which I received was that for the next multiannual financial budget the Commission was supporting the inclusion of proposals for an 'Erasmus for all' programme 2014-20, with a proposed increase in budget of more than 70% (in total EUR 15.2 billion for the seven-year period) with the aim of reinforcing the impact of European action on education and the employability of young people.

How will the Council ensure that Member States cooperate to avoid interrupting these extremely successful programmes? Is the Council committed to not reducing the budget items allocated to this programme in the 2013 budget? Will the Council keep its commitment to this programme in the next Multiannual Financial Framework 2014-2020, or will the budget cuts also affect this budget item?

Reply
(10 December 2012)

The Honourable Member is invited to refer to the answer given by the Council during the part-session of the European Parliament on 25 October 2012.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008952/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(4 Οκτωβρίου 2012)

Θέμα: Αεροπορικές μεταφορές στην Ελλάδα

Ανησυχία προκαλούν δημοσιεύματα ότι απειλείται ακόμα και η βιωσιμότητα των αεροπορικών επιχειρήσεων που λειτουργούν στην Ελλάδα, εξαιτίας κυρίως του υφεσιακού περιβάλλοντος που έχει δημιουργηθεί από αφόρητα μέτρα λιτότητας που επιβάλλονται με τα συνεχή Μνημόνια.

Σύμφωνα με τα δημοσιεύματα, κάθε προσπάθεια περιστολής του κόστους εκ μέρους των αεροπορικών εταιριών, προσκρούει στα «ανελαστικά» και ιδιαίτερα υψηλά τέλη του αεροδρομίου Ελ. Βενιζέλος, αλλά και στο σχέδιο ιδιωτικοποίησης 39 περιφερειακών αερολιμένων της χώρας, που ενδεχομένως θα προκαλέσει περαιτέρω αύξηση των τελών που ήδη ισχύουν.

Με δεδομένη α) τη σημασία των αεροπορικών μεταφορών στην οικονομία και τη γεωγραφική συνοχή της χώρας, ιδιαίτερα όσον αφορά στις νησιωτικές και απομακρυσμένες περιοχές, και την ιδιαίτερα δυσχερή θέση στην οποία έχει περιέλθει η ελληνική οικονομία, η οποία δυσκολεύεται πλέον να επιδοτεί αεροπορικές αλλά και θαλάσσιες μεταφορές σε «άγονες» περιοχές, και ανεξάρτητα από την άποψη που έχει κανείς για την ιδιωτικοποίηση τέτοιου είδους υποδομών, ερωτάται η Επιτροπή:

1. Στις όποιες διαπραγματεύσεις γίνονται για τη χρονική επέκταση της σύμβασης διαχείρισης του Αερολιμένα Αθηνών εξαιτίας της πώλησης του εναπομείναντος μεριδίου μετοχών του Δημοσίου, υπάρχει νομική δυνατότητα για την άμεση μείωση των απαράδεκτα υψηλών τελών που χρεώνει τώρα το Ελ. Βενιζέλος;

2. Όσον αφορά στην ιδιωτικοποίηση των περιφερειακών αερολιμένων, μπορεί να βεβαιώσει η Επιτροπή ότι η παραχώρηση αυτών των αεροδρομίων δεν θα επιφέρει υψηλότερα τέλη σε βάρος των επιβατών και των εμπορευμάτων ή ότι δεν θα προκαλέσει μεγαλύτερες ακόμα επιδοτήσεις εκ μέρους του κράτους;

3. Μπορεί να προσδιορίσει σε ποιο στάδιο βρίσκονται οι διαδικασίες ιδιωτικοποίησης των 39 περιφερειακών αερολιμένων, αλλά ιδιαίτερα του Διεθνή Αερολιμένα Αθηνών (Ελ. Βενιζέλος);

Απάντηση του κ. Kallas εξ ονόματος της Επιτροπής
(30 Νοεμβρίου 2012)

Η τρέχουσα περίοδος παραχώρησης για τον Διεθνή Αερολιμένα Αθηνών λήγει σε 15 χρόνια. Οι διαπραγματεύσεις για την ανανέωση της παραχώρησης βρίσκονται σε εξέλιξη και θα ολοκληρωθούν πιθανότατα το πρώτο εξάμηνο του 2013. Στόχος της ιδιωτικοποίησης των περιφερειακών αερολιμένων στην Ελλάδα είναι η προσαρμογή του ρυθμιστικού καθεστώτος στην πρακτική που ισχύει στην Ευρώπη, δηλαδή η προσαρμογή στον διαχωρισμό μεταξύ εκμετάλλευσης και ρύθμισης των αερολιμένων. Ένας ακόμη στόχος είναι η μείωση των δαπανών του ελληνικού κράτους για τους αερολιμένες. Η Επιτροπή δεν μπορεί να υποδείξει στις ελληνικές αρχές τα τέλη που πρέπει να χρεώνονται στους αερολιμένες, είναι όμως πολύ απίθανο να απαιτηθούν υψηλότερες κρατικές επιδοτήσεις μετά την ιδιωτικοποίηση, δεδομένου ότι ο στόχος είναι ακριβώς ο αντίθετος.

Επί του παρόντος, ο Διεθνής Αερολιμένας Αθηνών λειτουργεί ως εταιρεία παραχώρησης με συμμετοχή του ελληνικού κράτους κατά 55% και συμμετοχή ιδιωτών επενδυτών κατά 45%. Έως το τέλος του 2012, οι ελληνικές αρχές προτίθενται να δημοσιεύσουν πρόσκληση υποβολής προσφορών για την ιδιωτικοποίηση 37 περιφερειακών αερολιμένων προς το τέλος του 2012.

(English version)

Question for written answer E-008952/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(4 October 2012)

Subject: Air transport in Greece

Worrying articles are claiming that Greek airlines' viability is at risk, mainly as a result of the recession brought about by intolerable austerity measures implemented through the never-ending memoranda.

According to these articles, any attempt made by airlines to reduce costs is thwarted by the 'inelastic' and particularly high fees charged by Athens International Airport (Eleftheros Venizelos) airport as well as the plan to privatise 39 of the country's regional airports, which could lead to further increases in current fees.

Given a) the importance of air transport to the country's economic and geographic cohesion, particularly with regards to island and peripheral regions and b) the plight of the Greek economy, which is struggling to support both air and maritime transport in 'barren' regions, and regardless of any personal opinions on the privatisation of such infrastructure, will the Commission answer the following:

1. In the context of the current negotiations to extend the Athens International Airport management contract as a result of the sale of the State's residual shareholding, are there any legal means to immediately reduce the unacceptably high fees Eleftheros Venizelos airport now charges?

2. With regard to the privatisation of regional airports, can the Commission confirm that the transfer of these airports will not lead to higher fees for passengers and goods and that it will not require even higher State subsidies?

3. Could it specify the current status of the privatisation procedures for the 39 regional airports and, in particular, Eleftheros Venizelos?

Answer given by Mr Kallas on behalf of the Commission
(30 November 2012)

The current concession for Athens International Airport still has 15 years to run. Negotiations are underway for the renewal of the concession, which will most likely be concluded in the first half of 2013. The objective of the privatisation of the regional airports in Greece is to adapt the regulatory regime to the prevailing practice in Europe: a split between operation and regulation of the airports. Another objective is to lower the expenditure of the Greek state for the airports. The Commission cannot instruct the Greek authorities on the charges to be levied at airports, but it seems very unlikely that higher State subsidies will be required after privatisation, as the goal is exactly the opposite.

Athens International Airport is currently operated under a concession, which is for 55% in the hands of the Greek state and for 45% in the hands of private investors. It is the objective of the Greek authorities to launch a tender for the privatisation of 37 regional airports towards the end of 2012.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008953/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(4 Οκτωβρίου 2012)

Θέμα: Πυρηνικοί αντιδραστήρες στην ευρωπαϊκή επικράτεια.

Μετά τη διενέργεια των τεστ αντοχής (stress tests) στους 134 εγγεγραμμένους πυρηνικούς αντιδραστήρες που βρίσκονται στην ευρωπαϊκή επικράτεια, καταγράφηκε, σε πολλούς από αυτούς, μεγάλος αριθμός προβλημάτων, που θα μπορούσαν να προκαλέσουν διαρροές με καταστροφικές συνέπειες σε περίπτωση φυσικών φαινομένων όπως σεισμοί ή πλημμύρες.

Ερωτάται η Επιτροπή:

1. Τι προτίθεται να κάνει για να αντιμετωπίσει την κατάσταση;

2. Πώς αντιμετωπίζει το ενδεχόμενο κλείσιμο κάποιων πυρηνικών αντιδραστήρων, και ποια σχέδια υπάρχουν για άμεση αντικατάσταση αυτής της ενέργειας, εάν αυτό καταστεί αναγκαίο;

Απάντηση του κ. Oettinger εξ ονόματος της Επιτροπής
(22 Νοεμβρίου 2012)

1. Στην ανακοίνωση της Επιτροπής σχετικά με την προσομοίωση ακραίων καταστάσεων ([1]) περιλαμβάνονται οι διαπιστώσεις από την επανεξέταση του πλαισίου της ΕΕ για την πυρηνική ασφάλεια ([2]) και οι απαιτούμενες βελτιώσεις της ασφάλειας των πυρηνοηλεκτρικών σταθμών στην ΕΕ.

Η εφαρμογή των συστάσεων που προέκυψαν από τις προσομοιώσεις ακραίων καταστάσεων αποτελεί εθνική αρμοδιότητα. Οι εθνικές ρυθμιστικές αρχές θα καταρτίσουν, έως τα τέλη του 2012, εθνικά σχέδια δράσης με χρονοδιαγράμματα υλοποίησης, τα οποία θα αξιολογηθούν από ομότιμους κριτές για να ελεγχθεί κατά πόσον οι συστάσεις που προέκυψαν από τις προσομοιώσεις ακραίων καταστάσεων έχουν εφαρμοστεί με διαφάνεια σε ολόκληρη την Ευρώπη. Εξάλλου, η Επιτροπή προτίθεται να προτείνει, μέχρι τις αρχές του 2013, νομοθετικές βελτιώσεις.

2. Εναπόκειται στα κράτη μέλη να αποφασίσουν να επιλέξουν μεταξύ διαφορετικών ενεργειακών πόρων και ο σκοπός τους είναι να συγκροτηθεί στην ΕΕ εσωτερική αγορά που να εγγυάται ανταγωνιστικό, ασφαλή και αειφόρο ενεργειακό εφοδιασμό. Τα ζητήματα αυτά, και ειδικότερα ο τρόπος για να παρέχονται τα κατάλληλα μηνύματα για νέες επενδύσεις, θα αναλυθούν διεξοδικά στην προσεχή ανακοίνωση σχετικά με την εσωτερική αγορά ενέργειας.

([1]) Ανακοίνωση της Επιτροπής προς το Συμβούλιο και το Ευρωπαϊκό Κοινοβούλιο που αφορά τη συνολική αξιολόγηση των κινδύνων και της ασφάλειας (προσομοίωση ακραίων καταστάσεων) των πυρηνοηλεκτρικών σταθμών στην Ευρωπαϊκή Ένωση και τις συναφείς δραστηριότητες, COM (2012) 571 τελικό, αναρτημένη στην ιστοσελίδα: Http://ec.europa.eu/energy/nuclear/safety/stress_tests_en.htm

([2]) Συμπεριλαμβανομένων διαπιστώσεων σχετικά με τα μέτρα ασφαλείας των υφιστάμενων πυρηνικών σταθμών ηλεκτροπαραγωγής, σχετικά με τις διαδικασίες και τα πλαίσια ασφάλειας, καθώς και σχετικά με το νομικό πλαίσιο για την ασφάλεια και την εφαρμογή του.

(English version)

Question for written answer E-008953/12
to the Commission
Antigoni Papadopoulou (S&D)
(4 October 2012)

Subject: Nuclear reactors in the EU

Following the stress tests carried out on the 134 nuclear reactors registered in the EU, a large number of problems were recorded in many of them which could cause leakages, with catastrophic consequences in the event of natural disasters such as earthquakes or floods.

In view of the above, will the Commission say:

1. What does it intend to do to deal with this situation?

2. How is it handling the potential closure of some nuclear reactors and what plans does it have for the immediate replacement of this energy, if necessary?

Answer given by Mr Oettinger on behalf of the Commission
(22 November 2012)

1. The Commission Communication on the stress tests ([1]) reports on findings from the review of the EU nuclear safety framework ([2]) and on the safety improvements needed in nuclear power plants in the EU.

Implementation of the recommendations of the stress tests is a national responsibility. National action plans with timetables for implementation will be prepared by national regulators by the end of 2012, and these will be peer-reviewed in order to verify that the stress-test recommendations are consistently implemented in a transparent way throughout Europe. The Commission also intends to propose legislative improvements by early 2013.

2. It is for the Member States to decide on the choice between different energy resources, and it is their joint aim in the EU to have an internal market that ensures competitive, secure and sustainable energy supply. These issues, and in particular how to provide adequate investment signals for new investments, will be extensively addressed in the upcoming Communication on the Internal Energy Market.

([1]) Communication from the Commission to the Council and the Parliament on the comprehensive risk and safety assessments (stress tests) of nuclear power plants in the European Union and related activities, COM(2012)571 final, available at: http://ec.europa.eu/energy/nuclear/safety/stress_tests_en.htm

([2]) Including findings on safety measures in existing nuclear power plants, findings on safety procedures and frameworks, and findings on the legal framework for safety and its implementation.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008955/12
alla Commissione
Fiorello Provera (EFD)
(4 ottobre 2012)

Oggetto: La Grecia prevede una spesa di 100 milioni di euro per un circuito di Formula Uno

Il 2 ottobre 2012, diversi mezzi di comunicazione hanno riferito che il governo greco, nonostante il paese stia attraversando una recessione, intende procedere con i lavori di costruzione di un circuito di Formula Uno a Xalandritsa, vicino a Patrasso. Il costo stimato per il progetto del circuito, che in futuro dovrebbe ospitare corse di Formula Uno, è di 94,6 milioni di euro.

Sulla base del progetto di bilancio della Grecia per il 2013, il ministero delle Finanze prevede per il prossimo anno una contrazione del PIL del paese pari al 3,8 %, che fa seguito a una riduzione del 6,5 % di quest'anno. La Grecia deve dimostrare di essere in grado di finanziare un pacchetto di austerità per un ammontare di 13,5 miliardi di euro, e potrebbe necessitare aiuti dall'UE nel corso dei prossimi otto anni. Si prevede che il primo ministro greco, Antonis Samaras, si focalizzi sui tagli alle pensioni, ai sussidi e agli stipendi dei dipendenti pubblici per sbloccare il pagamento dei prossimi 31 miliardi di euro promessi dall'UE.

In che modo può la Commissione controllare le modalità di utilizzo dei fondi unionali per finanziare il presente progetto?

Risposta di Johannes Hahn a nome della Commissione
(30 novembre 2012)

Stando alle informazioni ricevute dalle autorità greche, il progetto relativo alla costruzione di un circuito di Formula 1 a Xalandritsa, nella Grecia occidentale, non è cofinanziato dai Fondi strutturali dell'UE.

(English version)

Question for written answer E-008955/12
to the Commission
Fiorello Provera (EFD)
(4 October 2012)

Subject: Greece to spend EUR 100 million on Formula One racetrack

On 2 October 2012, various media sources reported that the Greek Government, despite the country being in the midst of a recession, is to push ahead with the construction of a Formula One racetrack at Xalandritsa, near Patras. The cost of this project is estimated at EUR 94.6 million, and the intention is that the circuit will be able to host Formula One races in the future.

Greece's draft budget for 2013 shows that the finance ministry expects the country's GDP to contract by 3.8% next year, after having shrunk by 6.5% this year. Greece must prove that it is capable of financing an austerity package of EUR 13.5 billion, and is likely to need help from the EU over the next eight years. The Greek Prime Minister, Antonis Samaras, is expected to target cuts in pensions, benefits and civil service pay in order to unlock the next EUR 31 billion payment promised by the EU.

What powers of oversight does the Commission have in terms of EU funds being used to finance the above project?

Answer given by Mr Hahn on behalf of the Commission
(30 November 2012)

According to the information received from the Greek authorities, the project concerning the construction of a racetrack (Formula 1) in Xalandritsa in Western Greece is not co-financed by the EU Structural Funds.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008956/12
alla Commissione
Giancarlo Scottà (EFD)
(4 ottobre 2012)

Oggetto: Conseguenze sul sistema turistico italiano nell'applicazione della direttiva Bolkestein

L'applicazione della direttiva Bolkestein, in particolare per quanto riguarda la liberalizzazione dei servizi nell'ambito delle concessioni demaniali marittime, rischia di avere pesanti conseguenze su molte imprese italiane del settore, nonché sull'intero sistema turistico — ricreativo del Paese.

L'applicazione della direttiva prevede infatti che le aree demaniali marittime siano messe all'asta e cedute al miglior offerente, senza considerare aspetti quali la tipicità e la peculiarità delle imprese balneari, che può essere mantenuta solo attraverso una gestione continuativa di tali aree. In Italia il settore conta circa 30 000 imprese, quasi sempre condotte dallo stesso gestore da anni, che corrono il rischio di dover chiudere con la conseguente perdita del lavoro per molte persone.

Può la Commissione dire se esiste la possibilità di applicare eventuali deroghe?

Risposta di Michel Barnier a nome della Commissione
(21 novembre 2012)

Come già osservato nelle risposte alle interrogazioni scritte E-5588/2009, E-3090/2010, E-3629/2010, E-4502/2011, E-4064/2012 ed E-1282/2012 ([1]), l'articolo 12 della direttiva 2006/123/CE (direttiva Servizi) ([2]) si applica ad autorizzazioni disponibili in numero limitato per via della scarsità delle risorse naturali o delle capacità tecniche utilizzabili, come nel caso delle concessioni demaniali marittime in Italia. In sostanza, gli Stati membri sono tenuti a seguire una procedura di selezione che garantisca la trasparenza e la parità di trattamento dei potenziali candidati.

Non vi è alcuna possibilità di derogare a tale disposizione della direttiva Servizi; quest'ultima consente tuttavia alle autorità di tenere conto, nell'ambito delle procedure di selezione, delle specificità delle spiagge italiane, stabilendo ad esempio criteri giustificati da considerazioni relative alla protezione dell'ambiente e alla salvaguardia del patrimonio culturale, purché detti criteri siano applicati secondo i principi generali di non discriminazione, necessità e proporzionalità.

Inoltre, accrescendo il grado di trasparenza e di concorrenza, l'attuazione dell'articolo 12 e, in generale, della direttiva sui servizi, dovrebbe non soltanto migliorare la qualità dei servizi balneari, ma avere ripercussioni positive anche per l'occupazione e la crescita.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) Direttiva 2006/123/CE relativa ai servizi nel mercato interno.

(English version)

Question for written answer E-008956/12
to the Commission
Giancarlo Scottà (EFD)
(4 October 2012)

Subject: Impact of the application of the Bolkestein Directive on tourism in Italy

The application of the Bolkestein Directive, particularly as regards the liberalisation of services in the field of concessions on State-owned maritime property, is liable to have a serious impact on many businesses in Italy operating in this sector, as well as on tourism and recreation as a whole in the country.

The directive requires areas of State-owned maritime property to be put out to auction and the concession awarded to the highest bidder without considering such aspects as the specific character of beachside businesses, which can be maintained only by means of continuous management of the areas concerned. In Italy there are some 30 000 businesses in the industry, nearly all of which have been managed by the same person for years, and they run the risk of having to close down, causing many job losses.

Is there any scope for derogations?

Answer given by Mr Barnier on behalf of the Commission
(21 November 2012)

As it has been already pointed out in the answers to written questions E-5588/2009, E-3090/2010, E-3629/2010, E-4502/2011, E-4064/2012 and E-1282/2012 ([1]), Article 12 of Directive 2006/123/EC (the 'Services Directive') ([2]) applies to authorisations limited in their number because of the scarcity of available natural resources or technical capacity, as in the case of 'beach concessions' in Italy. In essence, Member States are required to apply a selection procedure that guarantees the transparency and the equal treatment of potential candidates.

There is no possibility to derogate from that provision of the Services Directive. However, the Services Directive allows authorities, in the selection procedures, to take into account the specificities of the Italian beaches, for example criteria justified by reasons such as the protection of the environment and the preservation of cultural heritage, provided that these criteria are applied in conformity with the general principles of non-discrimination, necessity and proportionality.

Moreover, through the introduction of more transparency and competition the implementation of Article 12 and the Services Directive in general is expected not only to increase the quality of beachside services, but also to be beneficial for jobs and growth.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) Directive 2006/123/EC on Services in the internal market.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-008957/12
aan de Commissie
Judith Sargentini (Verts/ALE)
(4 oktober 2012)

Betreft: Correcte naleving van artikel 9, lid 2, van de Visumcode door Nederland

Uit correspondentie met burgers blijkt dat Nederland bij het maken van een afspraak voor het indienen van een aanvraag voor een visum, de in artikel 9, lid 2, van de Visumcode (Verordening (EG) nr. 810/2009) vermelde wachttijd van „… in de regel ten hoogste twee weken…" overschrijdt.

Paragraaf 3.2.2 van het „Handboek Visumcode" (C(2010)1620) geeft aan dat: „The deadlines for obtaining an appointment shall as a rule not exceed two weeks. The capacity of Member States' consulates to handle visa applications should be adapted so that this deadline is complied with even during peak seasons."

1. Kan de Commissie aangeven of (en zo ja, hoe vaak) de wachttijd voor een afspraak voor het indienen van een aanvraag zoals aangegeven in artikel 9, lid 2, van de Visumcode in de Nederlandse praktijk de „… in de regel ten hoogste twee weken…", wordt overschreden?

2. Kan de Commissie aangeven welke maatregelen Nederland dient te nemen om te kunnen voldoen aan artikel 9, lid 2, van de Visumcode en paragraaf 3.2.2 van het „Handboek Visumcode" dat stelt: „The capacity of Member States' consulates to handle visa applications should be adapted so that this deadline is complied with even during peak seasons"?

3. Is de Commissie bereid om Nederland aan te spreken op de overschrijding van de wachttijd voor een afspraak voor het indienen van een visumaanvraag? Zo nee, waarom niet?

Antwoord van mevrouw Malmström namens de Commissie
(28 november 2012)

De Commissie heeft in de afgelopen maanden van onderdanen van derde landen en autoriteiten van derde landen klachten ontvangen over stelselmatige buitensporig lange termijnen bij de afsprakensystemen voor het aanvragen van een Schengenvisum bij sommige consulaten van EU-lidstaten. De Commissie heeft dit wijdverbreide probleem dan ook grondig onderzocht aangezien dit een werkelijke en betreurenswaardige hinderpaal voor visumaanvragers zou vormen.

Uit de bewoordingen van artikel 9, lid 2, van de Visumcode („in de regel") volgt dat deze bepaling geen absolute termijn van twee weken voor het krijgen van een afspraak oplegt. Het zou dan ook te ver gaan te beweren dat steeds wanneer in een afzonderlijk geval een afspraak wordt gegeven die de periode van twee weken overschrijdt, dit een inbreuk op artikel 9, lid 2, van de Visumcode inhoudt. Een situatie waarin bij een consulaat de wachttijd van twee weken voor alle visumaanvragers gedurende het gehele jaar of bepaalde perioden van het jaar stelselmatig wordt overschreden kan evenwel niet worden geduld aangezien dit naar de mening van de Commissie strijdig zou zijn met artikel 9, lid 2.

De diensten van de Commissie zullen deze kwestie horizontaal met alle betrokken lidstaten aanpakken. Hiertoe heeft zij gegevens uit alle beschikbare bronnen onderzocht, waaronder websites van consulaten, hun elektronische afsprakensystemen, beschikbare verslagen en individuele klachten. De Commissie is op ogenblik bezig met het afronden van haar analyse van deze kwestie en zal vervolgens als hoedster van de Verdragen stappen tegen lidstaten ondernemen wanneer zij een inbreuk op artikel 9, lid 2, van de Visumcode vaststelt.

(English version)

Question for written answer E-008957/12
to the Commission
Judith Sargentini (Verts/ALE)
(4 October 2012)

Subject: Compliance by the Netherlands with Article 9(2) of the Visa Code

Correspondence with members of the public indicates that, when arranging appointments for the lodging of visa applications, the Netherlands is exceeding the time limit of 'as a rule (…) two weeks' laid down in Article 9(2) of the Visa Code (Regulation (EC) No 810/2009).

Section 3.2.2 of the 'Visa Code Handbook' (C(2010)1620) indicates that: 'The deadlines for obtaining an appointment shall as a rule not exceed two weeks. The capacity of Member States' consulates to handle visa applications should be adapted so that this deadline is complied with even during peak seasons.'

1. Can the Commission indicate whether (and if so, how often) the time limit of 'as a rule (…) two weeks' for obtaining an appointment to submit an application as indicated in Article 9(2) of the Visa Code is exceeded in the Netherlands in practice?

2. Can the Commission indicate what measures the Nederland ought to take to be able to comply with Article 9(2) of the Visa Code and Section 3.2.2 of the 'Visa Code Handbook', which states: 'The capacity of Member States' consulates to handle visa applications should be adapted so that this deadline is complied with even during peak seasons'?

3. Will the Commission contact the Netherlands about the exceedance of the maximum waiting time for appointments to submit visa applications? If not, why not?

Answer given by Ms Malmström on behalf of the Commission
(28 November 2012)

The Commission has received in the last months several complaints from third-country nationals and authorities of third countries about systematic excessive delays in the appointment systems to lodge a Schengen visa application in certain consulates of EU Member States. The Commission has therefore examined this widespread issue in-depth as it would be a real, regrettable obstacle to visa applicants.

It flows from the wording of Article 9(2) of the Visa Code ('as a rule'), that this provision does not impose an absolute deadline of two weeks for having an appointment. It would thus go too far to state that each case of an appointment given in an individual case beyond the two weeks period would constitute an infringement of Article 9(2) of the Visa Code. However, a systematic waiting period longer than the two-weeks rule in a consulate for all visa applicants throughout the year or certain periods of the year could not be tolerated as it would not in the Commission's view be in compliance with Article 9(2).

The Commission services undertake to tackle this issue in a horizontal way with all Member States concerned. For this purpose, the Commission has examined information from all available sources, including websites of consulates, their electronic appointment systems, available reports and individual complaints. The Commission is finalising its analysis of this issue and will then act in its role of guardian of the Treaties vis-à-vis Membes States where it finds infringement of Article 9(2) of the Visa Code.

(Version française)

Question avec demande de réponse écrite P-008958/12
à la Commission
Véronique Mathieu (PPE)
(5 octobre 2012)

Objet: Commerce des intrants agricoles à l'intérieur de l'Union européenne

Le commerce d'engrais organiques entre la France et les Pays-Bas est avantageux, car les agriculteurs français bénéficient d'engrais plus économique et plus respectueux des sols et les Pays-Bas écoulent leurs surplus.

Néanmoins, ce commerce n'est plus correctement réglementé. En effet, les agriculteurs rapportent que les prix augmentent fortement et de manière injustifiée, la marge des intermédiaires étant notamment en cause.

Quelles solutions sont mises en place par la Commission afin de remédier aux pratiques abusives concernant le commerce d'intrants agricoles à l'intérieur de l'Union européenne?

Réponse donnée par M. Almunia au nom de la Commission
(13 novembre 2012)

La Commission, et plus particulièrement sa direction générale de la concurrence, examine toute plainte concrète portant sur des pratiques anticoncurrentielles qui pourraient restreindre le jeu de la concurrence sur les marchés concernés et qui affectent le commerce entre États membres.

Depuis le début de l'année, la direction générale de la concurrence dispose d'une task force spécifiquement chargée des secteurs relevant de la chaîne agroalimentaire, y compris la fourniture d'engrais aux agriculteurs. Cette task force examine les allégations de comportement anticoncurrentiel des acteurs de la chaîne d'approvisionnement alimentaire. Toutefois, la simple augmentation des prix d'un produit donné ne dénote pas nécessairement l'existence de pratiques anticoncurrentielles; la Commission aurait besoin de davantage d'informations sur les échanges des produits concernés pour déterminer si le marché est réellement affecté par de telles pratiques.

La Commission tient par ailleurs à signaler l'existence du Réseau européen de la concurrence, au sein duquel elle coopère avec les autorités nationales de concurrence des États membres. Conformément au règlement n° 1/2003 ([1]), ces autorités sont aussi compétentes pour appliquer les articles 101 et 102 du TFUE lorsque les échanges à l'intérieur de l'Union sont susceptibles d'être affectés.

En l'espèce, l'autorité nationale de concurrence française ou néerlandaise pourrait être mieux placée pour examiner les informations disponibles.

([1]) JO L 1 du 4.1.2003, p. 1.

(English version)

Question for written answer P-008958/12
to the Commission
Véronique Mathieu (PPE)
(5 October 2012)

Subject: Trade in agricultural inputs within the EU

The trade in organic fertilisers between France and the Netherlands is mutually beneficial, as it enables French farmers to purchase cheaper fertilisers which are better for their land and the Netherlands is able to clear its surplus stock.

Nevertheless, this trade is no longer properly regulated. Farmers are reporting sudden, unjustified price hikes, principally due to intermediaries trying to increase their profit margin.

What solutions can the Commission apply in order to put an end to these abusive practices in relation to the trade in agricultural inputs within the EU?

Answer given by Mr Almunia on behalf of the Commission
(13 November 2012)

The Commission, and specifically its Directorate-General for Competition, investigates any concrete complaint concerning anti-competitive practices which could restrict competition in the relevant markets and which affect trade between Member States.

Since the beginning of 2012 the Directorate-General for Competition has a Task Force dedicated to the sectors integrating the food supply chain, including the supply of fertilisers to farmers. This Food Task Force is in charge of investigating alleged anti-competitive practices by actors in the food supply chain. However, the mere increase of prices for a given product is not necessarily a sign of anti-competitive practices; the Commission would require more information about the trade of such products to assess whether there are indeed anti-competitive practices in this market.

The Commisison would also like to make the reference to the European Competition Network (ECN) in which the Commission cooperates with the National Competition Authorities (NCAs) of the Member States. In accordance with Regulation No 1/2003 ([1]), the NCAs shall also apply Articles 101 and 102 of the TFEU in case intra-Union trade may be affected.

In the case at hand, the National Competition Authority of France or the Netherlands might be better placed to examine the available information.

([1]) OJ L 1, 4.1.2003, p. 1.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. P-008959/12
Komisijai
Justas Vincas Paleckis (S&D)
(2012 m. spalio 5 d.)

Tema: ES ir Baltarusijos santykiai po neseniai įvykusių Baltarusijos parlamento rinkimų

Neseniai įvykę Baltarusijos parlamento rinkimai parodė, kad vis dar esama didelių kliūčių tikrai demokratijai ir žmogaus teisėms. Nurodoma, kad rinkimuose dalyvavo 74,3 % rinkėjų, tačiau plačiai paplito nuomonė, kad šis skaičius gerokai padidintas, be to, gauta daug pranešimų apie rinkėjų bauginimą ir represijas prieš opozicines partijas, nors rinkimai vyko dalyvaujant tarptautiniams stebėtojams. ESBO nustatė, kad rinkimai neatitiko tarptautinių demokratijos standartų. ES taikomos tikslinės ekonominės sankcijos ir draudimas keliauti per jos teritoriją Baltarusijos režimui turėjo tik nedidelį poveikį. Ekspertai yra kritikavę ES, kad ji įsitraukia į A. Lukašenkos žaidimus, susijusius su politiniais kaliniais, ir pažymi, kad, susiedamas stipresnius ryšius su ES ir politinių kalinių paleidimą, Baltarusijos režimas išvengia prievolės vykdyti su demokratinėmis reformomis susijusias sąlygas.

Kokių priemonių ketina imtis Komisija, kad dabartiniai ES ir Baltarusijos santykiai taptų atviresni ir skatintų demokratijos normų Baltarusijoje sklaidą?

Sąjungos vyriausiosios įgaliotinės ir Komisijos pirmininko pavaduotojos Catherine Ashton atsakymas
Komisijos vardu
(2012 m. lapkričio 15 d.)

Po 2010 m. gruodį vykusių Baltarusijos prezidento rinkimų, kuomet buvo pažeisti rinkimų standartai, ir po vėliau vykdytų represijų dar labiau sustiprėjo Prezidento A. Lukašenkos autoritarinis valdymas ir šalyje pablogėjo su žmogaus teisėmis susijusi padėtis. 2012 m. rugsėjo mėn. vykę parlamento rinkimai neatitiko tarptautinių standartų.

ES politika pagrįsta principais ir turi aiškų tikslą – priimti Baltarusiją į demokratinių ir modernių valstybių šeimą. ES tebevykdo kritiniu vertinimu pagrįstą santykių politiką ir ragina nekeliant jokių sąlygų paleisti bei reabilituoti visus politinius kalinius, taip pat reikalauja, kad dvišaliams ES ir Baltarusijos santykiams ir toliau būtų taikoma pažangos žmogaus teisių, teisinės valstybės ir demokratinių principų srityje sąlyga. ES tebėra pasirengusi pritaikyti ribojamąsias priemones pagal būsimus pokyčius, kokie jie bebūtų. Be to, ES nekeičia pasiūlymo pradėti derybas dėl vizų režimo supaprastinimo ir readmisijos susitarimų, kurie būtų naudingi plačiajai visuomenei.

ES toliau laikysis savo įsipareigojimų Baltarusijos pilietinei visuomenei tiek vykdydama paramos projektus, tiek dalyvaudama Europos modernizavimo dialoge, prie kurio Baltarusijos valdžios institucijos taip pat kviečiamos prisijungti ekspertų lygiu. ES techniniais bei diplomatiniais kanalais ir toliau palaiko darbinius santykius su Baltarusija.

(English version)

Question for written answer P-008959/12
to the Commission
Justas Vincas Paleckis (S&D)
(5 October 2012)

Subject: EU-Belarus relations after the recent Belarusian parliamentary elections

The recent parliamentary elections in Belarus demonstrated that serious obstacles to a just democracy and human rights still exist. The estimated voter turnout of 74.3% has been widely labelled as much too high, and reports of voter intimidation and repression of opposition parties have been widespread despite the presence of international observers. The OSCE stated that the elections had failed to meet international democratic standards. The targeted economic sanctions and travel bans imposed by the EU have only had a limited effect on the regime in Belarus. Experts have criticised the EU for engaging with Lukashenko in his games involving political prisoners, noting that by linking enhanced relations with the EU to the release of political prisoners, the Belarusian regime is avoiding having to satisfy conditions relating to democratic reform.

What steps does the Commission intend to take in order to shift current EU-Belarus relations towards a more open relationship that fosters the spread of democratic standards in Belarus?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(15 November 2012)

Since violations of electoral standards in the December 2010 Belarus presidential elections and the subsequent crackdown in the aftermath of them, the authoritarian rule of President Lukashenka has been further strengthened and the human rights situation in the country has worsened. The September 2012 parliamentary elections fell short of international standards.

The EU's policies are principled and with the clear goal of including Belarus in the family of democratic and modern nations. The EU continues its policy of critical engagement and calls for the unconditional release and rehabilitation of all political prisoners and insists that the development of bilateral relations between the EU and Belarus remain conditional on progress in the field of human rights, the rule of law and democratic principles. The EU remains prepared to adapt restrictive measures to future developments, whether positive or negative. The EU equally maintains its offer to start negotiations on visa facilitation and readmission agreements to the benefit of the pubic at large.

The EU will continue its engagement with Belarus civil society, be it through its assistance projects or through the European Dialogue on Modernisation, in which the Belarusian authorities are also invited to participate at expert level. The EU continues to maintain a working relationship with Belarus through technical and diplomatic communication channels.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008960/12
προς την Επιτροπή
Sylvana Rapti (S&D)
(5 Οκτωβρίου 2012)

Θέμα: Χρήση της νοηματικής γλώσσας στη μετάδοση ομιλιών και συντεντεύξεων Τύπου των θεσμικών φορέων της Ευρωπαϊκής Ένωσης

Με αφορμή την ομιλία του Προέδρου της Ευρωπαϊκής Επιτροπής κ. Μπαρόζο στο Ευρωπαϊκό Κοινοβούλιο στις 12 Σεπτεμβρίου 2012 σχετικά με την κατάσταση στην Ένωση, η Ευρωπαϊκή Ένωση Κωφαλάλων (EUD) απηύθυνε ένα ερώτημα — διαμαρτυρία ([1]) προς τον κ. Πρόεδρο της Ευρωπαϊκής Επιτροπής σχετικά με την απουσία μετάδοσης της ομιλίας του και στη νοηματική γλώσσα.

Το Ευρωπαϊκό Κοινοβούλιο με τα ψηφίσματά του A2-302/87 της 17ης Ιουνίου 1988 και B4-095/98 της 18ης Ιουνίου 1998 αναγνωρίζει την ανάγκη για τη διερμηνεία της νοηματικής γλώσσας και καλεί την Επιτροπή να εξασφαλίσει ότι στις δημόσιες συνεδριάσεις που διοργανώνουν τα θεσμικά όργανα της ΕΕ θα έχουν πρόσβαση οι κωφάλαλοι, εφόσον θα προβλέπεται υπηρεσία διερμηνείας της γλώσσας σημάτων, όποτε τούτο ζητείται.

Το 2010, εκπρόσωποι όλων των εθνικών οργανώσεων κωφαλάλων των κρατών μελών της Ευρωπαϊκής Ένωσης υπέγραψαν τη Διακήρυξη των Βρυξελλών σχετικά με τις Νοηματικές Γλώσσες στην Ευρωπαϊκή Ένωση, η οποία καλούσε την Ευρωπαϊκή Ένωση, λειτουργώντας ως παράδειγμα, να προσφέρει υπηρεσίες διερμηνείας στη νοηματική γλώσσα.

Η ίδια η Ευρωπαϊκή Επιτροπή, στην ανακοίνωσή της σχετικά με την Ευρωπαϊκή Στρατηγική για την Αναπηρία 2010-2020 (COM(2010)0636), αναφέρεται στη βελτίωση της πρόσβασης των κωφαλάλων σε υπηρεσίες, συμπεριλαμβανομένων των οπτικοακουστικών, καθώς και στην εξέταση τρόπων για τη χρήση της νοηματικής γλώσσας στην αλληλεπίδραση των πολιτών με τους θεσμούς της Ευρωπαϊκής Ένωσης.

Ερωτάται η Ευρωπαϊκή Επιτροπή αν έχει διερευνηθεί η δυνατότητα, σε συνεργασία με το Ευρωπαϊκό Κοινοβούλιο και το Ευρωπαϊκό Συμβούλιο, της ταυτόχρονης μετάδοσης στη νοηματική γλώσσα των σημαντικών ομιλιών και συνεντεύξεων Τύπου των θεσμικών εκπροσώπων της Ευρωπαϊκής Ένωσης.

Απάντηση της κας Reding εξ ονόματος της Επιτροπής
(6 Δεκεμβρίου 2012)

Η Επιτροπή είναι ενήμερη για την ανάγκη διερμηνείας στη νοηματική γλώσσα σε μια σειρά καταστάσεων στο πλαίσιο των θεσμικών οργάνων της ΕΕ. Ειδικότερα, οι ανακοινώσεις της Επιτροπής, του Συμβουλίου και του Ευρωπαϊκού Κοινοβουλίου που προορίζονται για το ευρύ κοινό αξίζουν συστηματικότερη ταυτόχρονη μετάδοση στη νοηματική γλώσσα.

Η Γενική Διεύθυνση Διερμηνείας ανταποκρίνεται σε ειδικά αιτήματα που προέρχονται από τις υπηρεσίες της Επιτροπής ή περιστασιακά από άλλα θεσμικά όργανα της ΕΕ για την παροχή διερμηνείας στη νοηματική γλώσσα. Κατά μέσο όρο, η Γενική Διεύθυνση Διερμηνείας παρέχει ετησίως 15 ημέρες διερμηνείας αυτού του είδους. Κατά κανόνα, ζητείται διερμηνεία στη διεθνή νοηματική γλώσσα. Περιστασιακά, υπάρχουν αιτήματα για εθνικές νοηματικές γλώσσες. Κατά κανόνα, αυτού του είδους η διερμηνεία ζητείται για μεγάλες συνεδριάσεις στις οποίες μετέχουν αντιπροσωπείες από ολόκληρη την ΕΕ και συχνά όταν συζητούνται ή περιλαμβάνονται στην ημερήσια διάταξη θέματα αναπηρίας ή κοινωνικής ένταξης.

Η Επιτροπή θα εφαρμόσει το προσεχές έτος ένα πιλοτικό σχέδιο που προτάθηκε από το Ευρωπαϊκό Κοινοβούλιο για τη διευκόλυνση της χρήσης της νοηματικής γλώσσας στα θεσμικά όργανα της ΕΕ. Οι προετοιμασίες θα ξεκινήσουν μόλις εγκριθεί ο προϋπολογισμός.

([1]) http://www.youtube.com/watch?v=T2SFdmzEDNw.

(English version)

Question for written answer E-008960/12
to the Commission
Sylvana Rapti (S&D)
(5 October 2012)

Subject: Use of sign language in broadcasts of EU institution speeches and press interviews

Following the State of the Union address given by the President of the European Commission, Mr Barroso, at the European Parliament on 12 September 2012, the European Union of the Deaf (EUD) challenged ([1]) the President over the absence of a sign language interpretation of his address.

In Resolutions A2-302/87 of 17 June 1988 and B4-095/98 of 18 June 1998, the European Parliament recognises the need for interpretation into sign languages and calls on the Commission to ensure that public meetings organised by EU institutions are accessible to deaf people by providing a sign language interpretation service on request.

In 2010, representatives of all National Associations of the Deaf in the EU Member States signed the 2010 Brussels Declaration on Sign Languages in the European Union which invited the EU to provide sign language interpretation services within its institutions to model best practice.

In its communication on the European Disability Strategy 2010-2020 (COM(2010)0636), the Commission refers to improving access to services for the deaf, including audiovisual services, and exploring ways for citizens to use sign language to interact with the EU institutions.

Will the Commission say if it has explored the possibility, in cooperation with the European Parliament and the European Council, of simulcasting in sign language important speeches and press interviews given by representatives of the EU institutions?

Answer given by Mrs Reding on behalf of the Commission
(6 December 2012)

The Commission is aware of the need for interpretation into sign languages in a multitude of situations within the EU institutions. In particular the communications of the Commission, the Council and the European Parliament that are destined for the general public merit more systematic simulcasting in sign language.

The Directorate-General for Interpretation responds to specific requests coming from the services of the Commission, or occasionally from the other EU institutions, to provide sign-language interpretation. On average, the Directorate-General for Interpretation provides 15 interpreter days per year of such interpretation. In general, the request is for international sign language interpretation. Occasionally requests are received for national sign languages. In general, such interpretation is requested for large meetings involving delegates from across the EU and most frequently where issues such as disability or inclusion are being discussed or are included on the agenda.

The Commission will implement next year a pilot project proposed by the European Parliament to facilitate the use of sign language in the EU institutions. Preparations will start as soon as the budget is approved.

([1]) http://www.youtube.com/watch?v=T2SFdmzEDNw.

(Versión española)

Pregunta con solicitud de respuesta escrita E-008961/12
a la Comisión (Vicepresidenta/Alta Representante)
Raül Romeva i Rueda (Verts/ALE), Nicole Kiil-Nielsen (Verts/ALE), Margrete Auken (Verts/ALE) y Jill Evans (Verts/ALE)
(5 de octubre de 2012)

Asunto: VP/HR — III Flotilla de la Libertad

El buque *Estelle*, que forma parte de la III Flotilla de la Libertad, navega desde La Spezia rumbo a Nápoles, su última escala antes de dirigirse a Gaza. Según ha informado el canal de noticias israelí Arutz Sheva, el Ministerio de Asuntos Exteriores israelí ha confirmado su exhortación a los países con ciudadanos a bordo del *Estelle* a que no permitan que la nave «se acerque» a Gaza.

Resultaría inaceptable que la UE cediera ante esta presión actuando en contra de sus propios ciudadanos y de su flota marítima. Reviste especial gravedad que se adopten tales medidas con el fin de detener una actividad pacífica y humanitaria que cuenta con un amplio apoyo público y político, como demuestra la petición de acabar con el bloqueo ilegal e inhumano de Gaza suscrita por miles de personas de todo el mundo en los últimos días.

¿Ha recibido la alta representante alguna conminación por parte del Gobierno de Israel con objeto de impedir que la III Flotilla de la Libertad zarpe de los puertos europeos? ¿Ha intercedido el cuerpo diplomático europeo para evitar amenazas a algunos países de la UE relacionadas con esta cuestión? ¿Qué medidas adoptará la alta representante para garantizar que la III Flotilla de la Libertad pueda navegar libremente y que los ciudadanos europeos que se encuentren a bordo estén a salvo?

Respuesta de la Alta Representante/Vicepresidenta Sra. Ashton en nombre de la Comisión
(4 de diciembre de 2012)

La Alta Representante/Vicepresidenta no ha recibido dicha petición.

La UE ha expresado claramente, incluso en el marco del Cuarteto, su posición en relación con la navegación de flotillas hacia Gaza. En junio de 2010, el Cuarteto declaró que todos los que deseasen entregar mercancías deberían hacerlo a través de los canales establecidos, de forma que su cargamento pudiera inspeccionarse y transferirse a Gaza por los pasos terrestres. También declaró que podía evitarse todo enfrentamiento innecesario y que todas las partes deberían actuar de manera responsable a la hora de satisfacer las necesidades de la población de Gaza. En abril de 2011, en las conclusiones del Presidente del Comité de Enlace Ad Hoc (CEAH) se reiteró el llamamiento a todos los agentes internacionales para que hicieran uso de los actuales pasos terrestres a fin de canalizar su ayuda a Gaza y para que se abstuvieran de provocaciones.

Al mismo tiempo, Israel debe respetar el derecho internacional en su interacción con toda flotilla entrante. La UE continúa pidiendo a Israel que levante su bloqueo, incluido el naval, a Gaza.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-008961/12
til Kommissionen (Næstformand / Højtstående repræsentant)
Raül Romeva i Rueda (Verts/ALE), Nicole Kiil-Nielsen (Verts/ALE), Margrete Auken (Verts/ALE) og Jill Evans (Verts/ALE)
(5. oktober 2012)

Om: VP/HR — Freedom Flotilla III

Skibet Estelle, som er en del af Freedom Flotilla III, er undervejs fra La Spezia i retning mod Napoli — skibets sidste stop, inden det sætter kursen mod Gaza. Det israelske udenrigsministerium har bekræftet, at det lægger pres på de lande, hvis statsborgere er om bord på Estelle, for at de skal forhindre skibet i at »nærme sig« Gaza, som rapporteret af den israelske nyhedskanal Arutz Sheva.

Det vil være uacceptabelt, hvis EU bøjer sig for et sådant pres og vender sig mod dets egne borgere og dets skibsflåde. Det er særligt alvorligt, når sådanne foranstaltninger træffes med henblik på at standse en fredelig og humanitær aktion, som har bred offentlig og politisk opbakning. En opbakning, der er demonstreret gennem den underskriftsindsamling for at få standset den ulovlige og umenneskelige blokade af Gaza, som i de seneste dage har modtaget tusindvis af underskrifter fra folk i hele verden.

Har den højtstående repræsentant modtaget en anmodning fra Israels regering om at forhindre, at Flotilla III afsejler fra europæiske havne? Har det europæiske diplomatkorps taget affære for at forhindre, at der i denne forbindelse fremsættes trusler mod visse EU-lande? Hvilke skridt agter den højtstående repræsentant at tage for at sikre Flotilla III retten til at sejle og ukrænkeligheden af de EU-borgere, der er om bord?

Svar afgivet på Kommissionens vegne af den højtstående repræsentant/næstformand Catherine Ashton
(4. december 2012)

Den højtstående repræsentant/næstformand har ikke modtaget en sådan anmodning.

EU har klart givet udtryk for sin holdning, hvad angår flotillesejlads til Gaza, bl.a. inden for rammerne af Kvartetten. I juni 2010 udtalte Kvartetten, at alle, der ønsker at levere varer til Gaza, bør gøre dette gennem etablerede kanaler, så lasten kan undersøges og overføres via etablerede grænseovergange. Den anførte desuden, at der ikke er behov for unødige konfrontationer, og at alle parter bør handle ansvarligt i imødekommelsen af behovene hos befolkningen i Gaza. I april 2011 gentog konklusionerne fra formanden for ad hoc-forbindelsesudvalget opfordringen til alle internationale aktører om at gøre brug af de eksisterende grænseovergange for at kanalisere deres støtte til Gaza og afstå fra provokationer.

Samtidig skal Israel respektere folkeretten i behandlingen af alle indkommende flotiller. EU fortsætter med at opfordre Israel til at ophæve sin blokade af Gaza, herunder flådeblokaden.

(Version française)

Question avec demande de réponse écrite E-008961/12
à la Commission (Vice-Présidente/Haute Représentante)
Raül Romeva i Rueda (Verts/ALE), Nicole Kiil-Nielsen (Verts/ALE), Margrete Auken (Verts/ALE) et Jill Evans (Verts/ALE)
(5 octobre 2012)

Objet: VP/HR — Flottille de la Liberté III

Le navire *Estelle*, qui fait partie de la Flottille de la Liberté III, a quitté La Spezia et se dirige vers Naples, sa dernière escale avant d'atteindre Gaza. Le ministère israélien des affaires étrangères a confirmé qu'il demandait instamment aux pays dont les ressortissants sont à bord de l'*Estelle* d'empêcher le navire d'«approcher» Gaza, comme le déclare la chaîne d'information israélienne Arutz Sheva.

Il serait inacceptable que l'Union européenne cède à une telle pression, qui s'exercerait sur ses propres citoyens et sa flotte maritime. Elle est d'autant plus grave qu'elle vise à bloquer une action pacifique et humanitaire jouissant d'un large soutien public et politique, qui s'est traduit par la pétition, signée récemment dans le monde entier par des milliers de personnes, appelant à mettre fin au blocus illégal et inhumain de Gaza.

La Vice-Présidente/Haute Représentante a-t-elle reçu du gouvernement israélien une demande visant à empêcher la Flottille III de quitter les ports européens? Le corps diplomatique européen est-il intervenu pour éviter que des menaces en ce sens soient dirigées contre certains pays européens? Quelles initiatives la haute représentante prendra-t-elle pour garantir la liberté de navigation de la Flottille III et l'intégrité des citoyens européens qui sont à bord?

Réponse donnée par la Vice-présidente/Haute Représentante Ashton au nom de la Commission
(4 décembre 2012)

La Vice-présidente/Haute Représentante n'a reçu aucune demande de ce genre.

L'UE a clairement exprimé sa position en ce qui concerne le voyage des flottilles vers Gaza, notamment dans le cadre du Quartet. En juin 2010, le Quartet a déclaré que tous ceux qui souhaitent fournir des marchandises doivent utiliser les canaux établis afin que les cargaisons puissent être inspectées et transférées en empruntant les points de passage terrestres vers la bande de Gaza. Il a déclaré en outre que les confrontations sont inutiles et que toutes les parties doivent agir de façon responsable lorsqu'il s'agit de répondre aux besoins de la population de Gaza. En avril 2011, dans ses conclusions, la présidence du comité de liaison ad hoc (AHLC) a rappelé son appel à tous les acteurs internationaux afin qu'ils empruntent les points de passage terrestres pour apporter leur aide à Gaza, et qu'ils s'abstiennent de toute provocation.

Parallèlement, Israël doit respecter le droit international dès lors qu'il s'agit de l'arrivée de d'une flottille. L'UE continue d'appeler Israël à lever son blocus de Gaza, y compris le blocus maritime.

(English version)

Question for written answer E-008961/12
to the Commission (Vice-President/High Representative)
Raül Romeva i Rueda (Verts/ALE), Nicole Kiil-Nielsen (Verts/ALE), Margrete Auken (Verts/ALE) and Jill Evans (Verts/ALE)
(5 October 2012)

Subject: VP/HR — Freedom Flotilla III

The ship *Estelle*, which is part of Freedom Flotilla III, is sailing from La Spezia in the direction of Naples, its last stop before heading to Gaza. The Israeli news channel Arutz Sheva has reported that the Israeli Foreign Ministry has confirmed it is pressing countries whose citizens are on board the *Estelle* not to allow the ship to 'approach' Gaza.

It would be unacceptable for the EU to yield to such pressure, turning against its own citizens and its maritime fleet. It is especially serious when such actions are taken to stop a peaceful and humanitarian action that has wide public and political support, as demonstrated by the petition to end the illegal and inhumane blockade of Gaza, which has been signed by thousands of people around the world in recent days.

Has the High Representative received a request from the Government of Israel to prevent Freedom Flotilla III departing from European ports? Has the European diplomatic corps interceded to prevent threats connected to this being made to some EU countries? What steps will the High Representative take to ensure that Freedom Flotilla III can sail freely and that the European citizens on board are safe?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 December 2012)

The High Representative/Vice-President has received no such request.

The EU has clearly expressed its position as regards the sailing of flotillas to Gaza, including in the framework of the Quartet. In June 2010 the Quartet stated that all those wishing to deliver goods should do so through established channels so that their cargo can be inspected and transferred via land crossings into Gaza. It also stated there is no need for unnecessary confrontations, and all parties should act responsibly in meeting the needs of the people of Gaza. In April 2011 the Ad Hoc Liaison Committee (AHLC) Chair's Conclusions reiterated a call on all international actors to make use of the existing land crossings to channel their support to Gaza, and to abstain from provocations.

At the same time, Israel must abide by international law when dealing with any incoming flotilla The EU continues to call on Israel to lift its blockade of Gaza, including the naval blockade.

(English version)

Question for written answer E-008962/12
to the Commission
Alyn Smith (Verts/ALE)
(5 October 2012)

Subject: EU energy cooperation with the Arab peninsula

The Gulf Cooperation Council States have in the past shown interest in cooperating with the EU on the development of renewable energy sources.

Can the Commission state what has been done to turn this intent to cooperate on renewable energy into concrete action?

Answer given by Mr Oettinger on behalf of the Commission
(22 November 2012)

The EU established bilateral relations with the GCC countries through a cooperation agreement signed in 1988. Its objective is to contribute to a strengthening of relations between the two regions and to broaden and consolidate economic and technical cooperation, including in the field of energy. In the 2010 Ministerial Meeting in Luxembourg, ministers endorsed the 'Joint Action Programme' which builds on the good cooperation that was already ongoing, e.g. in the fields of clean energy and research and development, with the intent of strengthening the cooperation efforts.

Work has been progressing and the EU-funded Clean Energy Network has been set-up, which focuses amongst other topics on cooperation on the use of renewable energy sources. In April 2011, the GCC authorities appointed an official partner for the Network in the Gulf: the Masdar Institute. At the EU Sustainable Energy Week in Brussels in June this year, the EU-GCC Clean Energy Network organised a high-level event entitled 'Clean Energy for the Future: How to Foster Cooperation between the EU and the Gulf Region'. More information about the activities in the framework of the EU-GCC Clean Energy Network can be found at http://www.eugcc-cleanenergy.net/.

(English version)

Question for written answer E-008963/12
to the Commission
Alyn Smith (Verts/ALE)
(5 October 2012)

Subject: Carbon capture and OPEC

The EU and OPEC have enjoyed years of fruitful exchange through the EU-OPEC Energy Dialogue. Carbon capture and storage (CCS) has previously been noted as an area of common interest (EU-OPEC Round Table on Carbon Capture and Storage, 31 October 2008).

However, in light of the fact that CCS was not mentioned at the ninth meeting of the EU-OPEC Energy Dialogue, can the Commission outline what the current state of EU-OPEC cooperation on CCS is?

Answer given by Mr Oettinger on behalf of the Commission
(22 November 2012)

While Carbon Capture and Storage (CCS) was not addressed specifically at the last meeting of the EU-OPEC Energy Dialogue, it constitutes an important topic for mutual cooperation, among others within the discussions on the EU Energy Roadmap 2050 ([1]). In this context the EU continues to exchange views with OPEC on necessary steps and desired developments to bring CCS to the market.

([1]) COM(2011)885 final.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008965/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Οκτωβρίου 2012)

Θέμα: Αναλφαβητισμός στην ΕΕ

Παρά τους διακηρυγμένους στόχους της Στρατηγικής Ευρώπη 2020 οι χαμηλές δεξιότητες ή ακόμα και ο αναλφαβητισμός στην ΕΕ παραμένουν σε πολύ υψηλά επίπεδα (περίπου 26,6 % για τα αγόρια και 13,3 % για τα κορίτσια).

Ερωτάται η Επιτροπή:

1. Διαθέτει συγκριτικά στοιχεία σχετικά με το ποσοστό του αναλφαβητισμού στα κράτη μέλη της ΕΕ; Ποια η περίπτωση της Ελλάδας;

2. Είναι σε θέση να με ενημερώσει για τις πρωτοβουλίες της Επιτροπής για την καταπολέμηση του αναλφαβητισμού στα κράτη μέλη; Υπάρχουν μετρήσιμα αποτελέσματα που να επιβεβαιώνουν την επιτυχία των προγραμμάτων αυτών;

3. Διαθέτει η Επιτροπή στοιχεία σχετικά με τη σύνδεση των χαμηλών δεξιοτήτων και των ευκαιριών για εργασία; Είναι σε θέση να μου τα παραθέσει;

Απάντηση της κ. Βασιλείου εξ ονόματος της Επιτροπής
(29 Νοεμβρίου 2012)

Το 2011 σχεδόν 73 εκατομμύρια ενήλικες (25-64 ετών) στην Ευρώπη είχαν ολοκληρώσει μόνο το επίπεδο πρώτου κύκλου δευτεροβάθμιας εκπαίδευσης ή και χαμηλότερο και πολλοί εξ αυτών εμφανίζουν χαμηλές δεξιότητες αλφαβητισμού. Η πιο πρόσφατη έρευνα PISA (Πρόγραμμα Διεθνούς Αξιολόγησης Μαθητών) που αφορά τους εφήβους καταδεικνύει μια βελτίωση στην επίδοσή τους σε πολλά κράτη μέλη. Στις 18 χώρες της ΕΕ που συμμετείχαν στην εν λόγω έρευνα, το ποσοστό των μαθητών που είχαν χαμηλές επιδόσεις στην ανάγνωση σημείωσε πτώση από 21,3% το 2000 σε 20% το 2009. Στην Ελλάδα, το ποσοστό των ατόμων με χαμηλές επιδόσεις στην έρευνα PISA ήταν 24,4% το 2000 και μειώθηκε στο 21,3% το 2009.

Η ΕΕ στηρίζει τα έργα για τον αλφαβητισμό μέσω των δράσεων Comenius (για τα σχολεία) και Grundtvig (για τους ενήλικες) του προγράμματος διά βίου μάθησης. Η Επιτροπή ξεκίνησε, επίσης, την εκστρατεία με τίτλο «Η Ευρώπη αγαπά το διάβασμα» με σκοπό την προώθηση της ανάγνωσης για ψυχαγωγικούς σκοπούς και δημοσίευσε πρόσφατα μια έκθεση της ομάδας υψηλού επιπέδου για τον αλφαβητισμό, η οποία υπέβαλε συστάσεις σχετικά με το πώς θα γεφυρωθεί το χάσμα στο εν λόγω πρόβλημα. Τον Σεπτέμβριο, η Επιτροπή δημιούργησε νέες ιστοσελίδες αφιερωμένες σε θέματα αλφαβητισμού με σκοπό να επισημάνει τις σχετικές δράσεις τόσο σε επίπεδο ΕΕ όσο και σε επίπεδο κρατών μελών:

http://ec.europa.eu/education/literacy/index_en.htm

Η ετήσια έρευνα εργατικού δυναμικού (ΕΕΔ) περιέχει τακτικές επικαιροποιήσεις σχετικά με τις τάσεις απασχόλησης. Τα αποτελέσματα του 2011 καταδεικνύουν ότι τα ακαδημαϊκά προσόντα εξακολουθούν να αποτελούν την καλύτερη επένδυση ενάντια στην ανεργία. Το ποσοστό ανεργίας στις ηλικίες 25-64 ετών στην ΕΕ ήταν 14,7% για αυτούς που διέθεταν δίπλωμα επιπέδου πρώτου κύκλου δευτεροβάθμιας εκπαίδευσης ή και χαμηλότερο· 7,6% για αυτούς που διέθεταν δίπλωμα ανώτερης δευτεροβάθμιας εκπαίδευσης· και 5% για όσους διέθεταν δίπλωμα τριτοβάθμιας εκπαίδευσης. Για στοιχεία ειδικά ανά χώρα επισκεφτείτε την ιστοσελίδα:

http://epp.eurostat.ec.europa.eu/portal/page/portal/statistics/search_database?_piref458_1209540_458_211810_211810.node_code=tps00066

(English version)

Question for written answer E-008965/12
to the Commission
Georgios Papanikolaou (PPE)
(5 October 2012)

Subject: Illiteracy in the EU

In spite of the stated targets of the Europe 2020 Strategy, the number of low-skilled and even illiterate persons in the EU remains very high (around 26.6% for boys and 13.3% for girls).

Will the Commission answer the following:

1. Does it have any comparative data on the percentage of illiteracy in the EU Member States? What is the situation in Greece?

2. Is it in a position to provide information on the Commission's initiatives to combat illiteracy in the Member States? Are there any measurable results to confirm the success of these initiatives?

3. Does the Commission have any data on the link between low skills and job opportunities? Is it in a position to provide this information?

Answer given by Ms Vassiliou on behalf of the Commission
(29 November 2012)

In 2011, across Europe approximately 73 million adults (25-64 year-olds) had reached only lower secondary education level or less, and many of them have weak literacy skills. For adolescents the most recent PISA-study (Programme for International Student Assessment) shows an improvement in performance in many Member States. In the 18 EU countries participating, the share of low achieving pupils in reading declined from 21.3% in 2000 to 20% in 2009. In Greece the percentage of low achievers in PISA was 24.4% in 2000 and reduced to 21.3% in 2009.

The EU supports literacy projects within the Comenius (schools) and Grundtvig (adults) actions of the Lifelong Learning programme. The Commission has also started a 'Europe loves reading' campaign to promote reading for pleasure and has recently published the report of the high-level group on literacy which put forward recommendations on how to bridge the literacy gap. In September, the Commission launched new webpages dedicated to literacy issues, to highlight relevant actions both at EU and Member State levels:
http://ec.europa.eu/education/literacy/index_en.htm

The annual Labour Force Survey (LFS) contains a regular update on employment trends. The 2011 results show that educational qualifications are still the best insurance against unemployment. The unemployment rate of 25-64 year olds in the EU was 14.7% among those with a qualification on the level of lower secondary or less; with an upper secondary qualification, 7.6%; and with a tertiary qualification it was 5%. For country-specific data:
http://epp.eurostat.ec.europa.eu/portal/page/portal/statistics/search_database?
_piref458_1209540_458_211810_211810.node_code=tps00066

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008966/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Οκτωβρίου 2012)

Θέμα: Παραβίαση δικαιωμάτων των παιδιών στη Συρία

Με έκκλησή της στις 25.9.2012 προς τον ΟΗΕ, η μη κυβερνητική οργάνωση «Σώστε τα παιδιά» ζήτησε να επισπευτεί η έρευνα για τις παραβιάσεις των δικαιωμάτων των παιδιών στη Συρία, τονίζοντας ότι πολλά από αυτά έχουν υποστεί ψυχικά τραύματα, καθώς έχουν υπάρξει μάρτυρες δολοφονιών, βασανιστηρίων και άλλων αγριοτήτων. Η οργάνωση «Σώστε τα παιδιά» τόνισε ότι της αρνήθηκαν την πρόσβαση στη Συρία, αλλά επεσήμανε ότι «οι μαρτυρίες των παιδιών στην πλειονότητά τους επαληθεύουν τις παραβιάσεις στις οποίες έχουν αναφερθεί τους τελευταίους μήνες τα Ηνωμένα Έθνη και οι οργανώσεις των ανθρωπίνων δικαιωμάτων».

Ερωτάται η Επιτροπή:

1. Βρίσκεται σε επαφή με το Συριακό Παρατηρητήριο των Ανθρωπίνων Δικαιωμάτων προκειμένου να διαπιστώσει και να έχει επίγνωση των παραβιάσεων των δικαιωμάτων των παιδιών στη Συρία; Σημειώνεται ότι μεταξύ των νεκρών είναι περισσότερα από 2 000 παιδιά μέχρι σήμερα.

2. Έχει ή σκοπεύει να καταστρώσει σχέδιο δράσης προκειμένου να συμβάλει στην προστασία των παιδιών στη χώρα; Ποια θα είναι ακριβώς τα χαρακτηριστικά του μηχανισμού αυτού, ποιες δράσεις προβλέπονται και με πόσα κονδύλια αναμένεται να ενισχυθεί;

Απάντηση της Ύπατης εκπροσώπου/Αντιπροέδρου κας Ashton εξ ονόματος της Επιτροπής
(4 Δεκεμβρίου 2012)

Η ΕΕ είναι σε επαφή με το Παρατηρητήριο της Συρίας για τα δικαιώματα του ανθρώπου. Παρότι είναι αδύνατον να ελεγχθούν τα αριθμητικά στοιχεία, η ΕΕ δυστυχώς γνωρίζει ότι μεταξύ των νεκρών στη συριακή σύγκρουση υπάρχει μεγάλος αριθμός παιδιών. Η ΕΕ καταδικάζει έντονα τις βίαιες επιθέσεις και τις εκτεταμένες παραβιάσεις των δικαιωμάτων του ανθρώπου που επιβάλει το συριακό καθεστώς στον πληθυσμό, περιλαμβανομένων των παιδιών. Απηύθυνε έκκληση για πλήρη διερεύνηση των πορισμάτων της ανεξάρτητης διεθνούς ερευνητικής επιτροπής, η οποία επισήμανε εγκλήματα κατά της ανθρωπότητας και επιβεβαίωσε ότι οι δράστες τέτοιου είδους εικαζομένων εγκλημάτων πρέπει να προσαχθούν στη δικαιοσύνη.

Η ΕΕ ζήτησε επανειλημμένα από το καθεστώς να θέσει αμέσως τέλος στη βία και να διασφαλίσει την απρόσκοπτη πρόσβαση των ανθρωπιστικών οργανώσεων προκειμένου να διευκολυνθεί η παροχή βοήθειας σε όσους την έχουν ανάγκη. Προκειμένου να αυξήσει την πίεση προς το συριακό καθεστώς για να συμμορφωθεί προς τα αιτήματα αυτά, η ΕΕ επέκτεινε τα περιοριστικά της μέτρα 19 φορές από τον Μάιο του 2011. Συνεχίζει να ασκεί πίεση για την ανάληψη σθεναρής δράσης των ΗΕ στη Συρία, εκφράζοντας την πλήρη υποστήριξή της προς τον κοινό ειδικό απεσταλμένο των ΗΕ και του Αραβικού Συνδέσμου, κ. Lakhdar Brahimi. Η συνολική ανθρωπιστική βοήθεια και λοιπή βοήθεια προς τους Σύριους εντός και εκτός Συρίας, περιλαμβανομένων των προσφύγων στις γειτονικές χώρες, ανήλθε σε 266 εκατομ. ευρώ. Η ΕΕ είναι ο πρώτος χορηγός ανθρωπιστικής βοήθειας στην κρίση της Συρίας. Η υποστήριξη αυτή διοχετεύεται μέσω οργανισμών των ΗΕ, περιλαμβανομένων της UNHCR και της Unicef, καθώς και άλλων επιχειρησιακών εταίρων.

Η προστασία και προώθηση των δικαιωμάτων του παιδιού αποτελεί πρωταρχικό στόχο των εξωτερικών και εσωτερικών πολιτικών της ΕΕ. Συγκεκριμένα, η ΕΕ προσδίδει υψηλή προτεραιότητα στη βοήθεια των παιδιών που αντιμετωπίζουν ένοπλες συγκρούσεις. Οι κατευθυντήριες γραμμές της ΕΕ όσον αφορά τα παιδιά που θίγονται από ένοπλες συγκρούσεις δεσμεύουν την ΕΕ να αντιμετωπίσει με συνεκτικό τρόπο τις επιπτώσεις των ένοπλων συγκρούσεων στα παιδιά.

(English version)

Question for written answer E-008966/12
to the Commission
Georgios Papanikolaou (PPE)
(5 October 2012)

Subject: Violation of children's rights in Syria

In its appeal on 25 September 2012 to the UN, the non-governmental organisation 'Save the Children' called for an investigation into the violation of children's rights in Syria, stressing that many of these children have suffered mental traumas as they have witnessed murders, torture and other savage acts. Save the Children stated that it was denied access to Syria but stressed that 'the accounts of the majority of children confirm the violations reported by the United Nations and human rights organisations over the last few months'.

In view of the above, will the Commission answer the following:

1. Is it in contact with the Syrian Observatory for Human Rights for the purpose of keeping informed of the violations of children's rights in Syria? Does it agree that more than 2 000 children are among those who have died to date?

2. Does it have or does it intend to draw up an action plan to help protect children in the country? What would the precise characteristics of this mechanism be, what actions are planned and how much funding will be provided for it?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 December 2012)

The EU is in contact with the Syrian Observatory for Human Rights. Although numbers are impossible to verify, the EU is sadly aware that there are a great number of children among those who have died in the Syrian conflict. The EU has strongly condemned the brutal attacks and widespread human rights violations inflicted by the Syrian regime on its population, including children. It has called for a full investigation of the findings of the Independent International Commission of Inquiry, which has pointed to crimes against humanity, and affirmed that the perpetrators of such alleged crimes must be brought to justice.

The EU has repeatedly urged the regime to immediately end the violence and grant unimpeded access to humanitarian organisations to enable them to assist those in need. To increase pressure on the Syrian regime to comply with these demands, the EU has extended its restrictive measures 19 times since May 2011. It continues to press for strong UN action on Syria, expressing full support to UN-Arab League Joint Special Representative Lakhdar Brahimi. The total EU humanitarian aid and other aid to Syrians inside and outside Syria including refugees in neighbouring countries has reached EUR 266 million. The EU is the first humanitarian donor to the Syrian crisis. This support is channelled through UN agencies including UNHCR and Unicef, as well as other implementing partners.

The protection and promotion of the rights of the child is an overarching objective in the EU's external and internal policies. In particular, the EU accords a high priority to helping children facing armed conflicts. The EU Guidelines on Children Affected by Armed Conflicts commit the EU to addressing this issue in a comprehensive manner.

(българска версия)

Въпрос с искане за писмен отговор E-009023/12
до Комисията
Mariya Gabriel (PPE)
(8 октомври 2012 г.)

Относно: Подновяване на средствата за програма „Еразъм“

Програма „Еразъм“ подпомага увеличаването на мобилността във висшето образование, като целта ѝ е да насърчи общоевропейския подход в сферата на висшето образование. Като предлага на студентите достъп до други държави и култури, програмата обогатява техния учебен опит. В същото време тя насърчава една по-европейски мислеща, гъвкава и мобилна работна сила, която подобрява конкурентоспособността на Европа и нейния потенциал за иновации.

От бюджетната комисия в ЕП съобщават, че средствата по програмата са изчерпани поради бюджетни съкращения за 2012 г.

1. Какви мерки смята да предприеме ЕК, за да продължи политиката на младежка мобилност, по-конкретно в сферата на висшето образование и научните изследвания?

2. Какви средства се предвиждат за програмата „Еразъм“ за периода 2014-2020 г.?

3. Смята ли ЕК да открие нова програма „Еразъм“ за преподаватели?

Съвместен отговор, даден от г-жа Василиу от името на Комисията
(7 декември 2012 г.)

На 23 октомври 2012 г. Комисията поиска от държавите членки и от Парламента да гласуват отпускането на допълнителен бюджет в размер на 9 млрд. евро за плащания, така че наличните бюджетни кредити за плащания да съответстват по-точно на задълженията, които вече бяха гласувани от бюджетния орган при приемането на бюджета за 2012 г. По-специално Комисията поиска допълнителни средства в размер на 180 млн. евро за програмата за учене през целия живот, с които следва да се гарантира, че ще могат да бъдат посрещнати потребностите от плащания до края на годината. Според изчисленията делът за програма „Еразъм“ възлиза на 90 млн. евро.

Студентите, които заминават в чужбина по програма „Еразъм“ през първия семестър на академичната 2012-2013 г., не би следвало да имат никакви проблеми, тъй като 99 % от наличните през 2012 г. бюджетни кредити за плащания вече са изплатени на националните агенции в държавите членки, които изпълняват програмата. Ако, обаче, коригираният бюджет не бъде гласуван от бюджетния орган, през 2013 г. вероятно ще има сериозни проблеми ([1]).

Реакциите в европейската и дори в световната преса са показателни сами по себе си: в този период на неприемливо висока младежка безработица предоставянето на възможности за обучение и мобилност за младите хора в Европа може да обогати значително техния опит, да увеличи шансовете им да бъдат наети на работа и да промени живота им в положителна насока. Поради тази причина е жизненоважно да не се прекъсва нито националното, нито получаваното от ЕС финансиране за студентите.

За бъдещата програма „Еразъм за всички“ (2014-2020 г.) Комисията предложи бюджет в размер на 19 млрд. евро ([2]), с който би могло да се предостави подкрепа по-специално за мобилността на около 2,2 млн. студенти (включително в/от трети държави), както и над 1 млн. служители от всички сектори на образованието.

([1]) На 23 октомври Европейската комисия публикува подробно обяснение на ситуацията: http://europa.eu/rapid/press-release_IP-12-1137_bg.htm
([2]) По текущи цени. Предвижда се близо 2 млрд. от тези 19 млрд. евро да бъдат получени от инструменти в областта на развитието и външните отношения.

(Versión española)

Pregunta con solicitud de respuesta escrita E-008967/12
a la Comisión
Ana Miranda (Verts/ALE)
(5 de octubre de 2012)

Asunto: Situación presupuestaria del Programa Erasmus

El Programa Erasmus, con 25 años de trayectoria, es uno de los programas más efectivos en la consolidación de la idea de una Europa unida, tolerante y solidaria. Bajo la cobertura Erasmus, 3 millones de jóvenes han accedido a intercambios formativos y de convivencia en los diferentes Estados miembros, lo que ha contribuido a mejorar la capacidad profesional y lingüística de la juventud europea y ha consolidado los valores que representa la UE y su acervo comunitario, rompiendo fronteras y abriendo puentes intereuropeos. Beneficiaria del programa en 1993-94, puedo asegurar, por haberlo vivido, que es uno de los programas más beneficiosos para la construcción europea.

La Comisión ha informado públicamente que está en riesgo la financiación de este programa y, por lo tanto, el pago de la beca a unos 213 000 estudiantes para lo que queda de año. Además, la Comisión ha declarado que ha tenido que recurrir a una transferencia interna de 420 millones de euros desde otras partidas hacia el Erasmus. Según diversas informaciones publicadas, citando fuentes del Ejecutivo de la UE, esto se debe a que el presupuesto inicialmente aprobado era insuficiente para atender a la demanda y, por otro lado, a que los Estados miembros no están haciendo frente a sus compromisos financieros con este programa concreto para el presente año.

Teniendo en cuenta la importancia del Programa Erasmus, máxime en una situación de aguda crisis económica que hace más necesario que nunca una decidida apuesta por la educación y formación:

1. ¿Considera la Comisión que está garantizada la continuidad del Programa Erasmus para este año y para los venideros?

2. ¿Cómo va a garantizar la Comisión que los estudiantes afectados reciban el 100 % de la beca en caso de que los Estados miembros no aporten el financiamiento que les corresponde?

3. ¿Cuál es el déficit que acumula el Programa Erasmus?

4. ¿Cuál es el número de estudiantes afectados por la insuficiencia presupuestaria?

5. ¿Qué presupuesto anual estima la Comisión suficiente para cubrir la demanda que genera este programa?

Respuesta conjunta de la Sra. Vassiliou en nombre de la Comisión
(7 de diciembre de 2012)

El 23 de octubre de 2012, la Comisión pidió a los Estados miembros y al Parlamento Europeo que aprobaran un presupuesto adicional de 9 000 millones de euros para pagos a fin de que los créditos de pago disponibles se adecuaran más al nivel de compromisos ya aprobados por la Autoridad Presupuestaria en el presupuesto de 2012. En particular, la Comisión solicitó un importe de 180 millones de euros adicionales para el programa de aprendizaje permanente, que debe asegurar el cumplimiento de las necesidades de pago hasta final de año. La cuota correspondiente a Erasmus puede estimarse en 90 millones de euros.

No se prevé que los estudiantes Erasmus que se desplacen al extranjero en el primer semestre del año académico 2012-2013 tengan problemas, ya que un 99 % de los créditos de pago disponibles en 2012 ya han sido abonados a las agencias nacionales en los Estados miembros que aplican el programa. No obstante, si la Autoridad Presupuestaria no aprobara el presupuesto, podría haber graves problemas en 2013 ([1]).

Las reacciones en la prensa de toda Europa, e incluso de todo el mundo, hablan por sí solas: en esta época, en la que hay un nivel de desempleo juvenil inaceptablemente alto, el hecho de proporcionar a los jóvenes europeos oportunidades de aprendizaje y de movilidad en universidades o empresas en el extranjero puede ampliar considerablemente su experiencia, aumentar su empleabilidad y mejorar su vida. Por ello es absolutamente decisivo no interrumpir la financiación nacional o de la UE a los estudiantes.

([1]) El 23 de octubre la Comisión Europea publicó una explicación detallada de la situación: http://europa.eu/rapid/press-release_IP-12-1137_en.htm

La Comisión ha propuesto un presupuesto de 19 000 millones de euros ([2]) para el futuro programa Erasmus para todos (2014-2020), que podrían servir, en particular, para financiar la movilidad de aproximadamente 2,2 millones de estudiantes (también a/desde terceros países), y de más de 1 millón de personas que trabajan en todos los sectores de la educación.

([2]) Expresados en precios corrientes. De esos 19 000 millones de euros, se estima que casi 2 000 millones proceden de instrumentos en el ámbito del desarrollo y las relaciones exteriores.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009113/12
alla Commissione
Sergio Berlato (PPE)
(10 ottobre 2012)

Oggetto: Rischio concreto di prosciugamento delle risorse finanziarie per il programma Erasmus

Il programma dell'Unione europea Erasmus per l'interscambio degli studenti universitari è oggi uno dei maggiori successi dell'Unione europea, ed è il più conosciuto e il più accessibile tra i programmi di finanziamento europei. Dal suo lancio, nel 1987, il numero dei giovani europei che hanno partecipato ogni anno al programma è aumentato di oltre 65 volte. In 25 anni di attività, oltre 2 milioni di studenti hanno potuto usufruire di questa forma di scambio tra studenti e docenti in varie università europee. Secondo stime recenti riferite all'anno accademico 2010-2011, 218.266 studenti europei hanno potuto beneficiare, per la durata di uno o due semestri, di un posto all'estero presso una struttura associata al proprio istituto di studi.

Tuttavia, a causa del perdurare della crisi economico-finanziaria, in questi tempi di austerità fiscale i governi europei hanno limitato la spesa dell'Unione europea per il 2012 a 129 miliardi di EUR, vale a dire 4 miliardi in meno rispetto alle richieste della Commissione e del Parlamento europeo.

Le conseguenze di questo taglio di bilancio sono drammatiche per il futuro del programma Erasmus: le risorse finanziarie per sostenere questo programma europeo si stanno esaurendo e, in assenza di un intervento rapido e concreto, nel 2013 Erasmus non disporrà di sovvenzioni sufficienti e sarà condannato inevitabilmente a scomparire.

Ciò premesso, si interroga la Commissione per sapere:

1. se essa non ritenga che il programma Erasmus rappresenti la più grande conquista dell'Unione europea e che, pertanto, vada difeso con determinazione;

2. quali azioni concrete intenda attuare per salvare dalla scomparsa il programma in oggetto;

3. considerato, inoltre, che non devono essere i giovani a pagare il prezzo delle misure di austerità dei governi europei, e alla luce del costante peggioramento dei dati sulla disoccupazione dei giovani di età inferiore ai 35 anni (il 25 % in Europa e circa il 36 % in Italia), se essa non consideri inaccettabile qualsiasi ipotesi di riduzione dei finanziamenti destinati a questo programma?

Risposta congiunta di Androulla Vassiliou a nome della Commissione
(7 dicembre 2012)

Il 23 ottobre 2012 la Commissione ha chiesto agli Stati membri e al Parlamento di votare un bilancio addizionale di 9 miliardi di euro per pagamenti, in modo da far sì che gli stanziamenti di pagamento disponibili corrispondano più da vicino al livello degli impegni già votati dall'autorità di bilancio nel bilancio 2012. In particolare, la Commissione ha chiesto ulteriori 180 milioni di euro per il Programma di apprendimento permanente che dovrebbero consentire di soddisfare le esigenze di pagamento fino alla fine dell'anno. La parte relativa a Erasmus può essere stimata a 90 milioni di euro.

Gli studenti Erasmus che si recano all'estero nel primo semestre dell'anno accademico 2012-2013 non dovrebbero incontrare problemi poiché il 99 % degli stanziamenti di pagamento disponibile nel 2012 è già stato pagato alle agenzie nazionali negli Stati membri che attuano il programma. Se il bilancio modificato non sarà però votato dall'autorità di bilancio, si registreranno probabilmente gravi problemi nel 2013 ([1]).

Le reazioni sulla stampa in Europa e nel mondo intero parlano da sole: in questo periodo di disoccupazione giovanile inaccettabilmente elevata il fatto di offrire ai giovani europei opportunità di apprendimento e di mobilità in università o imprese all'estero può ampliare in modo significativo le loro esperienze, accrescere la loro occupabilità e cambiare in meglio la loro vita. Questo è il motivo per cui è assolutamente essenziale non interrompere il finanziamento nazionale o unionale per gli studenti.

([1]) Una spiegazione dettagliata della situazione è stata pubblicata dalla Commissione europea il 23 ottobre: http://europa.eu/rapid/press-release_IP-12-1137_en.htm

La Commissione ha proposto un bilancio di 19 miliardi di euro ([2]) per il futuro programma Erasmus per tutti (2014-2020), che potrebbe supportare in particolare la mobilità di circa 2,2 milioni di studenti (anche verso/da paesi terzi) nonché quella di più di un milione di personale attivo in tutti i settori dell'istruzione.

([2]) A prezzi attuali. Su questi 19 miliardi di euro circa 2 miliardi dovrebbero provenire da strumenti del campo dello sviluppo e delle relazioni esterne.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-009747/12
do Komisji
Filip Kaczmarek (PPE)
(24 października 2012 r.)

Przedmiot: Strategie Komisji Europejskiej dotyczące programu Erasmus

Program Erasmus powstał w 1987 r. jako program wymiany studentów. Polska bierze udział w programie Erasmus od roku 1998/99. W latach 1995-2006 Erasmus wchodził w skład wspólnotowego programu Socrates, a od roku akademickiego 2007/2008 jest częścią programu „Uczenie się przez całe życie" (LLP – the Lifelong Learning Programme), programu Unii Europejskiej w dziedzinie edukacji i doskonalenia zawodowego, przewidzianego na lata 2007-2013.

W ostatnim czasie pojawiły się opinie, że program Erasmus czeka bankructwo związane z nową perspektywą budżetową. Z publicznych wypowiedzi, m.in. komisarza Janusza Lewandowskiego, wynika, że w tym roku Erasmusowi nic nie grozi, a studenci na zagranicznych uczelniach są bezpieczni. Jednak program może paść ofiarą kryzysu finansowego w następnych latach.

Zwracam się z zapytaniem:

1. Jaka jest strategia Komisji w przypadku wyczerpania środków budżetowych przewidzianych na realizację programu?

2. Jakie konsekwencje niesie ze sobą wyczerpanie środków budżetowych, w ramach programu Erasmus, dla studentów, którzy będą przebywali w tym czasie na wymianie? Czy uczestnicy programu będą mieli zagwarantowane bezpieczeństwo?

Wspólna odpowiedź udzielona przez komisarz Androullę Vassiliou w imieniu Komisji
(7 grudnia 2012 r.)

W dniu 23 października 2012 r. Komisja zwróciła się do państw członkowskich i Parlamentu o przegłosowanie dodatkowego budżetu w kwocie 9 mld EUR, tak aby kwota środków na płatności odpowiadała w większym stopniu kwocie zobowiązań przegłosowanych już przez władzę budżetową w ramach budżetu na rok 2012. W szczególności Komisja zwróciła się o przyznanie dodatkowych 180 mln EUR na program „Uczenie się przez całe życie", które powinny pokryć związane z nim potrzeby finansowe do końca roku. Część powyższej kwoty przypadającą na program Erasmus szacuje się na 90 mln EUR.

Studenci wyjeżdżający za granicę w pierwszym semestrze roku akademickiego 2012/2013 w ramach programu Erasmus nie powinni mieć żadnych problemów z otrzymywaniem stypendium, ponieważ 99 % środków na płatności dostępnych w 2012 r. zostało już wypłacone instytucjom krajowym w państwach członkowskich odpowiedzialnych za realizację programu. Jeżeli jednak zmieniony budżet nie zostanie przegłosowany przez władzę budżetową, w 2013 r. mogą wystąpić w tej kwestii poważne problemy ([1]).

Reakcje w prasie nie tylko na terenie Unii, lecz również na całym świecie, mają jasną wymowę: w czasach niedopuszczalnie wysokiego poziomu bezrobocia osób młodych zagwarantowanie im możliwości wyjazdu, kształcenia się na zagranicznych uniwersytetach oraz rozwoju umiejętności w przedsiębiorstwach za granicą może znacznie wzbogacić ich doświadczenie, zwiększyć szanse na rynku pracy i polepszyć jakość ich życia. Właśnie z tego powodu kwestią absolutnie kluczową jest teraz utrzymanie dalszego finansowania studentów z budżetu krajowego lub unijnego.

Na przyszły program „Erasmus dla wszystkich" (2014-2020) Komisja zaproponowała budżet w wysokości 19 mld EUR ([2]). Program ten mógłby w szczególności wesprzeć możliwość wyjazdu zagranicznego dla około 2,2 mln studentów (włącznie z wyjazdami do państw trzecich i pobytami studentów z tych państw), jak i ponad miliona pracowników zatrudnionych we wszystkich sektorach edukacji.

([1]) W dniu 23 października Komisja Europejska opublikowała szczegółowe wyjaśnienie omawianej sytuacji: http://europa.eu/rapid/press-release_IP-12-1137_pl.htm.

([2]) Kwotę wyrażono w cenach bieżących. Przewiduje się, że prawie 2 z danych 19 mld EUR będą pochodziły z instrumentów w zakresie rozwoju i stosunków zewnętrznych.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-009086/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(10 octombrie 2012)

Subiect: Situația financiară a Fondului social european și a Programului Erasmus

Date fiind îngrijorările în rândul cetățenilor cu privire la informațiile vehiculate recent referitor la situația financiară a Fondului social european și a Programului Erasmus dedicat studenților, Comisia este rugată să prezinte un punct de vedere oficial.

Răspuns comun dat de dna Vassiliou în numele Comisiei
(7 decembrie 2012)

La 23 octombrie 2012, Comisia a solicitat statelor membre și Parlamentului să voteze un buget suplimentar de 9 miliarde EUR pentru plăți, astfel încât creditele de plată disponibile să corespundă într-o mai mare măsură nivelului angajamentelor deja aprobate de Autoritatea bugetară în bugetul pe 2012. În special, Comisia a solicitat o sumă suplimentară de 180 milioane EUR pentru Programul de învățare pe tot parcursul vieții, care ar garanta satisfacerea necesarului de plăți până la sfârșitul anului. Cota pentru Erasmus poate fi estimată la 90 milioane EUR.

Studenții Erasmus care merg în străinătate în primul semestru al anului universitar 2012-2013 nu ar trebui să aibă niciun fel de probleme, dat fiind că 99% dintre creditele de plată disponibile în 2012 au fost deja plătite agențiilor naționale din statele membre care pun în aplicare programul. Cu toate acestea, dacă bugetul rectificativ nu este aprobat de Autoritatea bugetară, pot să apară probleme serioase în 2013 ([1]).

Reacțiile presei din întreaga Europă și chiar din întreaga lume sunt elocvente: în această perioadă în care șomajul a atins niveluri inacceptabile în rândul tinerilor, a le oferi tinerilor europeni oportunități de învățare și de mobilitate în cadrul unor universități sau întreprinderi din străinătate le poate îmbogăți considerabil experiența, le poate crește șansele de angajare și le poate schimba viața în bine. Din acest motiv, este absolut esențial să nu se întrerupă finanțarea națională sau din partea UE pentru studenți.

Comisia a propus un buget în valoare de 19 miliarde EUR ([2]) pentru viitorul program Erasmus pentru toți (2014-2020), care ar putea sprijini în special mobilitatea a aproximativ 2,2 milioane de studenți (inclusiv către/din țări terțe), precum și a peste un milion de persoane care lucrează în toate sectoarele educației.

([1]) La 23 octombrie, Comisia Europeană a publicat o explicație detaliată a situației: http://europa.eu/rapid/press-release_IP-12-1137_ro.htm
([2]) Exprimat în prețuri curente. Din cele 19 miliarde EUR, se estimează că aproape 2 miliarde vor proveni din instrumente din zona dezvoltării și a relațiilor externe.

(English version)

Question for written answer E-008967/12
to the Commission
Ana Miranda (Verts/ALE)
(5 October 2012)

Subject: Budgetary position of the Erasmus programme

The Erasmus programme, which has been running for 25 years, is one of the most effective programmes in consolidating the idea of a united, tolerant Europe that is based on solidarity. Under the Erasmus programme, three million young people have been able to take part in educational exchanges and live in different Member States, which has helped to improve the professional and linguistic skills of young people in Europe and has strengthened the values represented by the European Union and its *acquis communautaire* by breaking down barriers and building inter-European bridges. Having passed through the programme in 1993-94, I can assert, from my own experience, that it is one of the most advantageous programmes for European integration.

The Commission has publicly stated that the funding for this programme is at risk, which means that the payment of the grant to some 213 000 students for the remainder of this year is also at risk. In addition, the Commission has stated that it has had to resort to an internal transfer of EUR 420 million from other budget items to the Erasmus programme. According to various reports published, quoting Commission sources, this is due to the initially approved budget not being sufficient to meet the demand and, also, to Member States failing to fulfil their financial commitments to this particular programme for the current year.

Bearing in mind the importance of the Erasmus programme, especially during a period of serious economic crisis, which makes firm commitment to education and training more important than ever:

1. Does the Commission think that the continuation of the Erasmus programme isguaranteed this year and in years to come?

2. How is the Commission going to ensure that the affected students receive 100% of thegrant in the event of Member States not contributing the corresponding funding?

3. What is the deficit of the Erasmus programme?

4. How many students are affected by the inadequate budget resources?

5. What annual budget does the Commission consider to be sufficient to meet the demandfor the programme?

Question for written answer E-009023/12
to the Commission
Mariya Gabriel (PPE)
(8 October 2012)

Subject: Resumption of funding for the Erasmus programme

The Erasmus programme helps to increase mobility in higher education, its aim being to encourage a pan-European approach in the higher-education field. By offering students access to other countries and cultures the programme enriches their learning experience. At the same time it fosters a more European-minded, flexible and mobile workforce and enhances Europe's competitiveness and its potential for innovation.

We are told by Parliament's Committee on Budgets that the funding for the Erasmus programme has run out as a result of cuts in the 2012 budget.

1. What measures does the Commission intend to take to pursue the policy of youth mobility, specifically in the field of higher education and research?

2. What funding is earmarked for the Erasmus programme in the 2014-2020 budget period?

3. Does the Commission intend to open a new section of the Erasmus programme for teaching staff?

Question for written answer E-009086/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(10 October 2012)

Subject: Financial situation regarding the European Social Fund and the Erasmus programme

Can the Commission issue an official statement in response to public concerns aroused by recent reports regarding the financial situation of the European Social Fund and the Erasmus student Programme?

Question for written answer E-009113/12
to the Commission
Sergio Berlato (PPE)
(10 October 2012)

Subject: Funding for the Erasmus programme may run out

The European Union's Erasmus university student-exchange programme is one of its greatest successes. It is the best-known and most accessible EU-funded programme. Since it launched in 1987, the number of participants each year has increased more than 65-fold. In the 25 years it has been running, over two million students have taken advantage of this exchange scheme between students and teachers in various European universities. According to recent estimates for the academic year 2010-11, 218 266 European students have benefited from a post abroad at a twinned institution, for one or two semesters.

However, due to the persisting economic and financial crisis and fiscal austerity, European governments have limited EU 2012 spending to EUR 129 billion, four billion less than requested by the Commission and the European Parliament.

This budget cut has dire consequences for the future of Erasmus: funding to support this EU programme is running out and, without rapid and concrete action, in 2013 Erasmus's funding will be insufficient and it will inevitably be doomed to disappear.

1. Does the Commission believe that the Erasmus programme is the European Union's greatest achievement and that it should be staunchly defended?

2. What concrete action will it take to save the programme?

3. Moreover, considering that young people should not pay the price for European governments' austerity measures and considering that unemployment figures for young people under 35 (25% in Europe and approximately 36% in Italy) continue to worsen, does it think that funding cuts for this programme are unacceptable?

Question for written answer E-009747/12
to the Commission
Filip Kaczmarek (PPE)
(24 October 2012)

Subject: Commission strategy concerning the Erasmus programme

Erasmus was established in 1987 as a student exchange programme. Poland has been participating in the programme since 1988/89. In the period 1995-2006 Erasmus was part of the Community programme known as Socrates. Since the 2007/2008 academic year it has been part of the Lifelong Learning Programme (LLP), the EU's education and vocational training programme for the period 2007-2013.

According to some people, the Erasmus programme is about to run out of money as a result of the new budgetary perspective. Public statements by, among others, Commissioner Janusz Lewandowski, indicate that there is no such threat to Erasmus this year and that students at foreign universities are secure. However, the programme may fall victim to the financial crisis in the coming years.

In light of the above:

1. What is the Commission's strategy in the event that the budgetary funds allocated to this programme are exhausted?

2. What would be the consequences for students actually on exchange placements should the budgetary funds for the Erasmus programme be exhausted? Would the security of the programme participants be guaranteed?

Joint answer given by Ms Vassiliou on behalf of the Commission
(7 December 2012)

On 23 October 2012 the Commission has asked the Member States and the Parliament to vote an additional budget of EUR 9 billion for payments so that the available payment credits match more closely the level of commitments already voted by the Budgetary Authority in the 2012 budget. In particular, the Commission has requested additional EUR 180 million for the Lifelong Learning Programme, which should ensure meeting payment needs until the end of the year. The share for Erasmus can be estimated at EUR 90 Million.

Erasmus students going abroad in the first semester of the academic year 2012-2013 should not have any problems as 99% of the payment credits available in 2012 have already been paid to the National Agencies in the Member States which implement the programme. However, if the amended budget is not voted by the Budgetary Authority, severe problems would be likely to occur in 2013 ([1]).

Reactions in the press across Europe and even worldwide speak for themselves: at this period of unacceptably high youth unemployment, providing Europe's young people with learning and mobility opportunities in universities or enterprises abroad can significantly widen their experience, increase their employability and change their life for the better. This is why it is absolutely crucial to not interrupt national or EU funding to students.

A budget of EUR 19 billion ([2]) has been proposed by the Commission for the future programme Erasmus for All (2014-2020), which could support in particular the mobility of about 2.2 million students (including to/from third countries) as well as more than 1 million staff in all sectors of education.

([1]) A detailed explanation of the situation has been published by the European Commission on 23 October: http://europa.eu/rapid/press-release_IP-12-1137_en.htm

([2]) Expressed in current prices. Out of these EUR 19 billion, almost EUR 2bn is projected to come from instruments in the area of development and external relations.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-008968/12
do Komisji
Piotr Borys (PPE)
(5 października 2012 r.)

Przedmiot: Płatności zaliczkowe dla beneficjentów programów współpracy transgranicznej w ramach Europejskiej Współpracy Terytorialnej

W nawiązaniu do debaty toczonej wokół pakietu legislacyjnego dla polityki spójności na lata 2014-2020, zwracam się z prośbą o przedstawienie stanowiska Komisji Europejskiej dotyczącego zastosowania płatności zaliczkowych dla beneficjentów programów współpracy transgranicznej w ramach Europejskiej Współpracy Terytorialnej.

Programy i projekty współpracy transgranicznej są cennym instrumentem wspierającym politykę likwidowania dysproporcji rozwojowych w obszarach nadgranicznych. Poprzez wysoki poziom współpracy oraz jakości transgranicznej dostarczają jednoznacznie pozytywnych efektów dla społeczności zamieszkującej pogranicze.

Wśród potencjalnych beneficjentów Programów EWT są podmioty sektora finansów publicznych, organizacje społeczne, stowarzyszenia o charakterze non-profit oraz MŚP. Jednakże odsetek podmiotów o charakterze społecznym i ekonomicznym, które uzyskują dofinansowanie, jest znikomy. Powodem takiej sytuacji jest zasada refundacji wydatków poniesionych w ramach realizacji projektów oraz długotrwały proces ich weryfikacji oraz certyfikacji. Beneficjenci mają problemy z zachowaniem płynności finansowej, podejmując się zadań często prowadzących na skraj upadłości. Również jednostki samorządu terytorialnego – obecnie najaktywniejsza grupa beneficjentów – w przyszłości mogą okazać się niezdolne do dalszej realizacji projektów EWT. Wiele z nich zmuszonych jest do zaciągania kredytów bankowych, co zbliża je do granicy 60 % zadłużenia, powyżej której, zgodnie z polskimi przepisami, nie można zaciągać dalszych zobowiązań kredytowych. Wprowadzenie płatności zaliczkowych, z sukcesem stosowanych w innych mechanizmach wsparcia realizowanych w ramach polityki spójności, pomoże rozwiązać te problemy.

Odpowiedź udzielona przez komisarza Johannesa Hahna w imieniu Komisji
(13 listopada 2012 r.)

Komisja ma świadomość tego, że niewystarczający przepływ pieniężny może w pewnych przypadkach utrudniać beneficjentom realizację projektów w ramach programów Europejskiej współpracy terytorialnej.

Na okres 2014-2020 Komisja zaproponowała zaliczkowanie władz krajowych i regionalnych, umożliwiające im z kolei dokonywanie płatności zaliczkowych na rzecz beneficjentów. Ponadto Komisja zaproponowała zobowiązanie władz do dokonywania płatności na rzecz beneficjentów jeszcze przed zadeklarowaniem poniesionych wydatków Komisji, zapewniając w ten sposób beneficjentom należny zwrot kosztów bez opóźnień.

Komisja jest zdania, że powyższe środki zapewnią możliwość skutecznego zaradzenia problemom beneficjentów w kontekście przepływu pieniężnego i płynności.

(English version)

Question for written answer E-008968/12
to the Commission
Piotr Borys (PPE)
(5 October 2012)

Subject: Advance payments for beneficiaries under cross-border cooperation programmes in the context of European Territorial Cooperation

With reference to the debate on the legislative package for cohesion policy for 2014-2020, I would like to know the Commission's position on advance payments to beneficiaries under cross-border cooperation programmes in the context of European Territorial Cooperation (ETC).

Cross-border cooperation programmes and projects are a valuable policy instrument for tackling development disparities in border areas. High-quality cross-border cooperation has an unambiguously positive impact on communities living in border regions.

The potential beneficiaries of ETC programmes include public finance sector entities, civil society organisations, non-profit associations and SMEs. However, the proportion of socioeconomic entities which obtain funding is very small. The reason for this is the principle that expenses incurred in the implementation of projects are refunded subsequently, as well as the lengthy verification and certification process. Beneficiaries have problems maintaining liquidity, taking on tasks which often lead them to the brink of bankruptcy. Also, local authorities — currently the most active group of beneficiaries — may in future be unable to continue implementing ETC projects. Many of them are forced to take out bank loans, bringing them close to the 60% borrowing limit above which, in accordance with Polish law, they are not permitted to take on further borrowing. The introduction of pre-financing payments, which are successfully used in other support mechanisms implemented under the cohesion policy, will help to resolve these problems.

Answer given by Mr Hahn on behalf of the Commission
(13 November 2012)

The Commission is aware that insufficient cash flow can, at times, present difficulties for beneficiaries implementing projects under European Territorial Cooperation programmes.

For the 2014-2020 period, the Commission has proposed pre-financing by the Commission to the national and regional authorities which will allow them to make advance payments to beneficiaries. In addition, it has proposed an obligation for authorities to pay beneficiaries before declaring the expenditure incurred to the Commission, ensuring that beneficiaries receive reimbursements due without delay.

The Commission considers that these measures will ensure that the cash flow and liquidity concerns of beneficiaries can be addressed in an effective manner.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-008969/12
til Kommissionen
Morten Løkkegaard (ALDE)
(5. oktober 2012)

Om: Ny reklameafgift i Danmark

Den danske regering har for nyligt fremlagt forslag til en ny reklameafgift på husstandsomdelte reklamer. Afgiften blev vedtaget som en del af finansloven for 2012, men træder først i kraft fra 2013.

Den nye reklameafgift bliver efter alt at dømme en vægtafgift. Det vil sige, at udgiveren betaler et fast beløb — for eksempel 3 DKK — pr. kg. husstandsomdelte reklamer.

Afgiften, der ifølge lovforslaget vil blive pålagt husstandsomdelte reklamer, f.eks. tilbudsaviser fra supermarkeder og kædeforretninger, skal give ca. en halv mia. DKK i provenu, der forventes anvendt til tilskud på miljøområdet.

Mener Kommissionen, at afgiften diskriminerer mod husstandsomdelte tryksager i forhold til f.eks. reklamer i ugeaviser, eller reklamer, som forbrugerne selv henter i butikkerne, da den forskelsbehandler produkter, der er i konkurrence med hinanden?

Vil Kommissionen se nærmere på, om forskelsbehandlingen kan forklares ud fra de hensyn, lovgiveren forsøger at tage, i dette tilfælde miljøhensyn?

Kan Kommissionen i øvrigt godkende forslaget, som det foreligger, eller vurderer den, at afgiften er i strid med EU's regler om statsstøtte?

Svar afgivet på Kommissionens vegne af Algirdas Šemeta
(4. december 2012)

Der er ingen harmoniserede EU-bestemmelser for afgifter på husstandsomdelte reklamer. Medlemsstaterne kan derfor frit pålægge indenlandske afgifter på sådanne produkter, så længe disse afgifter ikke giver anledning til formaliteter i forbindelse med grænsepassage mellem medlemsstaterne. Når en medlemsstat beslutter at indføre en sådan afgift, skal den sikre, at den nye lovgivning er forenelig med alle bestemmelserne i EU-lovgivningen, herunder især reglerne om ikke-diskriminering inden for beskatning af samme type produkter fra andre medlemsstater. Et indenlandsk afgiftssystems eventuelle forskelsbehandling af forskellige typer reklamer uden hensyntagen til deres oprindelse er i den forbindelse ikke et anliggende, som Kommissionen tager op med en medlemsstat.

Hvis den pågældende foranstaltning udgør statsstøtte, vil der i statsstøttevurderingen blive taget hensyn til foranstaltningens miljømål.

(English version)

Question for written answer E-008969/12
to the Commission
Morten Løkkegaard (ALDE)
(5 October 2012)

Subject: New advertising tax in Denmark

The Danish Government recently proposed a new tax on advertising material distributed to households. The tax was adopted as part of the budget for 2012, but will only take effect from 2013.

The new advertising tax is, to all appearances, a tax by weight: i.e. the publisher pays a fixed amount — e.g. 3 Danish crowns — per kilo of advertising material distributed to households.

The tax which, under the proposal, will be imposed on advertising material distributed to households such as flyers from supermarkets and chain stores, is intended to raise around half a billion Danish crowns to be used for environmental support measures.

Does the Commission consider that the tax discriminates against material distributed to households compared with other advertising material such as adverts placed in weekly newspapers or flyers picked up in shops by consumers themselves, since it discriminates between products that are in competition with each other.

Will the Commission look into whether the difference in treatment can be explained on the grounds of the objective pursued by the lawmakers, in this case environmental concerns?

Can the Commission approve the proposal as it stands, or is the tax deemed to be contrary to EU rules on state aid?

Answer given by Mr Šemeta on behalf of the Commission
(4 December 2012)

There are no harmonised EU provisions for taxes levied on advertisements delivered door-to-door. Member States may therefore apply domestic taxes on such products as long as those taxes do not give rise to formalities connected with the crossing of frontiers between Member States. A Member State which decides to impose such a tax is obliged to ensure that new legislation is compatible with all provisions of EC law, and in particular the rules ensuring non-discrimination in the taxation of the same products from other Member States. In this respect, the possible difference in the treatment of various types of advertisements under a domestic system of taxes, which is applied without regard to the origin of the products, is not an issue which the Commission may raise with a Member State.

In so far as the measure would constitute state aid, the environmental objective of the measure would be taken into account in the state aid assessment.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008970/12
alla Commissione
Niccolò Rinaldi (ALDE)
(5 ottobre 2012)

Oggetto: Ampliamento della discarica in località Colle Fagiolara a Colleferro (RM) e identificazione del sito per un impianto di trattamento meccanico biologico dei rifiuti (TMB)

Nel 1992 fu aperto il sito di stoccaggio provvisorio per RSU in località Colle Fagiolara nel comune di Colleferro (RM), nella Valle del Sacco, trasformato nel 1997 in discarica permanente e dichiarato nel 2005 sito di interesse nazionale emergenza ambientale (SIN) per la bonifica di terreni inquinati dal βHCH (betaesaclorocicloesano) a causa dell'interramento illegale di fusti tossici.

La chiusura della discarica, prevista per il 2009, ha ottenuto una proroga di 10 anni e nel 2008 la Regione Lazio ha autorizzato un ampliamento per un milione e mezzo di m^3 di rifiuti.

La società AgenSEL, gestore della discarica, intende costruire nell'area un impianto di TMB (trattamento meccanico biologico) della capacità di 300 000 t/anno. Ritiene la Commissione che:

1. la continuazione dell'attività di discarica sia in linea con la normativa europea?

2. in aree SIN possano essere avviate attività di concentrazione di rifiuti, con la realizzazione di nuovi impianti che producono combustibili da rifiuti estranei a quelli prodotti all'interno dell'area già contaminata e senza il pronunciamento dell'Alto Commissario per la bonifica?

3. tali scelte possano ricadere su un territorio già ora sottoposto a indagini epidemiologiche e senza tenere in considerazione quanto si evince dalla relazione della Commissione bicamerale del parlamento italiano sullo smaltimento illecito dei rifiuti da parte di organizzazioni criminali, che descrive questo territorio come crocevia di interessi illegali?

4. Infine, intende la Commissione sollecitare lo Stato italiano e gli altri enti locali a procedere a una definitiva bonifica dei siti inquinati e bloccare l'ulteriore smaltimento di rifiuti nell'area, prevedibilmente non in linea con gli standard stabiliti dalla direttiva 1999/31/CE, e intervenire a tutela della salute dei cittadini e dell'ambiente in cui risiedono?

Risposta di Janez Potočnik a nome della Commissione
(6 dicembre 2012)

La discarica di Colle Fagiolara è operativa da diversi anni. La decisione di rinviare la sua chiusura è stata adottata dalle autorità italiane competenti. La Commissione non ha prove che il proseguimento dell'attività della discarica possa costituire una violazione della normativa dell'UE in materia di rifiuti.

Il progetto di costruire un nuovo impianto TMB (trattamento meccanico-biologico) nel sito della discarica non è censurabile, a condizione che sia conforme ai requisiti pertinenti fissati dalla normativa dell'UE. In realtà il nuovo impianto TMB dovrebbe garantire una migliore gestione della discarica mediante la separazione dei materiali riciclabili e, quanto meno, la stabilizzazione della frazione organica dei rifiuti.

Le decisioni circa l'ubicazione e la costruzione di impianti di trattamento dei rifiuti (come impianti biomeccanici di trattamento dei rifiuti), nonché la valutazione dei rischi significativi devono essere adottate ed eseguite dalle autorità competenti negli Stati membri interessati. La Commissione non può interferire con tali decisioni, a condizione che siano adottate in conformità alle disposizioni pertinenti della normativa dell'UE, in particolare della direttiva 2011/92/UE concernente la valutazione dell'impatto ambientale di determinati progetti pubblici e privati (la «direttiva VIA») ([1]) e della direttiva 2008/98/CE relativa ai rifiuti (la «direttiva quadro sui rifiuti») ([2]).

([1]) Direttiva 2011/92/UE concernente la valutazione dell'impatto ambientale di determinati progetti pubblici e privati (GU L 26 del 28.1.2012, pag. 1).
([2]) Direttiva 2008/98/CE relativa ai rifiuti e che abroga alcune direttive (GU L 312 del 22.11.2008, pag. 3).

La Commissione ha ricevuto diverse denunce in materia di smaltimento illegale di rifiuti pericolosi misti a rifiuti urbani in Italia e si sta adoperando per risolvere il problema. Tale questione è stata uno degli argomenti discussi in un recente seminario sulla gestione dei rifiuti urbani nel centro e nel sud Italia. Qualora la Commissione dovesse ricevere prove di violazioni della normativa UE adotterà misure adeguate.

(English version)

Question for written answer E-008970/12
to the Commission
Niccolò Rinaldi (ALDE)
(5 October 2012)

Subject: Extension of the Colle Fagiolara landfill site in the municipality of Colleferro (Province of Rome) and identification of a site for a bio-mechanical waste treatment plant

In 1992 a temporary storage facility for solid urban waste was opened at Colle Fagiolara, in the municipality of Colleferro (Province of Rome), in the Valle del Sacco. It was turned into a permanent landfill site in 1997, and in 2005 it was declared to be an 'environmental emergency' Site of National Interest for the treatment of soil polluted by beta-hexachlorocylohexane (β-HCH) from illegally buried drums of toxic waste.

The landfill site was due to be closed down in 2009. However, its closure was postponed for 10 years and in 2008 the Lazio Region authorised its extension to take 1.5 million m^3 of waste.

Agensel, the company which operates the landfill site, intends to construct a bio-mechanical waste treatment plant with a capacity of 300 000 tonnes per annum nearby.

1. Does the Commission consider that the continued operation of the landfill site is consistent with European law?

2. Can waste be concentrated at Sites of National Interest by constructing new facilities to produce fuel from waste other than that produced inside the polluted area, and without consulting the High Commissioner for Land Rehabilitation?

3. Can decisions of this kind be taken in an area which is already the subject of epidemiological studies and without taking account of the findings of the report of the bicameral committee of the Italian Parliament on the illegal disposal of waste by criminal organisations, which described the area as criss-crossed by intersecting illegal interests?

4. Finally, does the Commission intend to urge the Italian State and the local authorities to definitively clean up the polluted areas, to prevent any further disposal of waste in the area, which is unlikely to be meet the standards laid down in Directive 1999/31/EC, and to take action to protect the health of citizens and the environment in which they live?

Answer given by Mr Potočnik on behalf of the Commission
(6 December 2012)

The landfill Colle Fagiolara has been in operation for several years. The decision to postpone its closure has been taken by the Italian competent authorities. The Commission has no evidence that the continued operation of the landfill may be in breach of EU waste legislation.

The project to construct a new MBT (Mechanical Biological Treatment) plant on the landfill site is not objectionable, provided that it complies with the relevant requirements under EC law. The new MBT plant should in fact ensure a better management of the landfill through the separation of recyclable materials and, at least, the stabilisation of the organic waste fraction.

Decisions about the location and construction of waste treatment installations (such as bio-mechanical waste treatment plants) as well as assessment of relevant risks are to be taken by competent authorities in the Member States concerned. The Commission cannot interfere with such decisions, provided that they are taken in compliance with the relevant requirements in EC law, particularly Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the 'EIA Directive') ([1]) and Directive 2008/98/EC on Waste (the 'Waste Framework Directive') ([2]).

The Commission has received several allegations concerning illegal disposal of hazardous waste mixed with municipal waste in Italy, and is addressing the issue. This issue was one of the topics discussed at a recent seminar on management of municipal waste in Central and Southern Italy. Should the Commission receive evidence of breach of EU legislation, appropriate action will be taken.

([1]) Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).
([2]) Directive 2008/98/EC on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-008971/12
προς την Επιτροπή
Sophocles Sophocleous (S&D)
(8 Οκτωβρίου 2012)

Θέμα: Κατάσταση πυρηνικών αντιδραστήρων εντός της ευρωπαϊκής επικράτειας

Σύμφωνα με δημοσιεύματα σε διεθνή ΜΜΕ, τα «stress tests» που διενεργήθηκαν εκ μέρους της Επιτροπής στους 134 πυρηνικούς αντιδραστήρες εντός της ΕΕ, καταδεικνύουν ότι υπάρχουν σοβαρές ρωγμές σε μεγάλο αριθμό από αυτούς. Εκτιμάται δε, πως σε περίπτωση σεισμών η πλημμυρών ελλοχεύει ο κίνδυνος σοβαρού πυρηνικού ατυχήματος, παρομοίων διαστάσεων με αυτό της Φουκουσίμα στην Ιαπωνία.

Στο πλαίσιο της αρχής της διαφάνειας, παρακαλώ να μου δοθεί πλήρης ενημέρωση για τα ευρήματα της έρευνας που διενέργησε η Επιτροπή σχετικά με τους ευρωπαϊκούς αντιδραστήρες.

Παράλληλα με την ανησυχητική διάσταση που παίρνει το θέμα της πυρηνικής ενέργειας στην επικράτεια της ΕΕ, ποια είναι η στάση της Επιτροπής σχετικά με τους σχεδιασμούς της Τουρκίας για τη δημιουργία τριών πυρηνικών αντιδραστήρων, ένας εκ των οποίων θα είναι σε πολύ κοντινή απόσταση από την Ελλάδα και την Κύπρο;

Απάντηση του κ. Oettinger εξ ονόματος της Επιτροπής
(13 Νοεμβρίου 2012)

1. Η Επιτροπή διαβίβασε πρόσφατα στο Συμβούλιο και το Ευρωπαϊκό Κοινοβούλιο την τελική της έκθεση για τις προσομοιώσεις ακραίων καταστάσεων ([1]). Το υπηρεσιακό έγγραφο εργασίας της Επιτροπής ([2]) που συνοδεύει την ανωτέρω ανακοίνωση περιλαμβάνει λεπτομερή πορίσματα σχετικά με τα επίπεδα ανά επιμέρους αντιδραστήρα και χώρα.

2. Η Επιτροπή παραπέμπει επίσης το Αξιότιμο Μέλος στις απαντήσεις που έδωσε στη γραπτή ερώτηση E-5692/2012 του κ. Κουμουτσάκου ([3]).

Η Επιτροπή συμφώνησε με τις γειτονικές χώρες της ΕΕ, συμπεριλαμβανομένης και της Τουρκίας, για τη διενέργεια προσομοιώσεων ακραίων καταστάσεων ([4]). Η Τουρκία υπέβαλε πρόσφατα έκθεση προσομοίωσης ακραίων καταστάσεων με βάση την ίδια μεθοδολογία όπως στην έκθεση της ΕΕ. Στην τουρκική έκθεση αναφέρεται ότι η Τουρκία δεν διαθέτει σήμερα πυρηνικούς σταθμούς ηλεκτροπαραγωγής, αλλά εξετάζεται η κατασκευή ενός τέτοιου σταθμού στο Akkuyu. Η έκθεση περιλαμβάνει πληροφορίες σχετικά με τα χαρακτηριστικά πυρηνικής ασφάλειας και αντοχής έναντι σεισμών του μελλοντικού σταθμού. Η Ευρωπαϊκή Ομάδα Ρυθμιστικών Αρχών Πυρηνικής Ασφάλειας εξετάζει τώρα τις λεπτομέρειες ανασκόπησης της εν λόγω έκθεσης από ομοτίμους χρησιμοποιώντας παρόμοια μεθοδολογία όπως αυτή που εφαρμόστηκε στις εκθέσεις των κρατών μελών της ΕΕ.

([1]) Ανακοίνωση της Επιτροπής προς το Συμβούλιο και το Ευρωπαϊκό Κοινοβούλιο που αφορά τη συνολική αξιολόγηση των κινδύνων και της ασφάλειας (προσομοίωση ακραίων καταστάσεων) των πυρηνοηλεκτρικών σταθμών στην Ευρωπαϊκή Ένωση και τις συναφείς δραστηριότητες, COM(2012)571 τελικό, η οποία είναι διαθέσιμη στο: .
http://ec.europa.eu/energy/nuclear/safety/doc/com_2012_0571_en.pdf

([2]) Διαθέσιμο στο: http://ec.europa.eu/energy/nuclear/safety/doc/swd_2012_0287_en.pdf.

([3]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html.

([4]) Βλέπε την κοινή δήλωση της Επιτροπής και γειτονικών προς την ΕΕ χωρών κατά τη συνάντηση υψηλού επιπέδου της 23ης Ιουνίου 2011, η οποία είναι διαθέσιμη στο: . http://ec.europa.eu/energy/nuclear/safety/doc/20110623_stress_test_joint_declaration_eu_neighbouring_countries.pdf.

(English version)

Question for written answer P-008971/12
to the Commission
Sophocles Sophocleous (S&D)
(8 October 2012)

Subject: State of nuclear reactors within European territory

According to the international media, stress tests carried out on behalf of the Commission in 134 nuclear reactors within the EU have revealed that many of them are seriously fissured. It is feared that there is accordingly a serious risk of nuclear incidents similar in proportion to that which occurred in Fukushima in Japan, should earth tremors or flooding occur.

In accordance with the principle of transparency, can the Commission provide full information regarding the findings of its investigation into European reactors?

Given the alarming proportions being assumed by the EU nuclear energy controversy, what view does the Commission take of the projected construction of three nuclear reactors in Turkey, one of which will be very close to Greece and Cyprus?

Answer given by Mr Oettinger on behalf of the Commission
(13 November 2012)

1. The Commission has recently transmitted to the Council and the European Parliament its final report on stress tests ([1]). The Commission Staff Working Document ([2]) accompanying the above Communication includes detailed findings on reactor and country specific levels.

2. The Commission would also like to refer the Honourable Member to its replies to Written Question E-5692/2012 by Mr Koumoutsakos ([3]).

The Commission has agreed with EU neighbouring countries, including Turkey, to carry out stress tests ([4]). Turkey recently submitted a stress test report based on the same methodology as the EU report. The Turkish report states that Turkey currently has no nuclear power plants, but the construction of one is being considered at Akkuyu. The report includes information on the nuclear safety characteristics and earthquake resistance of the future plant. The European Nuclear Safety Regulators Group is actually examining the modalities to peer review this report using a similar methodology as the one applied to the reports of the EU Member States.

([1]) Communication from the Commission to the Council and the Parliament on the comprehensive risk and safety assessments ('stress tests') of nuclear power plants in the European Union and related activities, COM(2012)571 final; available at: http://ec.europa.eu/energy/nuclear/safety/doc/com_2012_0571_en.pdf
([2]) Available at: http://ec.europa.eu/energy/nuclear/safety/doc/swd_2012_0287_en.pdf
([3]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([4]) See the joint declaration of the Commission and EU neighbouring countries at the high level meeting of 23 June 2011, available at: http://ec.europa.eu/energy/nuclear/safety/doc/20110623_stress_test_joint_declaration_eu_neighbouring_countries.pdf

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-008972/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Clemente Mastella (PPE)
(8 ottobre 2012)

Oggetto: VP/HR — Intervento UE per il rilascio dei due ragazzi italiani condannati all'ergastolo in India

Nei giorni scorsi è stato respinto l'appello contro l'ergastolo inflitto a Tommaso Bruno ed Elisabetta Boncompagni, i due giovani italiani che da due anni e mezzo si trovano rinchiusi in carcere a Varanasi, in India, accusati di omicidio per la morte dell'amico e compagno di viaggio Francesco Montis, avvenuta in una camera d'albergo della città.

Tutto ciò, nonostante la loro difesa abbia strenuamente sostenuto la loro assoluta estraneità, un'autopsia piena di contraddizioni ed errori, svolta da un oculista anziché un anatomopatologo, un quadro accusatorio lacunoso e l'evidente inattendibilità di alcuni testimoni.

Si chiede, pertanto, all'Alto Rappresentante Sig.ra Ashton:

— se sia a conoscenza dei fatti sopra esposti e se disponga di ulteriori informazioni sul caso in questione;

— se non ritenga opportuno intervenire presso le competenti autorità indiane, in quanto si configurerebbe una palese violazione del diritto internazionale a danno di uno Stato membro dell'Unione europea e ciò rappresenterebbe anche un pericoloso precedente per tutti i cittadini europei che potrebbero un giorno capitare nelle maglie delle procedure giudiziarie di quel Paese;

— di indicare quali azioni intenda intraprendere a sostegno della diplomazia italiana, già da mesi oramai impegnata nel caso del rilascio dei due marò, al fine di agevolare la liberazione ed il pronto rimpatrio dei due ragazzi italiani.

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(16 novembre 2012)

L'Alta Rappresentante/Vicepresidente è a conoscenza del caso cui si fa riferimento nell'interrogazione scritta e la delegazione dell'UE a Nuova Delhi lo segue in collegamento con i servizi consolari dell'Ambasciata italiana. L'UE non ha alcuna competenza in materia ma è disponibile ad offrire il proprio sostegno, qualora il governo italiano lo chiedesse.

(English version)

Question for written answer P-008972/12
to the Commission (Vice-President/High Representative)
Clemente Mastella (PPE)
(8 October 2012)

Subject: VP/HR — EU action to secure the release of two young Italians sentenced to life imprisonment in India

An appeal against the life sentences meted out to Tommaso Bruno and Elisabetta Boncompagni, two young Italians who have been in prison in Varanasi, India, for two and a half years, was recently rejected. The two young people have been charged with the murder of their friend and travelling companion, Francesco Montis, in a hotel room in the city.

This was despite the fact that their defence team had strenuously argued that the two Italians had absolutely nothing to do with the matter, that the autopsy had been full of contradictions and errors and had been performed by an ophthalmologist instead of a pathologist, that the charges were made on a very flimsy basis and that several witnesses were clearly unreliable.

Can the Vice-President/High Representative therefore answer the following questions:

— Is she aware of these facts, and does she have any further information on the case in question?

— Does she not agree that it might be appropriate to make representations to the relevant Indian authorities, given that this constitutes a clear violation of international law to the detriment of a Member State of the European Union and is also a dangerous precedent for all EU citizens who could one day find themselves trapped in the net of judicial proceedings in that country?

— What measures does she intend to take to support Italian diplomacy, which for months now has already been working hard to secure the release of two marines, with a view to facilitating the release and prompt return of the two young Italians?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(16 November 2012)

The HR/VP is aware of the case referred to in the Written Question, and the EU Delegation in New Delhi is following it in liaison with the consular services of the Italian Embassy. The EU has no competence to intervene in this case, but is available to give appropriate support should the Italian Government request it.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-008973/12
til Kommissionen
Morten Løkkegaard (ALDE)
(8. oktober 2012)

Om: Stillehavspartnerskabet og WTO

Forhandlingerne om Stillehavspartnerskabet (TPP) — en foreslået frihandelsaftale, som vil integrere økonomierne i Asien-Stillehavsregionen, omfatter i øjeblikket 9 lande på tre kontinenter: New Zealand, Brunei, Chile, Singapore, Australia, Peru, USA, Malaysia og Vietnam (mens endnu to, Canada og Mexico, også er mulige medlemmer). Formålet er at skabe en »aftale af høj kvalitet for det 21. århundrede« med sigte på at åbne markeder for konkurrence mellem partnerlandene i forskellige sektorer fra varer og tjenesteydelser til investeringer.

Dagsordenen for forhandlingerne omfatter også regler om intellektuelle ejendomsrettigheder, beskyttelse af arbejdstagere og miljøbevarelse.

1. TPP kan med tiden udvikle sig til et fuldt udviklet frihandelsområde for Asien-Stillehavsregionen. Hvis målene med TPP nås — og antallet af lande hele tiden bliver større — hvordan vurderer Kommissionen så konsekvenserne (som muligvis er negative) for de igangværende bestræbelser på at rykke videre frem ad WTO-vejen og med Doha-udviklingsrunden?

2. Er der ikke risiko for, at TTP er en trussel mod WTO-systemets og Doha-rundens fremtid, og er det ikke sandsynligt, at dette vil undergrave viljen til at fortsætte ad denne vej?

Svar afgivet på Kommissionens vegne af Karel De Gucht
(30. november 2012)

Medlemmerne af Stillehavspartnerskabet (Trans-Pacific Partnership — TPP) har givet udtryk for deres mål om at indgå en ambitiøs næstegenerations-Asien-Stillehavs-handelsaftale. De oprindelige ni forhandlende medlemmer har nu fået selskab af Canada og Mexico. Kommissionen følger disse forhandlinger nøje, fordi EU allerede har forhandlet eller stadig er i færd med at forhandle om ambitiøse handelsaftaler med mange af de enkelte TPP-medlemmer. I betragtning af at TPP-forhandlingerne fortsat pågår, og at mange vigtige spørgsmål stadig er udestående, kan Kommissionen ikke give en endelig vurdering af den potentielle indvirkning af en sådan aftale. Overordnet set betragter Kommissionen ikke regionale integrationsinitiativer som værende i strid med Verdenshandelsorganisationen (WTO), forudsat at de fører til yderligere liberalisering og ikke til handelsforvridninger, jf. kravene i artikel XIV i den almindelige overenskomst om told og udenrigshandel (GATT).

(English version)

Question for written answer E-008973/12
to the Commission
Morten Løkkegaard (ALDE)
(8 October 2012)

Subject: The Trans-Pacific Partnership and the WTO

The negotiations for the Trans-Pacific Partnership (TPP), a proposed multilateral free trade agreement that would integrate the economies of the Asia-Pacific region, currently concern nine countries on three continents: New Zealand, Brunei, Chile, Singapore, Australia, Peru, the US, Malaysia and Vietnam (with two more, Canada and Mexico, as additional potential members). The aim is to create a 'high quality, twenty-first century agreement' to open up markets to competition between the partner countries in sectors ranging from goods and services to investment. The negotiation agenda also includes rules on intellectual property rights, labour protection and environmental conservation.

1. The TPP could eventually become a fully-fledged free trade agreement for the Asia-Pacific region. However, if the aims of the TPP are reached — and if the number of participating countries continues to grow — how would the Commission assess the (possibly negative) consequences for the ongoing efforts towards further progress in terms of the WTO path and the Doha Development Round?

2. Does the TPP not pose a risk to the future of the WTO system and the Doha Round, and is it not likely to undermine the willingness of parties to pursue that path?

Answer given by Mr De Gucht on behalf of the Commission
(30 November 2012)

The Trans-Pacific Partnership (TPP) Members have stated their objective of concluding an 'ambitious, next-generation Asia-Pacific trade agreement'. The originally nine negotiating members have now been joined by Canada and Mexico. The Commission is following these negotiations closely, given that the EU has already or is still negotiating ambitious trade agreements with many of the individual TPP members. Given that the TPP negotiations are ongoing with many issues of substance still open, the Commission cannot give a definitive assessment of the potential impact of such an agreement. From a general perspective, the Commission does not see regional integration intiatives as contrary to the World Trade Organisation (WTO), provided that it leads to further liberalisation and not to trade diversion in line with the requirements of Article XXIV of the General Agreement on Tariffs and Trade (GATT).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-008974/12
an die Kommission
Andreas Mölzer (NI)
(8. Oktober 2012)

Betrifft: Eskalation der Auseinandersetzung Syrien-Türkei

Nach einem tödlichen Granatenbeschuss aus Syrien auf ein türkisches Grenzdorf hat Ankara Vergeltungsangriffe gestartet. Die Vergeltungsschläge der Türkei gegen Syrien, nachdem aus Syrien abgefeuerte Granaten in einem türkischen Grenzdorf mehrere Menschen getötet hatten, zeigen einmal mehr, wie tief Ankara in die Konflikten des Nahen Ostens verstrickt ist. Die Türkei ist durch ihre Unterstützung der syrischen Rebellen längst zu einer Partei des dortigen Bürgerkriegs geworden.

Nach der jüngsten Eskalation der Lage ist nicht mehr auszuschließen, dass die Türkei militärisch in Syrien intervenieren wird. Sollte es dazu kommen, könnte eine höchst gefährliche Kettenreaktion ausgelöst werden. Denn Syrien ist bekanntlich nicht der einzige Konfliktherd in der Region. Es ist nicht auszuschließen, dass die Türkei mit weiteren Nachbarstaaten in einen Konflikt gerät, und die Lage in den türkischen Kurdengebieten, wo ein Kleinkrieg zwischen der türkischen Armee und der verbotenen Kurdischen Arbeiterpartei PKK tobt, droht sich zu verschlimmern. Sollte die Türkei EU-Mitglied werden, läuft die EU Gefahr, selbst zu einem Frontstaat im Nahen Osten zu werden, was mit Sicherheit nicht im europäischen Interesse liegt.

1. Welchen Einfluss auf die EU-Beitrittsgespräche hat die Tatsache, dass die Türkei durch ihre Unterstützung der syrischen Rebellen längst zu einer Partei des dortigen Bürgerkriegs geworden ist?

2. Welchen Einfluss auf die EU-Beitrittsgespräche mit Ankara hat bzw. hätte eine zunehmende Verschlechterung der Lage der Kurden?

Gemeinsame Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(14. Dezember 2012)

Die EU plädiert weiterhin für eine politische Lösung der Syrien-Krise. Eine weitere Militarisierung des Konflikts würde noch mehr Leid über die syrische Bevölkerung und die Nachbarländer Syriens bringen. Die EU würdigt die humanitäre Unterstützung, die die Türkei den syrischen Flüchtlingen in der Türkei gewährt. Die EU und die Türkei arbeiten in Bezug auf die Syrien-Krise eng zusammen und die EU unterstützt die Bemühungen der Türkei, die restriktiven Maßnahmen der EU gegenüber dem syrischen Regime durchzusetzen.

Die EU hat die syrische Opposition aufgerufen, eine gemeinsame Plattform zu bilden, und begrüßt daher die Bildung einer neuen Struktur am 11. November 2012 in Doha, die auf eine stärkere Koordinierung zwischen den verschiedenen Oppositionsgruppen abzielt und der internationalen Gemeinschaft einen einzigen, alle Gruppen umfassenden Ansprechpartner bietet.

In Bezug auf den Einfluss dieser Entwicklungen auf die Beitrittsgespräche verweist die Kommission den Herrn Abgeordneten auf die von allen Mitgliedstaaten 2005 im Verhandlungsrahmen vereinbarten Bestimmungen sowie auf den Beschluss des Rates vom Dezember 2006.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009788/12
à Comissão
Nuno Teixeira (PPE)
(25 de outubro de 2012)

Assunto: Adesão da Turquia à União Europeia e relações com a Síria

Considerando que:

— A Turquia fez o seu pedido de adesão à União Europeia a 14 de abril de 1987, tendo, desde então, aprofundado a sua relação com a União Europeia, através de um alinhamento pelos valores europeus e de uma aproximação à legislação europeia;

— A 3 de outubro de 2005 foram iniciadas as negociações formais para a plena adesão da Turquia à União Europeia e que várias reformas têm vindo a ser desenvolvidas no sentido de concretizar o seu processo de adesão à União Europeia;

— O Curdistão é uma região com cerca de 500 000 km² distribuídos em sua maior parte na Turquia e o restante na Síria, no Iraque, no Irão, na Arménia e no Azerbaijão, e que atualmente os Curdos são a mais numerosa etnia sem Estado no mundo;

Pergunta-se à Comissão:

1. Pode a situação atual na Síria e a tomada de posição da Turquia neste conflito vir a se repercutir no processo de adesão desta última à União Europeia? Em que termos?

2. Até que ponto poderá a União Europeia intervir, tendo em conta a situação de fronteira entre estes Estados e a região do Curdistão, ao abrigo da sua estratégia de alargamento e tendo em conta os compromissos assumidos ao abrigo desta pelo Estado turco?

Resposta conjunta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(14 de dezembro de 2012)

A UE continua a apelar a uma solução política para a crise síria. Uma maior militarização do conflito só poderá trazer mais sofrimento ao povo da Síria e aos países vizinhos. A UE felicita a Turquia pela ajuda humanitária prestada aos refugiados da Síria na Turquia. A UE e a Turquia estão a cooperar estreitamente nesta matéria, estando a UE a apoiar os esforços deste país para fazer cumprir as medidas restritivas da UE contra o regime sírio.

A UE instou a oposição síria a formar uma plataforma comum e congratula-se com a criação de uma nova estrutura em Doha, em 11 de novembro de 2012, que tem como objetivo reforçar a coordenação entre os vários grupos da oposição e oferecer um interlocutor inclusivo à comunidade internacional.

Relativamente ao eventual impacto nas conversações para a adesão da Turquia, a Comissão chama a atenção do Senhor Deputado para as disposições estabelecidas no quadro de negociação acordado por todos os Estados-Membros em 2005, assim como para a Decisão do Conselho de dezembro de 2006.

(English version)

Question for written answer E-008974/12
to the Commission
Andreas Mölzer (NI)
(8 October 2012)

Subject: Escalation of the conflict between Syria and Turkey

Ankara has launched retaliatory attacks following the deadly shelling of a Turkish border town by Syria. These attacks by Turkey on Syria after artillery fire from Syria had killed several people in a Turkish border town show once again how deeply embroiled Ankara is in Middle Eastern conflicts. Turkey has, through its support for the Syrian rebels, long been involved in the civil war raging there.

Following this latest escalation of the situation, Turkish military intervention in Syria can no longer be ruled out. If this were to happen, it could trigger an extremely dangerous chain reaction, as Syria is obviously not the only source of conflict in the region. It is quite possible that Turkey could enter into conflict with other neighbouring countries and there is a danger of the situation deteriorating in Turkey's Kurdish areas, where there is warring between the Turkish army and the outlawed Kurdistan Workers' Party (PKK). If Turkey were to become an EU Member State, the EU would then run the risk of itself becoming a front-line state in the Middle East, which is certainly not in the interests of Europe.

1. What is the impact on the EU accession talks of the fact that Turkey has, through its support for the Syrian rebels, long been involved in the civil war raging there?

2. What is, or would be, the impact on the EU accession talks of a further deterioration in the situation regarding the Kurds?

Question for written answer E-009788/12
to the Commission
Nuno Teixeira (PPE)
(25 October 2012)

Subject: Turkey's accession to the European Union and relations with Syria

Whereas:

— Turkey applied for European Union membership on 14 April 1987, having since then deepened its relations with the EU by drawing closer to European values and progressive alignment with European legislation;

— On 3 October 2005 formal negotiations began for Turkey's full accession to the European Union, and a number of reforms have been implemented with a view to implementing the EU accession procedure;

— Kurdistan is a region of some 500 000 km^2, the bulk of which lie in Turkey and the remainder in Syria, Iraq, Iran, Armenia and Azerbaijan, and the Kurds are currently the largest ethnic group in the world without a state;

the Commission is asked:

1. If the current situation in Syria and Turkey's stance in the conflict could have an impact on the process of Turkey's access to the EU? If so, how?

2. Up to what point can the EU intervene — in the light of the situation on the border between the two countries and the Kurdish region — as part of its enlargement strategy and bearing in mind the undertakings entered into by Turkey under this strategy?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(14 December 2012)

The EU continues to call for a political solution to the Syrian crisis. Any further militarisation of the conflict would only bring further suffering to the Syrian people and to the neighbouring countries. The EU commends Turkey's humanitarian support to Syrian refugees in Turkey. The EU and Turkey are cooperating closely on Syria and the EU is supporting Turkey's efforts to enforce the EU's restrictive measures against the Syrian regime.

The EU has called on the Syrian opposition to form a common platform and welcomes the creation of a new structure in Doha on 11 November 2012, which aims at reinforcing the coordination between the various opposition groups and offering an inclusive interlocutor to the international community.

Regarding a potential impact on the accession talks, the Commission would like to draw the Honorable Member's attention to the provisions set out in the Negotiating Framework agreed by all Member States in 2005 as well as the Council Decision of December 2006.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-008975/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Andreas Mölzer (NI)
(8. Oktober 2012)

Betrifft: VP/HR — Eskalation der Auseinandersetzung Syrien-Türkei

Nach einem tödlichen Granatenbeschuss aus Syrien auf ein türkisches Grenzdorf hat Ankara Vergeltungsangriffe gestartet. Die Ortschaft Akcakale liegt unmittelbar an der Grenze zu Syrien und nahe des lange umkämpften Grenzübergangs Tell Abjad, den syrische Rebellen nach zweitägigen Gefechten eingenommen hatten.

1. Welche Reaktionen wurden anlässlich dieser Eskalation gesetzt bzw. welche Maßnahmen sind noch geplant?

2. Inwieweit versucht die EU zwischen Syrien und der Türkei zu vermitteln und die Kommunikation zu syrischen Behörden aufrechtzuerhalten, um eine weitere Zunahme der Spannungen zu vermeiden?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(5. Dezember 2012)

Die EU hat den Beschuss des türkischen Grenzortes Akcakale durch die syrischen Streitkräfte, bei dem mehrere Menschen ums Leben kamen, scharf verurteilt und ihre Solidarität gegenüber dem türkischen Volk und seiner Regierung zum Ausdruck gebracht. Dabei bedauerte sie den Verlust von Menschenleben und sprach den Opfern und ihren Familien ihr Beileid aus. Die Hohe Vertreterin/Vizepräsidentin nahm auch Kontakt zu Außenminister Davutoglu auf, um ihm die Solidarität der EU mit dem türkischen Volk und seiner Regierung zu bekunden.

Der Zwischenfall zeigt, dass die Krise in Syrien, die bereits auf benachbarte Länder übergreift und deren Sicherheit und Stabilität bedroht, dringend beendet werden muss. Die EU appelliert an die syrischen Behörden, der Gewalt umgehend ein Ende zu setzen und die territoriale Unversehrtheit und Souveränität aller benachbarten Staaten uneingeschränkt zu achten. Derartige Zwischenfälle können nicht toleriert werden. Zudem hat die EU alle Seiten zur Zurückhaltung aufgerufen, um eine Eskalation der Situation zu vermeiden.

Die EU plädiert weiterhin für eine politische Lösung der Syrien-Krise. Eine weitere Militarisierung des Konflikts würde weiteres Leid über die syrische Bevölkerung und die Nachbarländer Syriens bringen. Die EU und die Türkei arbeiten in der Syrien-Frage eng zusammen. Wie die EU plädiert auch die Türkei für eine politische Lösung des Konflikts, und die EU unterstützt die Bemühungen der Türkei, das Waffenembargo gegen das syrische Regime durchzusetzen. Die EU würdigt zudem die großzügige humanitäre Unterstützung, die die Türkei den syrischen Flüchtlingen in der Türkei gewährt.

(English version)

Question for written answer E-008975/12
to the Commission (Vice-President/High Representative)
Andreas Mölzer (NI)
(8 October 2012)

Subject: VP/HR — Escalation of the conflict between Syria and Turkey

Ankara has launched retaliatory attacks following the deadly shelling of a Turkish border town by Syria. The town of Akçakale lies right on the border with Syria and close to the long-disputed border crossing of Tel Abyad, which Syrian rebels had taken after two days of fighting.

1. What has been the reaction to this escalation and what measures are planned?

2. To what extent is the EU trying to mediate between Syria and Turkey and to keep open channels of communication with the Syrian authorities in order to avoid a further increase in tension?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(5 December 2012)

The EU condemned the shelling from Syrian forces in the Turkish border town of Akçakale that resulted in casualties. The EU expressed its solidarity to the Turkish people and government, deploring the loss of life and expressing sympathy for the victims and their families. The High Representative/Vice-President was also in contact with Foreign Minister Davutoglu, expressing our solidarity to the Turkish people and government.

The incident illustrates the urgent need to end the crisis in Syria, which has serious spill-over effects on neighbouring countries in terms of security and stability. The EU urges the Syrian authorities to put an end to the violence now and fully respect the territorial integrity and sovereignty of all neighbouring countries; such incidents cannot be tolerated. It called on restraint by all parties to avoid escalation of the situation.

The EU continues to call for a political solution to the Syrian crisis. Any further militarisation of the conflict would only bring further suffering to the Syrian people and to the neighbouring countries. The EU and Turkey are cooperating closely on Syria. As the EU, Turkey advocates a political solution to the conflict, and the EU is supporting Turkey's efforts to enforce an embargo on military equipment to the Syrian regime. The EU also commends Turkey's generous humanitarian support to Syrian refugees in Turkey.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-008977/12
til Kommissionen
Morten Løkkegaard (ALDE)
(8. oktober 2012)

Om: Lånegarantiordning for Erasmus-masterstuderende

Kommissionens forslag til forordning om et nyt flerårigt program for almindelig og faglig uddannelse, ungdom og sport introducerer en ny lånegarantiordning for Erasmus-masterstuderende. Under dette program yder EU en delvis garanti til pengeinstitutter, der tilbyder lån på gunstige vilkår til studerende, der følger masterstudier i en anden medlemsstat.

1. Hvordan vil Kommissionen udvælge de pengeinstitutter, der skal udstede lånene?

2. Vil disse banker blive forpligtet til at tilbyde lån til støtteberettigede studerende, når de først har accepteret at deltage i ordningen, eller vil de frit kunne bestemme, hvem der skal have adgang til lånene?

3. Agter Kommissionen at indføre en kontrolordning for at sikre, at de studerende gør tilfredsstillende fremskridt i deres studier og går op til de obligatoriske eksamener under deres studieophold i en anden medlemsstat?

Svar afgivet på Kommissionens vegne af Androulla Vassiliou
(3. december 2012)

1. Udvælgelsen af de pengeinstitutter, som skal gennemføre lånegarantiordningen, vil blive baseret på en gennemsigtig procedure, der udføres af en bemyndiget enhed (f.eks. Den Europæiske Investeringsfond (EIF)). Både offentlige og private pengeinstitutter, herunder nationale garantiordninger og institutter, der er specialiserede i lån til studerende, vil være berettigede til at deltage i ordningen.

Efter en indkaldelse af interessetilkendegivelser vil udvælgelsen blive baseret på overensstemmelse med minimumskravene i ordningen, udbytte af de offentlige investeringer, bl.a. løftestangseffekten (beløb, der er til rådighed for lån til gengæld for garantien), og i hvilken udstrækning formidlerne yder de studerende sikkerhed, der rækker ud over minimumskravene (f.eks. rentesatser, perioder med rente- og afdragsfrihed osv.).

Eksempler på lignende ansøgningsprocedurer, der varetages af EIF, findes på EIF's websted: http://www.eif.org/.

2. De deltagende formidlere vil bevare retten til at afvise lån til individuelle studerende på grundlag af behørigt begrundede årsager (f.eks. tidligere misligholdelse af lån), men ikke på grundlag af f.eks. social baggrund eller studievalg. Overholdelse af disse kriterier vil blive overvåget af Kommissionen på grundlag af oplysninger om lån, der er ydet og afvist af formidlerne. Der træffes korrigerende foranstaltninger, hvis det er nødvendigt.

3. De studerende skal være godkendt til en kandidatuddannelse på et universitet, der har undertegnet Erasmusuniversitetschartret. Hvis fremskridt i uddannelsen er afhængig af bestående eksamener (f.eks. optagelse på andet år af en toårig kandidatuddannelse), vil der blive krævet dokumentation for, at denne betingelse er opfyldt. Kommissionen agter ikke at tildele eller tilbagekalde lån afhængigt af bestående individuelle eksamener eller opnåede karakterer.

(English version)

Question for written answer E-008977/12
to the Commission
Morten Løkkegaard (ALDE)
(8 October 2012)

Subject: Erasmus Masters loan guarantee facility

The Commission proposal for a regulation on a new multiannual programme for education, training, youth and sport launches a new Erasmus Masters loan guarantee facility. Under this programme, the EU would provide a partial guarantee to financial institutions offering students loans on favourable terms for undertaking master's level studies in another Member State.

1. How does the Commission intend to select the financial institutions that will make the loans?

2. Will these banks be obliged to offer loans to eligible students once they agree to participate in the scheme, or will they be free to decide on who will receive the loans?

3. Finally, does the Commission intend to introduce a monitoring system to ensure that the students make satisfactory progress in their studies and sit the exams foreseen for their study period abroad?

Answer given by Ms Vassiliou on behalf of the Commission
(3 December 2012)

1. Selection of the financial institutions to implement the Loan Guarantee scheme will be based on a transparent process conducted by an entrusted entity (e.g. the European Investment Fund — EIF). Public or private financial institutions, including national guarantee schemes and student loan agencies, would be eligible to participate in the scheme.

Following a call for expressions of interest, selection would be based on conformity with the minimum requirements of the scheme, the return on public investment, in particular the leverage effect (amount available for loans in return for the guarantee) and the extent to which the intermediaries go beyond the minimum requirements in terms of protections for students (e.g. interest rates, grace and payment holiday periods etc.).

Examples of similar application processes conducted by the EIF can be found on the EIF website: http://www.eif.org/.

2. Participating intermediaries would retain the right to reject an individual student for a loan based upon duly justified reasons (e.g. past credit default) but not on grounds such as social background or study choice. Adherence to these criteria will be monitored by the Commission, on the basis of data concerning loans awarded and refused by intermediaries. Corrective measures will be taken where necessary.

3. Students must have been accepted on a Masters study programme at a university holding the Erasmus University Charter. Where progress in the programme is dependent on success in examinations (e.g. progress to the second year for a two-year master programme), proof will be required that this condition has been satisfied. There is no intention to allocate or revoke loans depending upon the success of individual examinations or grades attained.

(English version)

Question for written answer P-008978/12
to the Commission
Catherine Stihler (S&D)
(8 October 2012)

Subject: Application process of a new state to join the EU

Given that there will be a referendum on Scottish independence in 2014, can the Commission confirm that if part of an existing Member State becomes independent, in order to become a new Member State of the EU, under treaty terms it would be compulsory to adopt the euro, join the Schengen Area, and renegotiate or sacrifice any rebate agreements previously concluded?

Answer given by Mr Barroso on behalf of the Commission
(5 November 2012)

The Commission would refer the Honourable Member to its answer to Question E-000395/2012 ([1]) by Mr Tremosa i Balcells.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-008979/12
al Consejo
Ramon Tremosa i Balcells (ALDE) y Raül Romeva i Rueda (Verts/ALE)
(8 de octubre de 2012)

Asunto: El director de El Mundo compara el Camp Nou y la bandera catalana al saludo fascista y a Berlín 1936 en flagrante oposición a los valores fundamentales de la Unión Europea

El 3 de octubre de 2012, J. Ramírez, director de *El Mundo*, comparó el Camp Nou con el Berlín de 1936 por la llamada a exhibir esteladas y el 4 de octubre de 2012 acompañó a la noticia sobre el mosaico gigante con la bandera con el saludo fascista *Sieg Heil* ([1]). Tales comentarios son una reliquia del pasado y completamente fuera de lugar en la Unión Europea de hoy. Este tipo de observaciones van en contra de todo lo que los demócratas han luchado en los últimos 60 años.

Estas declaraciones están en flagrante oposición con los valores fundamentales de la Unión Europea y, en particular, con los artículos 12 y 22 de la Carta de los Derechos Fundamentales de la UE que se refieren a la libertad de reunión y de asociación y al respeto de la diversidad cultural, religiosa y lingüística ([2]). Además, estas declaraciones están en contradicción con la Decisión Marco 2008/913/JAI del Consejo, de 28 de noviembre de 2008, relativa a la lucha contra determinadas formas y manifestaciones de racismo y xenofobia mediante el Derecho penal ([3]). En el artículo 1 de este documento se afirma:

«1. Cada Estado miembro adoptará las medidas necesarias para garantizar que se castiguen las siguientes conductas intencionadas:

a) la incitación pública a la violencia o al odio dirigidos contra un grupo de personas o un miembro de tal grupo, definido en relación con la raza, el color, la religión, la ascendencia o el origen nacional o étnico;».

¿Está el Consejo al corriente de estas gravísimas declaraciones que violan los derechos y valores fundamentales de la UE?

En conformidad con los Tratados y la Carta de los Derechos Fundamentales de la Unión Europea, ¿qué medida tomará el Consejo para garantizar el respeto de estos derechos?

Respuesta
(26 de noviembre de 2012)

No corresponde al Consejo formular observaciones sobre artículos de prensa.

([1]) http://www.naciodigital.cat/noticia/47345/pedro/ramirez/compara/camp/nou/amb/berlin/1936
https://twitter.com/pedroj_ramirez/status/253447744042201089
http://www.naciodigital.cat/noticia/47332/anc/crida/omplir/estadis/estelades/cap/setmana.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:ES:PDF.
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0913:ES:NOT.

(English version)

Question for written answer E-008979/12
to the Council
Ramon Tremosa i Balcells (ALDE) and Raül Romeva i Rueda (Verts/ALE)
(8 October 2012)

Subject: The director of *El Mundo* newspaper compares the Camp Nou stadium and the Catalan flag to the fascist salute and to 1936 Berlin in blatant opposition to the fundamental values of the European Union

On 3 October 2012, J. Ramírez, the director of *El Mundo*, compared the Camp Nou stadium with 1936 Berlin because of the call to display the starred Catalan flag, and on 4 October 2012 he accompanied the news article about the giant mosaic of the official flag of Catalonia with the fascist salute, *Sieg Heil* ([1]). These comments belong to the past and are completely out of place in today's European Union. This type of observation goes against everything democrats have fought for over the last 60 years.

These remarks are blatantly opposed to the fundamental values of the European Union and, in particular, to Articles 12 and 22 of the EU Charter of Fundamental Rights, which refer to freedom of assembly and freedom of association and respect for cultural, religious and linguistic diversity ([2]). Furthermore, these comments are contrary to Council Framework Decision 2008/913/JHA, of 28 November 2008, on combating certain forms and expressions of racism and xenophobia by means of criminal law ([3]). Article 1 of this document states that:

'1. Each Member State shall take the measures necessary to ensure that the following intentional conduct is punishable:

(a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin.'

1. Is the Council aware of these extremely serious remarks which violate the fundamental rights and values of the EU?

2. In accordance with the Treaties and the Charter of Fundamental Rights of the European Union, what measures will the Council take to guarantee that these rights are respected?

Reply
(26 November 2012)

It is not for the Council to comment on articles appearing in the press.

([1]) http://www.naciodigital.cat/noticia/47345/pedro/ramirez/compara/camp/nou/amb/berlin/1936
https://twitter.com/pedroj_ramirez/status/253447744042201089
http://www.naciodigital.cat/noticia/47332/anc/crida/omplir/estadis/estelades/cap/setmana
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:ES:PDF
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0913:ES:NOT

(Versión española)

Pregunta con solicitud de respuesta escrita E-008980/12
a la Comisión
Ramon Tremosa i Balcells (ALDE) y Raül Romeva i Rueda (Verts/ALE)
(8 de octubre de 2012)

Asunto: El director de El Mundo compara el Camp Nou y la bandera catalana al saludo fascista y a Berlín 1936 en flagrante oposición a los valores fundamentales de la Unión Europea

El 3 de octubre de 2012, J. Ramírez, director de *El Mundo*, comparó el Camp Nou con el Berlín de 1936 por la llamada a exhibir esteladas y el 4 de octubre de 2012 acompañó a la noticia sobre el mosaico gigante con la bandera con el saludo fascista *Sieg Heil* ([1]). Tales comentarios son una reliquia del pasado y completamente fuera de lugar en la Unión Europea de hoy. Este tipo de observaciones van en contra de todo lo que los demócratas han luchado en los últimos 60 años.

Estas declaraciones están en flagrante oposición con los valores fundamentales de la Unión Europea y, en particular, con los artículos 12 y 22 de la Carta de los Derechos Fundamentales de la UE que se refieren a la libertad de reunión y de asociación y al respeto de la diversidad cultural, religiosa y lingüística ([2]). Además, estas declaraciones están en contradicción con la Decisión Marco 2008/913/JAI del Consejo, de 28 de noviembre de 2008, relativa a la lucha contra determinadas formas y manifestaciones de racismo y xenofobia mediante el Derecho penal ([3]). En el artículo 1 de este documento se afirma:

«1. Cada Estado miembro adoptará las medidas necesarias para garantizar que se castiguen las siguientes conductas intencionadas:

a) la incitación pública a la violencia o al odio dirigidos contra un grupo de personas o un miembro de tal grupo, definido en relación con la raza, el color, la religión, la ascendencia o el origen nacional o étnico;».

¿Está la Comisión al corriente de estas gravísimas declaraciones que violan los derechos y valores fundamentales de la UE?

En conformidad con los Tratados y la Carta de los Derechos Fundamentales de la Unión Europea, ¿qué medida tomará la Comisión para garantizar el respeto de estos derechos?

Respuesta de la Sra. Reding en nombre de la Comisión
(27 de noviembre de 2012)

La Comisión no tiene nada que decir sobre la situación a la que se refiere Su Señoría.

([1]) http://www.naciodigital.cat/noticia/47345/pedro/ramirez/compara/camp/nou/amb/berlin/1936
https://twitter.com/pedroj_ramirez/status/253447744042201089
http://www.naciodigital.cat/noticia/47332/anc/crida/omplir/estadis/estelades/cap/setmana
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:ES:PDF
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0913:ES:NOT

(English version)

Question for written answer E-008980/12
to the Commission
Ramon Tremosa i Balcells (ALDE) and Raül Romeva i Rueda (Verts/ALE)
(8 October 2012)

Subject: The director of El Mundo newspaper compares the Camp Nou stadium and the Catalan flag to the fascist salute and to 1936 Berlin in blatant opposition to the fundamental values of the European Union

On 3 October 2012, J. Ramírez, the director of *El Mundo,* compared the Camp Nou stadium with 1936 Berlin because of the call to display the starred Catalan flag, and on 4 October 2012 he accompanied the news article about the giant mosaic of the official flag of Catalonia with the fascist salute, *Sieg Heil* ([1]).These comments belong to the past and are completely out of place in today's European Union. This type of observation goes against everything democrats have fought for over the last 60 years.

These remarks are blatantly opposed to the fundamental values of the European Union and, in particular, to Articles 12 and 22 of the EU Charter of Fundamental Rights, which refer to freedom of assembly and freedom of association and respect for cultural, religious and linguistic diversity ([2]). Furthermore, these comments are contrary to Council Framework Decision 2008/913/JHA, of 28 November 2008, on combating certain forms and expressions of racism and xenophobia by means of criminal law ([3]). Article 1 of this document states that:

'1. Each Member State shall take the measures necessary to ensure that the following intentional conduct is punishable:

(a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin;'.

1. Is the Commission aware of these extremely serious remarks which violate thefundamental rights and values of the EU?

2. In accordance with the Treaties and the Charter of Fundamental Rights of the EuropeanUnion, what measures will the Commission take to guarantee that these rights arerespected?

Answer given by Mrs Reding on behalf of the Commission
(27 November 2012)

The Commission has no comment to make on the situation referred to by the Honourable Member.

([1]) http://www.naciodigital.cat/noticia/47345/pedro/ramirez/compara/camp/nou/amb/berlin/1936
https://twitter.com/pedroj_ramirez/status/253447744042201089
http://www.naciodigital.cat/noticia/47332/anc/crida/omplir/estadis/estelades/cap/setmana
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:ES:PDF
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003R1782:DE:NOT

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008981/12
προς το Συμβούλιο
Sophocles Sophocleous (S&D)
(8 Οκτωβρίου 2012)

Θέμα: Παράνομη σύλληψη αστυνομικών της Κυπριακής Δημοκρατίας από το κατοχικό καθεστώς

Στις 30 Σεπτεμβρίου 2012, τρείς αστυνομικοί του τμήματος τροχαίας της Κυπριακής Δημοκρατίας, στην προσπάθειά τους να ερευνήσουν ύποπτο όχημα εισήλθαν στην «νεκρή ζώνη», περιοχή που αποτελεί κυρίαρχο έδαφος της Κυπριακής Δημοκρατίας. Με την είσοδό τους στην «νεκρή ζώνη» συνελήφθησαν από τις τουρκικές κατοχικές δυνάμεις. Οι αστυνομικοί παραπέμφθηκαν σε «δίκη» από το ψευδοδικαστήριο.

Η πιο πάνω προκλητική ενέργεια παραβιάζει κάθε αρχή διεθνούς δικαίου και έννομης τάξης και υπονομεύει την οντότητα ενός κράτους μέλους όπως είναι η Κυπριακή Δημοκρατία που σήμερα προεδρεύει στο Συμβούλιο της ΕΕ. Υπονομεύει δε και την ίδια την ΕΕ στο σύνολό της.

Ερωτάται το Συμβούλιο:

1. Ποιές ενέργειες προτίθεται να αναλάβει για να αντιμετωπίσει την τουρκική επιθετικότητα;

2. Καταδικάζει την απαράδεκτη ενέργεια του κατοχικού καθεστώτος;

3. Θεωρείτε ότι οι πιο πάνω ενέργειες της υποτελούς διοικήσεως της Τουρκίας αρμόζει να στηρίζονται και να ενθαρρύνονται από την Τουρκία που είναι μια υποψήφια προς ένταξη χώρα;

Απάντηση
(18 Φεβρουαρίου 2013)

Το Συμβούλιο δεν έχει συζητήσει σχετικά με τα συγκεκριμένα γεγονότα στα οποία αναφέρεται ο αξιότιμος κ. βουλευτής.

Γενικότερα, η Ένωση έχει δηλώσει επανειλημμένα ότι υποστηρίζει τις τρέχουσες διαπραγματεύσεις στην Κύπρο που αποσκοπούν σε μια δίκαιη, συνολική και βιώσιμη διευθέτηση του κυπριακού στο πλαίσιο του ΟΗΕ, σύμφωνα με τις σχετικές αποφάσεις του Συμβουλίου Ασφαλείας του ΟΗΕ και τις αρχές επί των οποίων εδράζεται η Ένωση.

Όπως αναφέρεται σε πολλά συμπεράσματα του Συμβουλίου, πλέον πρόσφατα δε στις 11 Δεκεμβρίου 2012, το Συμβούλιο αναμένει ότι η Τουρκία θα υποστηρίξει ενεργά τις τρέχουσες διαπραγματεύσεις με στόχο τη διευθέτηση αυτή. Η δέσμευση της Τουρκίας για μια συνολική διευθέτηση και η συγκεκριμένη συμβολή της σε αυτήν έχει καίρια σημασία.

(English version)

Question for written answer E-008981/12
to the Council
Sophocles Sophocleous (S&D)
(8 October 2012)

Subject: Cypriot police officers unlawfully arrested by the occupation regime

On 30 September 2012, three Cypriot traffic and transport police officers entered the 'dead zone', while investigating a suspicious vehicle and were arrested by Turkish occupation forces. This area is part of the Republic of Cyprus's sovereign territory. The police officers were then committed for 'trial' by the pseudo-court.

This provocative action violates every principle of international law and legal order and undermines Cyprus's EU Presidency and Member State status. It also undermines the EU in its entirety.

In view of the above, will the Council answer the following:

1. What will it do to tackle Turkish aggression?

2. Does it condemn this unacceptable action of the occupation regime?

3. Does it think that it is proper for these actions by the subordinate Turkish administration to be supported and encouraged by Turkey, which is a candidate country for EU accession?

Reply
(18 February 2013)

The Council has not discussed the specific events to which the Honourable Member refers.

On a more general level, the Union has repeatedly expressed its support for the ongoing negotiations in Cyprus aimed at a fair, comprehensive and viable settlement of the Cyprus problem within the UN framework, in accordance with the relevant UN Security Council resolutions and in line with the principles on which the Union is founded.

The Council, as stated in several Council conclusions, most recently on 11 December 2012, expects Turkey to actively support the ongoing negotiations aimed at such a settlement. Turkey's commitment and contribution in concrete terms to such a comprehensive settlement is crucial.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008982/12
προς την Επιτροπή
Sophocles Sophocleous (S&D)
(8 Οκτωβρίου 2012)

Θέμα: Παράνομη σύλληψη αστυνομικών της Κυπριακής Δημοκρατίας από το κατοχικό καθεστώς

Στις 30 Σεπτεμβρίου 2012, τρείς αστυνομικοί του τμήματος τροχαίας της Κυπριακής Δημοκρατίας, στην προσπάθειά τους να ερευνήσουν ύποπτο όχημα εισήλθαν στην «νεκρή ζώνη», περιοχή που αποτελεί κυρίαρχο έδαφος της Κυπριακής Δημοκρατίας. Με την είσοδό τους στην «νεκρή ζώνη» συνελήφθησαν από τις τουρκικές κατοχικές δυνάμεις. Οι αστυνομικοί παραπέμφθηκαν σε «δίκη» από το ψευδοδικαστήριο.

Η πιο πάνω προκλητική ενέργεια παραβιάζει κάθε αρχή διεθνούς δικαίου και έννομης τάξης και υπονομεύει την οντότητα ενός κράτους μέλους όπως είναι η Κυπριακή Δημοκρατία που σήμερα προεδρεύει στο Συμβούλιο της ΕΕ. Υπονομεύει δε και την ίδια την ΕΕ στο σύνολό της.

Ερωτάται η Επιτροπή:

1. Ποιές ενέργειες προτίθεται να αναλάβει για να αντιμετωπίσει την τουρκική επιθετικότητα;

2. Καταδικάζει την απαράδεκτη ενέργεια του κατοχικού καθεστώτος;

3. Θεωρείτε ότι οι πιο πάνω ενέργειες της υποτελούς διοικήσεως της Τουρκίας αρμόζει να στηρίζονται και να ενθαρρύνονται από την Τουρκία που είναι μια υποψήφια προς ένταξη χώρα;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(20 Νοεμβρίου 2012)

Η Επιτροπή έχει λάβει γνώση του λυπηρού περιστατικού στο οποίο αναφέρεται το Αξιότιμο Μέλος, και εκφράζει την ικανοποίησή της για το γεγονός ότι οι αρχές της Κυπριακής Δημοκρατίας αντέδρασαν με σύνεση, ώστε να αποφευχθούν περαιτέρω εντάσεις.

Καταδεικνύεται για μια ακόμη φορά η ανάγκη ταχείας και συνολικής διευθέτησης του Κυπριακού, η οποία θα συνιστούσε αποτελεσματικό μέσο για την εξάλειψη των ανησυχιών που εκφράζει το Αξιότιμο Μέλος. Στην προσφάτως υποβληθείσα ανακοίνωσή της σχετικά με τη στρατηγική της διεύρυνσης και τις κυριότερες προκλήσεις για την περίοδο 2012-2013, η Επιτροπή υπογράμμισε την αναγκαιότητα επανέναρξης των διαπραγματεύσεων με σκοπό να ολοκληρωθούν σύντομα οι συνομιλίες, με βάση τη μέχρι στιγμής σημειωθείσα πρόοδο.

Κάλεσε επίσης την Τουρκία να δραστηριοποιηθεί με θετικό πνεύμα από κοινού με τα άλλα μέρη ούτως ώστε να διευκολύνει την επιτυχή ολοκλήρωση της διαδικασίας.

(English version)

Question for written answer E-008982/12
to the Commission
Sophocles Sophocleous (S&D)
(8 October 2012)

Subject: Cypriot police officers unlawfully arrested by the occupation regime

On 30 September 2012, three Cypriot traffic and transport police officers entered the 'dead zone', while investigating a suspicious vehicle and were arrested by Turkish occupation forces. This area is part of the Republic of Cyprus's sovereign territory. The police officers were then committed for 'trial' by the pseudo-court.

This provocative action violates every principle of international law and legal order and undermines Cyprus's EU Presidency and Member State status. It also undermines the EU in its entirety.

In view of the above, will the Commission answer the following:

1. What will it do to tackle Turkish aggression?

2. Does it condemn this unacceptable action of the occupation regime?

3. Does it think that it is proper for these actions by the subordinate Turkish administration to be supported and encouraged by Turkey, which is a candidate country for EU accession?

Answer given by Mr Füle on behalf of the Commission
(20 November 2012)

The Commission is aware of the regrettable incident the Honourable Members refers to, and it welcomes that the authorities of the Republic of Cyprus reacted with prudence so as to avoid further tensions.

These questions once again show the need for a rapid comprehensive settlement in Cyprus, which would constitute an effective remedy to address the concerns of the Honourable Member. In its recently presented Communication on the Enlargement Strategy and Main Challenges 2012-2013, the Commission underlined the necessity to re-launch the negotiations with the aim of reaching a swift conclusion of the talks, building on the progress achieved to date.

It is also called upon Turkey to engage positively with all parties in order to facilitate a successful completion of the process.

(Version française)

Question avec demande de réponse écrite E-008983/12
à la Commission
Philippe Boulland (PPE)
(8 octobre 2012)

Objet: Rachat de la société TNT par UPS (United Parcel Service)

Le projet de rachat de la société néerlandaise TNT Express, numéro deux européen de la distribution des petits colis, par la société américaine UPS, leader mondial du secteur, risque de créer une situation de position dominante sur le marché européen et donc de concurrence déloyale pour les autres entreprises de messagerie basées en Europe.

1. Pour la Commission, ce risque de position monopolistique résulte-t-il de la fusion de sociétés actives dans le même secteur? Dans quelle mesure cette fusion peut-elle influencer le marché européen?

Par ailleurs, UPS souhaiterait utiliser ses propres ressources aériennes uniquement pour effectuer le travail dont se charge actuellement la TNT Airways. Or, la réciprocité n'est pas autorisée aux États-Unis car les pilotes européens ne peuvent travailler sans licence américaine conditionnée par l'obtention d'une «green card».

2. La Commission ne pense-t-elle pas que cette fusion pourrait également léser le personnel aérien européen?

3. La Commission peut-elle peser sur les modalités de la fusion?

Réponse donnée par M. Almunia au nom de la Commission
(10 décembre 2012)

1. La Commission a ouvert une enquête approfondie sur le projet de fusion entre UPS et TNT et a constaté des problèmes de concurrence en ce qui concerne les petits envois express au sein de l'EEE pour un grand nombre de clients.

L'enquête a notamment révélé que i) des entreprises non intégrées, comme DPD et GLS, ne peuvent exercer qu'une faible pression sur les parties présentes sur ce marché et que ii) FedEX ne semble guère en mesure d'exercer une contrainte suffisante sur l'entité issue de la concentration et le seul autre intégrateur restant, DHL.

Le projet de concentration entraînerait donc une forte augmentation de la concentration du marché, UPS et TNT détenant une part de marché cumulée importante dans un grand nombre de pays de l'EEE. Cette opération est susceptible de provoquer une hausse des prix pour les consommateurs.

La Commission poursuit son enquête approfondie sur l'opération envisagée et veillera à la défense des intérêts des entreprises qui utilisent ces services.

2. La Commission considère que la fusion proposée peut avoir des conséquences pour les salariés de TNT Airways.

Selon les règles de propriété et de contrôle et l'accord sur le transport aérien conclu en 2007 entre l'UE et les États-Unis ([1]), les compagnies aériennes disposant d'une totale liberté d'exploiter toutes les liaisons au sein de l'UE doivent être détenues par des intérêts européens ([2]). Seuls les transporteurs aériens de l'UE peuvent opérer avec pleins droits de trafic sur toutes les liaisons dans l'UE. Le règlement (CE) n° 1008/2008 ([3]) prévoit qu'UPS ne peut, à elle seule, détenir et assurer le contrôle effectif de TNT Airways mais devrait conclure un partenariat commercial avec une entreprise de l'UE. Toute décision qui a une incidence sur une entreprise établie dans l'UE doit respecter les exigences minimales de protection des droits des travailleurs prévues par la législation de l'UE sur le travail et les règles nationales du pays où elle est établie.

3. L'opération envisagée a été notifiée à la Commission le 15 juin 2012. L'échéance actuelle pour l'adoption de la décision finale est fixée au 15 janvier 2013.

([1]) Décision 2007/339/CE du Conseil du 25 avril 2007 (JO L 134 du 25.5.2007, p. 1), modifiée par la décision 2010/465/UE du Conseil du 24 juin 2010 (JO L 223 du 25.8.2010, p. 1).

([2]) Un transporteur aérien est considéré comme étant de l'UE s'il est détenu et effectivement contrôlé à plus de 50 % par des États membres et/ou leurs ressortissants.

([3]) Article 4, point f), du règlement (CE) n° 1008/2008 du Parlement européen et du Conseil du 24 septembre 2008 établissant des règles communes pour l'exploitation de services aériens dans la Communauté (refonte).

(English version)

Question for written answer E-008983/12
to the Commission
Philippe Boulland (PPE)
(8 October 2012)

Subject: Purchase of TNT by UPS (United Parcel Service)

The planned purchase of the Dutch TNT Express company, Europe's second-largest small parcels delivery service, by the American UPS company, the world leader in this sector, is likely to lead to a position of dominance in the European market and give rise to unfair competition vis-à-vis other courier companies based in Europe.

1. Does the Commission think that this danger of a monopoly position is the result of a merging of companies operating in the same sector? To what extent might this merger influence the European market?

UPS also plans to use its own aircraft to do the work currently undertaken by TNT Airways. However, reciprocity is not possible in the USA, since European pilots cannot work there without an American licence, for which they must obtain a Green Card.

2. Does the Commission not think that this merger might put harm European air crews at a disadvantage?

3. Will the Commission give its views on the arrangements for the merger?

Answer given by Mr Almunia on behalf of the Commission
(10 December 2012)

1. The Commission opened an in-depth investigation into the proposed UPS/TNT merger and identified competition concerns for intra-EEA small packages express services for a significant number of customers.

The investigation indicated in particular that (i) non-integrated companies, such as DPD and GLS, can exert only a weak constraint on the Parties in that market and (ii) FedEx seems unlikely to be in a position to constrain sufficiently the merged entity and the only other remaining integrator, DHL.

The proposed concentration would thus lead to a significant increase in market concentration with a strong combined market position of UPS and TNT in a large number of EEA countries and is likely to lead to higher prices for customers.

The Commission continues to investigate the proposed transaction thoroughly and will ensure that the interests of the companies using these services are protected.

2. The Commission understands that the proposed merger may have implications for the employees of TNT Airways.

According to the ownership and control rules and the 2007 EU-US air transport agreement ([1]), airline companies having full freedom to operate all EU routes must be detained by European interests ([2]). Only EU air carriers have full traffic rights to operate all EU routes. Under Regulation 1008/2008 ([3]), UPS alone cannot own and effectively control TNT Airways and would need to conclude a commercial partnership with an EU company. Decisions affecting a company in the EU must comply with the minimum requirements of EU labour law on workers' rights protection and with national rules of the country where it is located.

3. The proposed transaction was notified to the Commission on 15 June 2012. The current deadline for adoption of the final decision is 15 January 2013.

([1]) By means of Council Decision 2007/339/EC of 25 April 2007, OJ L 134/1, 25.5.2007; and as amended by Council Decision 2010/465/EU of 24 June 2010, OJ L 223, 25.8.2010, p. 1.
([2]) An EU air carrier is defined as being more than 50% owned and effectively controlled by Member States and/or their nationals.
([3]) Regulation (EC) 1008/2008 of the European Parliament and of Council of 24 September 2008 on common rules for the operation of air services in the Community (Recast), Article 4 (f).

(Version française)

Question avec demande de réponse écrite E-008984/12
à la Commission
Philippe Boulland (PPE)
(8 octobre 2012)

Objet: Trafic d'ivoire

Le commerce illégal d'ivoire est en recrudescence en 2012, en partie à cause des importations exponentielles chinoises et thaïlandaises. L'an dernier, le braconnage avait déjà atteint son niveau le plus élevé depuis la création de dispositifs de contrôles internationaux en 2002, et l'année 2011 avait également été celle du record de saisie d'ivoire illégal à travers le monde: 3,8 tonnes (soit plus de 4 000 éléphants).

L'augmentation du trafic de défenses d'éléphants s'appuie essentiellement sur l'action d'une nébuleuse criminelle regroupant une multitude d'acteurs comme des guérillas armées, des paysans pauvres ou bien des trafiquants expérimentés.

Interdit en 1989, le commerce d'ivoire est régulièrement débattu dans le cadre des réunions de la CITES (Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction). Amendé en 1983, le texte de la CITES est devenu un règlement communautaire qui fait de l'Union européenne un partenaire incontournable via le règlement (CE) n° 338/97 du 9 novembre 1996. Par ailleurs, un changement de paradigme semble être apparu lors de la dernière session de juillet 2012, où il a été débattu d'un document essentiel intitulé «Mécanisme de prise de décisions et conditions nécessaires pour un futur commerce de l'ivoire de l'éléphant d'Afrique».

Compte tenu de ce qui précède, quelle position la Commission compte-t-elle adopter lors de la prochaine conférence de la CITES, prévue en mars 2013 à Bangkok, concernant le commerce de l'ivoire?

Réponse donnée par M. Potočnik au nom de la Commission
(27 novembre 2012)

Au sein de l'Union, l'interdiction sur le commerce de l'ivoire est mise en œuvre par le règlement (CE) n° 338/97 du Conseil relatif à la protection des espèces de faune et de flore sauvages ([1]). Garantir le respect de l'interdiction du commerce de l'ivoire est une priorité pour les agences responsables du commerce des espèces sauvages dans les États membres de l'Union. En 2011, il est estimé qu'environ 100 kilogrammes d'ivoire ont été saisis dans l'Union; la plupart des produits ont été saisis lors de leur transit entre l'Afrique et l'Asie.

Au niveau mondial, le braconnage des éléphants et le commerce illégal de l'ivoire ont atteint des niveaux record en 2011. C'est un grave sujet de préoccupation pour la Commission. La Chine est vraisemblablement la principale destination finale pour une partie importante de l'ivoire exporté illégalement d'Afrique. Les efforts déployés par les autorités chinoises pour lutter contre le trafic de l'ivoire doivent être poursuivis. Le respect de l'interdiction et les sanctions doivent également être renforcés dans les pays d'origine et de transit. L'Union soutient les mesures prises à cet effet par le consortium international sur la lutte contre la criminalité environnementale (ICCWC) récemment mis sur pied. Celui-ci regroupe cinq instances internationales spécialisées dans l'application du droit, le trafic de la faune sauvage et la gestion de projets.

Le commerce international de l'ivoire est interdit en vertu de la convention CITES. La Commission européenne prépare actuellement la position de l'Union pour la prochaine conférence des parties à la convention CITES, qui se tiendra à Bangkok en mars 2013. La Commission veillera à ce que toute décision prise dans le cadre de la convention CITES prenne pleinement en compte la situation préoccupante des populations d'éléphants dans un certain nombre des États de l'aire de répartition et la nécessité de mesures fortes pour améliorer cette situation.

([1]) JO L 061 du 3.3.1997.

(English version)

Question for written answer E-008984/12
to the Commission
Philippe Boulland (PPE)
(8 October 2012)

Subject: Ivory trafficking

The illegal trade in ivory has been on the rise in 2012, partly owing to rapidly increasing demand for imports from China and Thailand. Last year, poaching reached its highest level since the introduction of international monitoring measures in 2002, and 2011 was also a record year for seizures of illegal ivory throughout the world: 3.8 tonnes (the equivalent of more than 4 000 elephants).

The growth in the trafficking of elephant tusks is mostly due to the actions of an obscure and diverse criminal organisation bringing together armed guerilla groups, poor farmers and experienced traffickers.

The ivory trade, which was banned in 1989, has been a regular subject of debate at CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) meetings. Amended in 1983, the CITES text then became a Community regulation, making the European Union a crucial partner in the fight against the ivory trade through Regulation (EC) No 338/97 of 9 November 1996. Furthermore, a paradigm shift seems to have occurred at the July 2012 part-session, when a key document entitled 'Decision-making Mechanisms and Necessary Conditions for a Future Trade in African Elephant Ivory' was debated.

In the light of the above, what position does the Commission plan to adopt at the next CITES conference, planned for March 2013 in Bangkok, on the trade in ivory?

Answer given by Mr Potočnik on behalf of the Commission
(27 November 2012)

Within the EU, the prohibition on ivory trade is implemented through Council Regulation (EC) No 338/97 ([1]) on the protection of species of wild fauna and flora. Enforcing the ban on ivory trade is a priority for the agencies in charge of wildlife trade in the EU Member States. In 2011, it is estimated that around 100 kg of ivory were seized in the EU; most of the seized items were on transit from Africa to Asia.

At the global level, elephant poaching and illegal ivory trade reached record levels in 2011. This is a source of serious concern to the Commission. China is likely to be the main end destination for a large part of the ivory smuggled out of Africa. The efforts by the Chinese authorities against ivory trafficking need to be pursued. Enforcement and sanctions also need to be reinforced in countries of origin and transit. The EU supports the action taken to this end by the recently created International Consortium for Combating Wildlife Crime (ICCWC), which comprises five international organisations with expertise in law enforcement, wildlife trafficking and project management.

International trade in ivory is prohibited under the CITES Convention. The European Commission is currently preparing the EU position for the upcoming Conference of the Parties to the CITES Convention, which will be held in Bangkok in March 2013. The Commission will be endeavouring that any decision within the CITES Convention takes fully into account the worrying situation of elephant populations in a number of range States and the need for strong measures to improve that situation.

([1]) OJ L 061 , 03/03/1997.

(Version française)

Question avec demande de réponse écrite E-008985/12
à la Commission
Philippe Boulland (PPE)
(8 octobre 2012)

Objet: Logiciel «Liquidfeedback»

Le logiciel libre disponible sur l'internet, Liquidfeedback, permet aux membres d'une association de prendre part aux processus décisionnels par référendum ou par vote.

Ce système, rebaptisé «démocratie liquide» et adopté par plusieurs partis pirates du monde entier, permet de débattre, d'adopter des motions et de prendre part aux élections. Ces nouveaux logiciels ouvrent la voie à une véritable révolution démocratique sur l'internet, à condition d'être contrôlés et certifiés par des autorités indépendantes.

— La Commission compte-t-elle s'inspirer de ces systèmes innovants pour faire plébiscitercertains projets législatifs par les citoyens européens?

— Ce type d'instrument pourrait-il être mis en avant lors de l'année européenne de lacitoyenneté en 2013?

Réponse donnée par Mme Viviane Reding au nom de la Commission
(3 décembre 2012)

La question a trait aux outils permettant de faire participer les citoyens et leurs organisations aux débats sur les questions européennes, notamment les propositions législatives. La Commission a pour priorité de veiller à ce que les citoyens de l'Union puissent exercer les droits qui leur sont conférés, notamment leurs droits électoraux, quel que soit l'endroit de l'Union où ils se trouvent; aussi se réjouit-elle de toute initiative qui facilite la participation des citoyens à des consultations et des élections.

Cela dit, la Commission n'a pas l'intention d'exploiter le logiciel Liquidfeedback ou tout autre logiciel similaire disponible sur internet pour la consultation des citoyens, car elle dispose déjà des logiciels adaptés à ses besoins spécifiques.

En 2013, dans le cadre de l'Année européenne des citoyens, l'attention des citoyens sera attirée sur les outils démocratiques de participation comme les consultations en cours (http://ec.europa.eu/yourvoice/index_fr.htm) et sur la possibilité nouvellement introduite de lancer une initiative citoyenne (http://www.citizens-initiative.eu/).

En outre, dans le cadre du programme «L'Europe pour les citoyens» (2007-2013), la Commission encourage les initiatives visant à rapprocher l'Union des citoyens et à faciliter la participation active de ces derniers à la vie civique et démocratique de l'Union. Elle finance, au titre de ce programme, des projets utilisant des méthodes innovantes de débat sur les questions européennes. Les organisations désireuses d'essayer des méthodes innovantes de consultation des citoyens peuvent introduire des projets dans le contexte du programme «L'Europe pour les citoyens», action 1 «Des citoyens actifs pour l'Europe», mesure 2.1 «Projets citoyens».

(English version)

Question for written answer E-008985/12
to the Commission
Philippe Boulland (PPE)
(8 October 2012)

Subject: 'LiquidFeedback' software

LiquidFeedback is a software programme available free on the Internet that enables the members of an organisation to take part in decision-making processes by way of a referendum or vote.

This system, renamed 'Liquid Democracy' and now employed by a number of pirate parties throughout the world, facilitates debate, the adoption of motions and participation in elections. New software programmes of this kind can open the way for a genuine democratic revolution on the Internet if they are monitored and certified by independent authorities.

— Does the Commission intend to draw on these systems to conduct EU-wide polls on certain legislative proposals?

— Could such an instrument be promoted during the European Year of Citizens in 2013?

Answer given by Mrs Reding on behalf of the Commission
(3 December 2012)

The question posed by the Honourable Member of Parliament concerns tools to involve citizens and their organisations in debates on EU matters and notably legislative initiatives. It is a priority for the Commission to make sure that EU citizens can exercise their EU rights wherever they are in the EU and notably their electoral rights, and therefore the Commission welcomes any initiative which makes it easier for citizens to participate in consultations and elections.

However, the Commission itself does not intend to draw on the 'LiquidFeedback' Software or similar software programmes available on the Internet to carry out citizens' consultations as it disposes already of appropriate software programmes adapted to its specific needs.

During the European Year of Citizens 2013, the attention of the citizens will be drawn to democratic instruments for participation such as ongoing consultations (http://ec.europa.eu/yourvoice/index_en.htm) and the newly introduced possibility to launch a Citizens' Initiative (http://www.citizens-initiative.eu/).

Furthermore, within the Europe for Citizens Programme (2007-2013) the Commission promotes initiatives bringing the EU closer to the citizens and facilitating the active participation of citizens in the civic and democratic life of the EU. Within this programme, the Commission is funding projects using innovative methods for the debate on European issues. Organisations wishing to test new innovative methodologies to consult citizens may introduce projects under the Measure 2.1 'Citizens Projects' of Action 1 'Active Citizens for Europe' of the Europe for Citizens programme.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008986/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(8 Οκτωβρίου 2012)

Θέμα: Συγχρηματοδοτούμενα προγράμματα στην Ελλάδα — Υστέρηση από τους στόχους

Σύμφωνα με δημοσιογραφικές πληροφορίες, η απορρόφηση των συγχρηματοδοτούμενων από την ΕΕ προγραμμάτων στην Ελλάδα, παρουσιάζει σημαντική υστέρηση από το στόχο που είχε τεθεί στο Μνημόνιο.

Με δεδομένα την τραγική κατάσταση της οικονομίας, τις ιδιαίτερα χαμηλές επενδύσεις και την τεράστια ανεργία που συνεχώς αυξάνεται, ερωτάται η Επιτροπή:

— Ποιος είναι ο στόχος που έχει τεθεί στο Μνημόνιο για την απορρόφηση κοινοτικών πόρων μέχρι και το τέλος του 2012; Ποιο είναι το ύψος και ο ρυθμός απορρόφησής τους μέχρι σήμερα; Πώς προσδιορίζονται ανά ταμείο; Πώς σχολιάζει σχετικά;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(13 Δεκεμβρίου 2012)

Ο συνολικός ετήσιος στόχος αιτήσεων πληρωμών ανέρχεται σε 3,73 δισ. ευρώ, εκ των οποίων 2,85 δισ. ευρώ προέρχονται από το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης (ΕΤΠΑ) και το Ταμείο Συνοχής και 0,88 δισ. ευρώ από το Ευρωπαϊκό Κοινωνικό Ταμείο (ΕΚΤ). Η αξιολόγηση της συμμόρφωσης με τους στόχους πρέπει να βασίζεται σε πιστοποιημένα στοιχεία. Το δεύτερο Πρόγραμμα Οικονομικής Προσαρμογής για την Ελλάδα (Μάρτιος 2012) θέτει συγκεκριμένους στόχους τους οποίους η Ελλάδα πρέπει να επιτύχει προκειμένου να αυξήσει τους ρυθμούς απορρόφησης κεφαλαίων των διαρθρωτικών ταμείων.

Όσον αφορά τη διαχείριση προγραμμάτων και την απλοποίηση των διαδικασιών, έχουν γίνει πολλές βελτιώσεις οι οποίες αναμένεται να επιταχύνουν την απορρόφηση ([1]).

([1]) http://europa.eu/rapid/press-release_MEMO-12-784_el.htm

(English version)

Question for written answer E-008986/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(8 October 2012)

Subject: Co-funded programmes in Greece — Delay in achieving objectives

According to press releases, the absorption rate of programmes co-funded by the EU in Greece shows a significant delay in achieving targets set in the Memorandum.

In view of the poor economic state, particularly low investment levels and huge, and continually rising, unemployment, will the Commission answer the following:

— What is the objective established in the Memorandum for EU resource absorption by the end of 2012? To what extent and at what rate have they been absorbed to date? How are they determined for each fund? How does the Commission view this?

Answer given by Mr Rehn on behalf of the Commission
(13 December 2012)

The total annual target for payment claims is EUR 3.73 bn, whereby EUR 2.85 bn falls under the European Regional Development Fund (ERDF) and Cohesion Fund, and EUR 0,88 bn under the European Social Fund (ESF). Compliance with the targets shall be measured by certified data. The Second Economic Adjustment Programme for Greece (March 2012) set specific targets that Greece has to meet to raise absorption rates of Structural Funds.

Numerous improvements have been made to project management and in the simplification of procedures that are expected to accelerate the absorption ([1]).

([1]) http://europa.eu/rapid/press-release_MEMO-12-784_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008987/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(8 Οκτωβρίου 2012)

Θέμα: Αναδρομικές αλλαγές στο καθεστώς στήριξης των εν λειτουργία έργων ΑΠΕ

Σύμφωνα με δημοσιεύματα του Τύπου η ελληνική κυβέρνηση προτίθεται να επιφέρει αναδρομικές αλλαγές στο καθεστώς στήριξης των εν λειτουργία έργων ΑΠΕ (Ανανεώσιμων Πηγών Ενέργειας), επιβάλλοντας «έκτακτη εισφορά και μάλιστα αναδρομικά στον τζίρο των εν λειτουργία έργων ΑΠΕ, και ειδικά στα φωτοβολταϊκά».

Με δεδομένο ότι σε προηγούμενη ερώτησή μου (E-005660/2011), η Επιτροπή στις 22.7.2012 είχε απαντήσει «Η Επιτροπή δεν είναι ενήμερη για συζητήσεις στην Ελλάδα σχετικά με την επαναδιαπραγμάτευση των συμβάσεων και τη μείωση των εγγυημένων τιμών των ανανεώσιμων πηγών ενέργειας. Η Επιτροπή έχει επανειλημμένως και δημοσίως αντιταχθεί στις αναδρομικές αλλαγές των καθεστώτων στήριξης των ανανεώσιμων πηγών ενέργειας, με τις οποίες είναι αντίθετος ο κλάδος και υπονομεύουν την εμπιστοσύνη των επενδυτών»

Ερωτάται η Επιτροπή:

Μπορεί να είναι το ίδιο κατηγορηματική ότι δεν θα υπάρξουν «αναδρομικές αλλαγές των καθεστώτων στήριξης των ανανεώσιμων πηγών ενέργειας, με τις οποίες είναι αντίθετος ο κλάδος και υπονομεύουν την εμπιστοσύνη των επενδυτών».

Απάντηση του κ. Oettinger εξ ονόματος της Επιτροπής
(3 Δεκεμβρίου 2012)

Η Επιτροπή είναι ενήμερη σχετικά με τα ελληνικά σχέδια για προσωρινό φόρο επί των φωτοβολταϊκών εγκαταστάσεων. Επιβεβαιώνει την αρνητική της στάση σε τέτοιες αλλαγές με αναδρομική ισχύ για τα καθεστώτα στήριξης.

Η κανονιστική ρύθμιση των καθεστώτων των μηχανισμών στήριξης παραμένει ωστόσο ζήτημα υπαγόμενο στην αρμοδιότητα των κρατών μελών. Όπως αναφέρεται στην ανακοίνωση με τίτλο «Ενέργεια από ανανεώσιμες πηγές: σημαντικός παράγοντας στην ευρωπαϊκή αγορά ενέργειας» ([1]), προκειμένου να διασφαλίσει ότι οι αλλαγές στα καθεστώτα δεν υπονομεύουν περαιτέρω την εμπιστοσύνη των επενδυτών, η Επιτροπή ετοιμάζει επί του παρόντος έγγραφο καθοδήγησης σχετικά με τη μεταρρύθμιση των καθεστώτων στήριξης.

([1]) COM(2012)271 τελικό, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0271:FIN:EL:PDF.

(English version)

Question for written answer E-008987/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(8 October 2012)

Subject: Retroactive changes to the support scheme for commissioned renewable energy projects

According to press releases, the Greek Government intends to make retroactive changes to the support scheme for commissioned renewable energy projects, imposing an 'exceptional retroactive levy with on the turnover of commissioned renewables projects, especially photovoltaics'.

On 22 July 2012, the Commission answered a previous question (E-005660/2011) as follows: 'The Commission is not aware of any discussion in Greece surrounding the renegotiation of contracts and lowering guaranteed prices for renewable energy. The Commission has consistently and publicly opposed retroactive changes to renewable energy support schemes which are opposed by industry and undermine investor confidence.' Therefore, will the Commission answer the following:

Can it still say that there will be no 'retroactive changes to renewable energy support schemes which are opposed by industry and undermine investor confidence'?

Answer given by Mr Oettinger on behalf of the Commission
(3 December 2012)

The Commission is aware of Greek plans for a temporary tax on photovoltaic installations. It confirms its negative stance on such retroactive changes to support schemes.

The regulation of support scheme regimes remains, however, a Member State competence. As announced in the communication entitled 'Renewable Energy: a major player in the European energy market' ([1]), in order to ensure that changes to the regimes do not further undermine investor confidence, the Commission is currently preparing a Guidance document on support scheme reform.

([1]) COM(2012) 271final, http://ec.europa.eu/energy/renewables/communication_2012_en.htm

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-008988/12
komissiolle
Eija-Riitta Korhola (PPE)
(8. lokakuuta 2012)

Aihe: Muutetun päästökauppajärjestelmän vaikutukset EU:n talouteen

Komission puolesta antamassaan vastauksessa (E-003155/2012) komission jäsen Connie Hedegaard toteaa, että jäsenvaltiot voivat sähkön hinnoissa huomioon otettujen, kasvihuonekaasupäästöihin liittyvien epäsuorien kustannusten osalta ottaa käyttöön taloudellisia toimenpiteitä niiden alojen tukemiseksi, joita tilanne kaikkein eniten koskee, ja että näitä taloudellisia toimenpiteitä koskevien valtiontuen suuntaviivojen on määrä valmistua vuonna 2012. Valtiontukea todellakin tarvitaan, jotta lukuisten eurooppalaisten energiavaltaisten laitosten välitön sulkeminen voidaan välttää, mutta se ei voi olla pysyvä ratkaisu: kaikki jäsenvaltiot eivät voi myöntää energiavaltaisille teollisuusaloilleen valtiontukea taloudellisista syistä.

Pohjoismaiden ministerineuvostolle on sitä paitsi selvinnyt ([1]), että Pohjoismaiden energiavaltaisten teollisuusalojen (metsä-, metalli- ja kemianteollisuus) tuotanto vähenisi 8 prosenttia vuosittain, mikäli EU pitää kiinni yksipuolisesta ilmastopolitiikastaan ja muut eivät seuraa perässä. Mikäli nämä tappiot korvattaisiin täysimääräisesti Pohjoismaiden energiavaltaisille teollisuusaloille, olisi pelkästään kyseisissä maissa maksettava valtiontukea 17 miljardia euroa vuosittain. On selvää, että kaikki unionin jäsenvaltiot eivät voi ottaa käyttöön tämän kokoluokan valtiontukea. Sen sijaan meidän on löydettävä pysyvä ratkaisu korkeiden sähköhintojen ongelmaan, ja yksi tällainen on Euroopan sähkömarkkinoille ehdotettu uusi markkinamalli ([2]).

Komissio toteaa vastauksessaan tarkastelleensa myös huolellisesti [parlamentin jäsenen ehdottamaa] vaihtoehtoista lähestymistapaa, mutta koska kyseinen lähestymistapa arvioitiin jo muutama vuosi sitten, jolloin siinä havaittiin useita puutteita, sitä ei ehdotettu pantavaksi täytäntöön.

1. Onko komission suorittamasta arvioinnista saatavilla selontekoa?

2. Mitä puutteita havaittiin ehdotettua uutta markkinamallia koskevassa arvioinnissa?

Connie Hedegaardin komission puolesta antama vastaus
(6. joulukuuta 2012)

1. Mainitussa Pohjoismaiden ministerineuvoston teetättämässä raportissa todetaan, että energiaintensiiviset Pohjoismaat joutuvat käsittelemään perustavanlaatuisia pitkän aikavälin muutoksia globaalissa kilpailuympäristössä, kun kysyntä lisääntyy kehitysmaissa; tilanteeseen vaikuttavat myös työmarkkinakehitykset, Pohjoismaille tyypillisiin luonnonvaroihin kohdistuvat paineet ja hiilidioksipäästöjen vähentäminen ([3]). Olisi väärin olettaa, että tiettyjen alojen mahdolliset tappiot johtuvat ainoastaan EU:n päästökauppajärjestelmästä.

Tarkistettuun päästökauppadirektiiviin liittyvässä vaikutusten arvioinnissa on tarkasteltu niitä lähestymistapoja mahdollisten kilpailukykykysymysten käsittelemiseksi, joista sidosryhmät eniten keskustelevat ([4]). Lähestymistavasta, jota arvoisa jäsen ehdottaa, ei ole laadittu muita erityisiä selvityksiä.

2. Tehokkaiden sähkömarkkinoiden edellytyksenä on, että hiilidioksidin hinnoittelu koskee kaikkia toimijoita sen sijaan, että se poistettaisiin joidenkin osalta. On itse asiassa taloudellisesti tehokasta, että hiileen liittyvät kustannukset näkyvät sähkön rajahinnoissa.

Joka tapauksessa analyysit osoittavat, että päästöoikeuksien jakomenetelmällä ei ole merkittävää vaikutusta sähkön hintaan, koska velvoite palauttaa päästöoikeuksia luo joka tapauksessa vaihtoehtokustannuksen tuottajalle ([5]). Sähköntuottajalle myönnettävä tuki tarkoittaisi päästöoikeuksien ilmaisjakoa siten, että sähkön hinnanlaskusta ei olisi varmuutta mutta riski windfall-voitoista jatkuisi. Lisäksi kyseisestä järjestelmästä aiheutuvia hallinnollisia kustannuksia ja -menettelyjä ei tulisi aliarvioida.

([1]) Implication of EU emission trading in the Nordic countries, VATT valmisteluraportit 12, Valtion taloudellinen tutkimuskeskus, elokuu 2011, Janne Niemi ja Juha Honkatukia.
([2]) Pöyry Oy.n tutkimus Teknologiateollisuuden uudesta sähkömarkkinamallista, 3. kesäkuuta 2009.
([3]) J. Niemi and J. Honkatukia, Implications of EU emission trading in the Nordic countries, VATT valmisteluraportit 12, Valtion taloudellinen tutkimuskeskus, elokuu 2011.
([4]) SEC(2008) 52.
([5]) Pöyry Oy:n tutkimus Teknologiateollisuuden uudesta sähkömarkkinamallista, 3.6.2009.

(English version)

Question for written answer E-008988/12
to the Commission
Eija-Riitta Korhola (PPE)
(8 October 2012)

Subject: Impact of the revised Emission Trading Scheme on the EU economy

The answer given by Commissioner Hedegaard to my Written Question E-003155/2012 states: '(…) for indirect cost relating to GHG emissions passed on in electricity prices the Member States may adopt financial measures in favour of the most exposed sectors. The state aid guidelines for these financial measures are to be finalised in 2012'. Indeed, state aid is needed in order to prevent the immediate shutdown of numerous energy-intensive installations in Europe, but it cannot be a permanent solution: not all Member States have the financial resources that would enable them to allocate state aid to their energy-intensive industries.

Furthermore, the Nordic Ministerial Council ([1]) has concluded that the loss of output for energy-intensive industries (forestry, metallurgy and chemicals) in the Nordic countries could be as high as 8% per annum by 2020 if the EU continues with its unilateral climate policy while others do not follow. To fully compensate the Nordic energy-intensive industries for this loss would involve an annual total of EUR 17 billion in state aid for the Nordic countries alone. It is obvious that this level of state aid cannot be adopted by all EU Member States. Instead, we need a permanent solution to the problem of high electricity costs, one possible solution being the proposed new market design for the European electricity market ([2]).

The Commission's answer further states: 'The alternative approach proposed by the Honourable Member has been carefully considered. However, this type of approach was already assessed some years ago and was found to have a number of shortcomings, which is the reason why it was never proposed for implementation'.

1. Is there a report available on the assessment carried out by the Commission?

2. What shortcomings were identified in the assessment of the proposed new market design?

Answer given by Ms Hedegaard on behalf of the Commission
(6 December 2012)

1. According to the report referred to, commissioned by the Nordic Council of Ministers, the energy-intensive industries in Nordic countries face fundamental, long-term changes in the global competitive environment as the demand increases in the developing countries, in addition to labour market developments, pressure on natural resources typical to Nordic countries, and CO_2 mitigation ([3]). It would be wrong to attribute any potential losses for certain industries to the EU Emissions Trading System (EU ETS) alone.

The approaches most widely discussed by the stakeholders to address potential competitiveness issues have been considered in the impact assessment accompanying the proposal for the revised ETS Directive ([4]). There is no other report specifically on the approach proposed by the Honourable Member.

2. Pricing of the CO_2 for all actors, rather than suppressing it for some, is a prerequisite for an efficient electricity market. Indeed, it is economically efficient that marginal electricity prices reflect carbon costs.

In any case, analyses show that the method of allocation of allowances does not have a significant impact on the electricity price, because the obligation to surrender allowances in any case creates an opportunity cost to the producer ([5]). The subsidy to an electricity producer would just act as free allocation with no certain decrease in the electricity price and a continued risk of windfall profits. Also, the administrative costs and procedures needed for such a system should not be underestimated.

([1]) J. Niemi and J. Honkatukia, 'Implications of EU emission trading in the Nordic countries', Policy Reports 12, Finnish Government Institute for Economic Research, August 2011.
([2]) Pöyry Energy Oy / Federation of Finnish Technology Industries, 'New Design for the Electricity Market', 3 June 2009.
([3]) J. Niemi and J. Honkatukia, 'Implications of EU emission trading in the Nordic countries', Policy Reports 12, Finnish Government Institute for Economic Research, August 2011.
([4]) SEC(2008) 52.
([5]) Pöyry Energy Oy/Federation of Finnish Technology Industries, 'New Design for the Electricity Market', 3 June 2009.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-008989/12
an die Kommission
Jorgo Chatzimarkakis (ALDE)
(8. Oktober 2012)

Betrifft: Anerkennung deutsche Weiterbildung von Berufskraftfahrern nach EU-Richtlinie 2003/59/EG

Berufskraftfahrer müssen gemäß EU-Richtlinie 2003/59/EG nach Ablauf von fünf Jahren eine Weiterbildung (35 Stunden) absolvieren. Ein entsprechender Nachweis muss mitgeführt werden.

Nach Artikel 9 kann eine Weiterbildung auch im Land des Arbeitsgebers erfolgen. Dies ist insofern von zentraler Bedeutung, als im Zuge des zusammenwachsenden Europas immer mehr Berufskraftfahrer jenseits der Grenze arbeiten bzw. eine solche Bescheinigung in einem anderen Mitgliedstaat vorweisen müssen.

Als Europaabgeordneter meines Wahlkreises Saarland, der an Frankreich angrenzt, erhalte ich immer wieder Hinweise, dass in Deutschland absolvierte Kurse von den französischen Behörden nicht anerkannt werden.

Deutsche Führerscheinstellen erkennen eine in Frankreich absolvierte Weiterbildung in aller Regel an.

1. Sieht die Kommission in der prinzipiellen Nichtanerkennung der Weiterbildungsbescheinigungen in einzelnen Mitgliedstaaten eine Verletzung der entsprechenden Artikel von EU-Richtlinie 2003/59/EG?

2. Sollte dies der Fall sein: Plant die Kommission hier entsprechend tätig zu werden?

Antwort von Herrn Kallas im Namen der Kommission
(20. November 2012)

Bei der Verabschiedung der Richtlinie über die Grundqualifikation und Weiterbildung von Berufskraftfahrern ([1]) haben sich die Gesetzgebungsorgane dagegen entschieden, die Mitgliedstaaten zur gegenseitigen Anerkennung der Bescheinigungen über die Berufsausbildung zu verpflichten. Stattdessen können die Mitgliedstaaten wählen, ob sie einen Code im Führerschein vermerken oder einen Fahrerqualifizierungsnachweis ausstellen, wenn ein Fahrer eine Weiterbildung absolviert hat.

Um das von Ihnen beschriebene Problem zu lösen, stellen mehrere Mitgliedstaaten Fahrern, die ihren Führerschein in einem anderen EU-Mitgliedstaat erworben haben, Fahrerqualifizierungsnachweise aus, wenn sie die Weiterbildung absolviert haben. Im Gegensatz zu Bescheinigungen über die Berufsausbildung müssen diese Fahrerqualifizierungsnachweise in allen Mitgliedstaaten anerkannt werden. Bei einer Ausschusssitzung im Juni 2012 hat die Kommission die Mitgliedstaaten aufgerufen, sich dieser Praxis zur Lösung des Problems anzuschließen.

([1]) Richtlinie 2003/59/EG, ABl. L 226 vom 10.9.2003, S. 4.

(English version)

Question for written answer E-008989/12
to the Commission
Jorgo Chatzimarkakis (ALDE)
(8 October 2012)

Subject: Recognition of German vocational training for professional drivers under EU Directive 2003/59/EC

Under EU Directive 2003/59/EC, professional drivers must follow a 35-hour programme of periodic vocational training every five years. They must keep the certificate proving they have done so with them while driving.

Under Article 9, this periodic training may also take place in the country of their employer. This point is of major importance since, with the increasing degree of integration in Europe, more and more professional drivers work abroad or must produce such a certificate for inspection in another Member State.

As MEP for my constituency, the Saarland, I receive innumerable indications that training courses followed in Germany are not recognised by the French authorities.

German driving licence authorities, on the other hand, do generally recognise certificates obtained in France.

1. Does the Commission regard the refusal by some Member States to recognise vocational training certificates from other countries as a breach of the relevant article of EU Directive 2003/59/EC?

2. If so, is it planning to take any action on this matter?

Answer given by Mr Kallas on behalf of the Commission
(20 November 2012)

When adopting the directive on professional driver's training ([1]) the legislator has chosen not to stipulate that vocational training certificates have to be mutually recognised by Member States. Instead, Member States have the choice between inserting a code on the driving licence or issuing a driver qualification card when a driver passed the training.

In order to resolve the problems described by the Honourable Member, several Member States are issuing driver qualification cards to holders of driving licences of another EU Member State after they have passed the training. In contrast to vocational training certificates these drivers' qualification cards have to be recognised in all Member States. The Commission has called upon Member States during a committee meeting in June 2012 to follow these practices to resolve the problem.

([1]) Directive 2003/59/EC, OJ L 226, 10.09.2003, p.4.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-008990/12
til Kommissionen
Ole Christensen (S&D)
(8. oktober 2012)

Om: Tilstrækkeligt bevismateriale i timelærersag

I svar til mig den 17.8.2012 foreslår Kommissionen at lukke timelærersagen, som har stået på over en årrække mellem timelærere ansat i undervisningssektoren af den danske stat. Kommissionen mener blandt andet, at der i den konkrete sag ikke foreligger beviser af en sådan beskaffenhed, at det kan anvendes over for EU-Domstolen i en eventuel sag mod Danmark.

I mellemtiden er der dog kommet nye beviser frem, som kan bruges i sagen. Blandt andet har Rigsrevisionen i Danmark fremlagt en rapport (vedhæftet), hvor den sår tvivl om den danske stats praksis i forhold til eksterne lektorers og undervisningsassistenters ansættelsesforhold, som er ansat på deltid. Undersøgelsen er igangsat på eget initiativ af Rigsrevisionen i 2011 efter, at den er blevet bekendt med, at reglerne i flere tilfælde ikke efterleves.

Blandt hovedkonklusionerne er, at eksterne lektorers og undervisningsassistenters ansættelsesforhold ikke forvaltes tilfredsstillende i Danmark. Endvidere fastslår Rigsrevisionen, at universiteterne i Danmark i flere tilfælde ikke har efterlevet reglerne for eksterne lektorers og undervisningsassistenters ansættelse og arbejdsomfang.

1. På baggrund af ovenstående, vil Kommissionen tage stilling til Rigsrevisionens konklusioner samt vurdere tilstrækkeligheden i bevismaterialet i forhold til at igangsætte en eventuel sag mod Danmark?

2. Vil Kommissionen endvidere tage stilling til, hvad den mere generelt vurderer som tilstrækkeligt bevismateriale ud over, at det ikke må være fortrolighedsstemplet eller vagt — som Kommissionen har tilkendegivet i sin skrivelse den 17.8.2012 — og give nogle mere konkrete eksempler på, hvad den anser som tilstrækkeligt bevismateriale?

Foreløbigt svar afgivet på Kommissionens vegne af László Andor
(5. december 2012)

Kommissionen er i øjeblikket ved at udføre en grundig analyse af de rejste spørgsmål og foretager herunder også en oversættelse af det dokument, der var vedlagt det ærede medlems spørgsmål. Kommissionen underretter det ærede medlem om resultatet så hurtigt som muligt.

Supplerende svar afgivet på Kommissionens vegne af László Andor
(29. januar 2013)

1. Kommissionen har undersøgt den omfattende dokumentation samt den rapport, som det ærede medlem har fremlagt, og har konkluderet, at det ikke udgør bevis for traktatbrud. I rapporten nævnes det udtrykkeligt, at reglerne er klare, men at de pågældende arbejdsgivere (universiteterne) har undladt at overholde og anvende dem korrekt.

I rapporten nævnes ingen fejl i de danske bestemmelser, der har indarbejdet EU-retten. En traktatbrudsprocedure kan derfor ikke iværksættes af Kommissionen på dette grundlag. Situationen ville være anderledes, hvis en fast administrativ praksis i strid med EU-retten tolererede en sådan arbejdsgiveradfærd, men rapporten viser det modsatte.

I rapporten står det klart, at ansvaret for at kontrollere og, hvor det er nødvendigt, for at straffe arbejdsgivere for en sådan adfærd ligger hos Styrelsen for Universiteter og Internationalisering. Som Kommissionen har påpeget, bør de, som er negativt påvirket af denne situation, derudover benytte de midler, der er til rådighed, f.eks. retssager, for at håndhæve deres rettigheder i henhold til national ret.

2. Med hensyn til formålet med traktatbrudsproceduren er der behov for dokumentation for, at de nationale regler ikke er i overensstemmelse med kravene i det pågældende direktiv. Individuelle arbejdsgiveres ukorrekte anvendelse udgør ikke en sådan dokumentation, medmindre den er baseret på fast administrativ praksis. Et eksempel på relevant bevismateriale kunne være lovgivning eller kollektive overenskomster, der stiller deltidsansatte mindre gunstigt end fuldtidsansatte, som f.eks. de oplysninger om lærere i uddannelsessystemet på kommunalt plan, der citeres i Kommissionens brev af 17. august 2012, som det ærede medlem henviser til.

(English version)

Question for written answer E-008990/12
to the Commission
Ole Christensen (S&D)
(8 October 2012)

Subject: Sufficient evidence in the case concerning hourly-paid teachers

In its reply to me of 17 August 2012 the Commission proposes to close the file concerning hourly-paid teachers employed by the Danish State, which has been a contentious issue for years. The Commission argues, among other things, that there is no evidence in this specific case that could be used before the European Court of Justice in an action brought against Denmark.

Meanwhile, however, new evidence has emerged which may be used to this end. The Office of the Auditor-General of Denmark has issued a report (enclosed) in which it raises doubts about the practice followed by the Danish State with regard to the employment of external lecturers and teaching assistants working part-time. The Office of the Auditor-General opened the inquiry in 2011 on its own initiative, after it had become aware of several cases in which the rules had not been complied with.

Among its key conclusions the report points out shortcomings in the way external lecturers' and teaching assistants' employment contracts are managed in Denmark. Further, the Office of the Auditor-General finds that, in several cases, Danish universities have not complied with the rules concerning the hiring of external lecturers and teaching assistants and the scope of their duties.

1. Based on the above, would the Commission consider the conclusions drawn by the Office of the Auditor-General and assess whether there is sufficient evidence to open infringement proceedings against Denmark?

2. Further, would the Commission elaborate, in general terms, on what the requirements are for evidence to be considered sufficient, other than — as stated in its letter of 17 August 2012 — not being vague or classed as confidential, and give some concrete examples of what is considered sufficient evidence?

Preliminary answer given by Mr Andor on behalf of the Commission
(5 December 2012)

The Commission is conducting a detailed analysis of the issues raised, including translating the document which was annexed to the Honourable Member's question and will inform the Honourable Member of the outcome as soon as possible.

Supplementary answer given by Mr Andor on behalf of the Commission
(29 January 2013)

1. The Commission has examined the extensive documentation and the report provided by the Honourable Member and has concluded that they provide no evidence of any infringement. The report states explicitly that the rules are clear, but that the employers concerned (the universities) have failed to observe or apply them correctly.

The report makes no reference to defects in the Danish national rules transposing EC law. Consequently, no infringement procedure can be launched by the Commission on that ground. The situation would be different if such behaviour on the part of an employer were to be condoned by constant administrative practice contrary to EC law, but the report indicates the opposite.

The report makes it clear that responsibility for verifying and, where necessary, for penalising the employers concerned for such behaviour lies with the Danish Agency for Universities and Internationalisation. Furthermore, as the Commission has pointed out, those adversely affected by the situation should use the means available, such as litigation, to enforce their rights under national law.

2. In view of the purpose of the infringement procedure, evidence is needed that the national rules do not comply with the requirements of the directive in question. Incorrect application by individual employers does not constitute such evidence, unless it is based on constant administrative practice. An example of evidence of relevance would be the text of legislation or collective agreements treating part-time staff less favourably than full-time staff, such as that regarding teachers in the education system at municipal level, cited in the Commission's letter of 17 August 2012 to which the Honourable Member refers.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-008992/12
lill-Kummissjoni
Louis Grech (S&D)
(8 ta' Ottubru 2012)

Suġġett: Rikonoxximent ta' ħiliet miksuba barra mill-iskola u mill-università

Il-proposta tal-Kummissjoni għal rakkomandazzjoni tal-Kunsill dwar il-validazzjoni tat-tagħlim mhux formali u informali, ippreżentata fil-bidu ta' Settembru 2012, tħejji l-pedament għar-rikonoxximent mill-UE tal-ħiliet u l-kompetenzi miskuba miċ-ċittadini barra mill-iskola jew mill-università. Bħalissa, jidher li l-Finlandja, Franza, il-Lussemburgu u l-Pajjiżi l-Baxxi biss għandhom sistemi komprensivi fis-seħħ għall-validazzjoni tat-tagħlim mhux formali u informali. Id-dokument tal-Kummissjoni beda jagħmel tibdiliet dwar dan.

Din l-inizjattiva hija mmirata l-aktar għaż-żgħażagħ qiegħda u dawk bi ftit kwalifiki formali, kif ukoll għall-ħaddiema akbar fl-età u b'ħiliet baxxi. Jien naqbel li l-metodoloġiji informali u mhux formali huma għodda ta' tagħlim fundamentali li jikkontribwixxu għall-iżvilupp personali u l-impjegabilità ta' individwu u jgħinu l-integrazzjoni ta' dik il-persuna fis-soċjetà kollha billi jinkoraġġixxu ċ-ċittadinanza attiva.

Din il-proposta kif se tikkomplementa l-parti "formali" tal-ispettru tat-tagħlim (u b'ħekk il-Qafas Ewropew tal-Kwalifiki)? Se toħloq opportunitajiet ta' tagħlim ta' kwalità għolja u sostenibbli li se jservu bħala alternattivi għal dawk offruti mill-edukazzjoni formali?

Aħna se jkollna bżonn informazzjoni sempliċi, effikaċi u f'waqtha jekk irridu nibdlu l-perċezzjoni negattiva li ċerti ċittadini u whud fl-oqsma tal-impjieg u tal-edukazzjoni għandhom tal-edukazzjoni informali. Il-Kummissjoni qed tħeġġeġ lill-Istati Membri jistabbilixxu sistemi nazzjonali għall-validazzjoni tat-tagħlim mhux formali u informali.

F'liema stadju nistgħu nistennew li l-Istati Membri jintroduċu dawn l-istrutturi, speċjalment meta wieħed jikkunsidra li whud minnhom għadhom ma adottawx id-direttiva dwar il-kwalifiki?

Tweġiba mogħtija mis-Sinjura Vassiliou f'isem il-Kummissjoni
(26 ta' Novembru 2012)

Il-proposta tal-Kummissjoni għal Rakkomandazzjoni tal-Kunsill dwar il-validazzjoni ta' tagħlim mhux formali u informali għandha l-għan li tikkumplimenta l-parti formali tal-ispettru tat-tagħlim, billi din tirrakkomanda li l-Istati Membri jagħtu l-opportunità liċ-ċittadini biex jiksbu kwalifika sħiħa, jew partijiet minnha, skont esperjenzi validati ta' tagħlim mhux formali u informali. Il-proposta tal-Kummissjoni tiffoka fuq ir-riżultati tat-tagħlim li ġejjin minn tagħlim mhux formali u informali. L-għan tagħha mhuwiex li toħloq opportunitajiet ta' tagħlim alternattivi għall-edukazzjoni formali.

Il-proposta tikkomplimenta r-Rakkomandazzjoni tal-Parlament u tal-Kunsill dwar l-istabbiliment tal-Qafas Ewropew tal-Kwalifiki għat-tagħlim tul il-ħajja (QEK). Kemm il-proposta kif ukoll ir-Rakkomandazzjoni tal-QEK isegwu l-approċċ tar-riżultati tat-tagħlim li fil-qalba tiegħu hemm l-għarfien, il-ħiliet u l-kompetenzi miksuba. Filwaqt li r-Rakkomandazzjoni tal-QEK tiffoka prinċipalment fuq il-kwalifiki, din tiddikjara wkoll li l-validazzjoni ta' tagħlim mhux formali u informali għandha tiġi promossa.

Il-Kummissjoni pproponiet l-2015 bħala d-data għall-istabbiliment tas-sistemi nazzjonali għall-validazzjoni. Id-data hija kompatibbli mal-implimentazzjoni attwali tar-Rakkomandazzjoni tal-QEK mill-Istati Membri. Sa l-aħħar tal-2012, 15-il Stat Membru u pajjiż kandidat se jkunu rreferew il-kwalifiki nazzjonali tagħhom għall-Qafas Ewropew tal-Kwalifiki. Fl-2013, 12-il Stat Membru, żewġ pajjiżi kandidati u pajjiż taż-ŻEE qed jippjanaw li jsegwuhom.

Il-proposta tal-Kummissjoni dwar il-validazzjoni ta' tagħlim mhux formali u informali bħalissa qed tiġi diskussa fil-Kunsill mill-Istati Membri.

(English version)

Question for written answer E-008992/12
to the Commission
Louis Grech (S&D)
(8 October 2012)

Subject: Recognition of skills gained outside school and university

The Commission proposal for a Council recommendation on the validation of non-formal and informal learning, submitted in early September 2012, lays the groundwork for the recognition by the EU of skills and competences gained by citizens outside school or university. Currently, it seems that only Finland, France, Luxembourg and the Netherlands have comprehensive systems in place for the validation of non-formal and informal learning. The Commission paper has begun to change this.

This initiative targets mainly young unemployed persons and those with few formal qualifications, as well as older and low-skilled workers. I agree that informal and non-formal methodologies are fundamental learning tools which contribute to the personal development and employability of an individual and help integrate that person into the wider society by encouraging active citizenship.

How will this proposal complement the 'formal' side of the learning spectrum (and therefore the European Qualifications Framework)? Will it create high-quality and sustainable learning opportunities which will serve as alternatives to those offered by formal education?

We will require simple, effective and timely information if we are to change the negative perception that some citizens and some in employment and educational milieux have of informal education. The Commission is encouraging Member States to establish national systems for the validation of non-formal and informal learning.

At what stage can we expect Member States to introduce these structures, especially when one considers that some of them have not yet adopted the qualifications directive?

Answer given by Ms Vassiliou on behalf of the Commission
(26 November 2012)

The Commission proposal for a Council Recommendation on the validation of non-formal and informal learning aims to complement the formal side of the learning spectrum, as it recommends that Member States provide the opportunity for citizens to obtain a full qualification, or parts thereof, on the basis of validated non-formal and informal learning experiences. The Commission proposal focuses on the learning outcomes resulting from non-formal and informal learning. Its objective is not to create alternative learning opportunities to formal education.

The proposal is complementary to the recommendation of the Parliament and the Council on the establishment of the European Qualifications Framework for lifelong learning (EQF). Both the proposal and the EQF Recommendation follow the learning outcomes approach in which the knowledge, skills and competences acquired are central. While the EQF Recommendation mainly focuses on qualifications, it also states that the validation of non-formal and informal learning should be promoted.

The Commission proposed 2015 as the date for the establishment of national systems for validation. The date is compatible with the current implementation of the EQF Recommendation by the Member States. By the end of 2012, 15 Member States and one candidate country will have referenced their national qualifications to the European Qualifications Framework. 12 Member States, two candidate countries and one EEA country are planning to follow in 2013.

The Commission proposal on the validation of non-formal and informal learning is currently being discussed by the Member States in the Council.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-008993/12
lill-Kummissjoni
Louis Grech (S&D)
(8 ta' Ottubru 2012)

Suġġett: L-immappjar ta' qiegħ il-baħar — tkabbir u impjiegi fis-settur tal-baħar

Il-ġestjoni aħjar tal-oċeani u l-ibħra ta' madwar l-Ewropa se toffri potenzjal ġdid għat-tkabbir u l-impjiegi fi ħdan il-qafas tal-għanijiet tal-UE 2020. Fl-aħħar ta' Awwissu 2012, il-Kummissjoni adottat il-Green Paper tagħha rigward "l-Għarfien dwar il-Baħar" u nediet konsultazzjoni dwar kif jistgħu jintlaħqu l-għanijiet li tistabbilixxi. Il-Kummissjoni tipproponi li sal-2020 tinħoloq mappa diġitali ta' qiegħ il-baħar tal-ilmijiet Ewropej billi tingħabar id-data kollha eżistenti f'bażi ta' data unika aċċessibbli għal kulħadd.

Jidher li l-inizjattiva tal-Kummissjoni se tkun sistema li se tkun aċċessibbli u interoperabbli, ħielsa minn restrizzjonijiet fuq l-użu, u li se tgħin lill-Istati Membri jimmassimizzaw il-potenzjal tal-programmi tagħhom ta' stħarriġ, teħid ta' kampjuni u osservazzjoni tal-baħar.

Nemmen li sabiex niksbu dan, l-istruttura attwali fejn id-data hija frammentata u miżmuma minn diversi istituzzjonijiet fi ħdan l-Ewropa teħtieġ tiġi riveduta b'mod radikali u mibdula f'punt ta' informazzjoni waħdieni, uniku u ssimplifikat għall-industrija kollha, għal dawk li jaħdmu jew joperaw fuq il-baħar, għal dawk kollha li jinvestu ħafna — jew jixtiequ jinvestu — f'din ir-riżorsa, u għall-awtoritajiet pubbliċi b'mod ġenerali.

Din l-inizjattiva sservi wkoll bħala opportunità tajba biex tingħata ħajja ġdida lill-kunċett rivoluzzjonarju propost ftit deċennji ilu minn Arvid Pardo (eks-Ambaxxatur Malti għan-NU), li argumenta li l-oċeani jmorru lil hinn mill-ġurisdizzjoni nazzjonali u huma tabilħaqq "il-wirt komuni tal-bniedem". Is-sejħa ta' Pardo lill-pajjiżi kollha — biex jipproteġu r-riżorsi tal-oċeani u jipprevjenu l-approprjazzjoni arbitrarja tagħhom, inaqqsu t-tniġġis u jinfurzaw regolamenti li jiżguraw il-paċi fuq il-baħar — għadha kruċjali għat-tħaddim u s-sostenibilità tal-aħħar proposta tal-Kummissjoni, mhux tal-anqas fil-Mediterran, u b'mod partikolari għal istati gżejjer bħal Malta.

Tista' l-Kummissjoni tispjega kif l-espansjoni tal-ekonomija blu tista' tiġi żviluppata, avvanzata u żgurata, partikolarment għall-Istati Membri gżejjer bħal Malta?

Tweġiba mogħtija mis-Sinjura Damanaki f'isem il-Kummissjoni
(17 ta' Diċembru 2012)

Stati gżejjer bħal Malta se jibbenefikaw b'mod partikolari mill-Aġenda tal-Baħar u Marittima għat-Tkabbir u l-Impjiegi li ġiet adottata mill-ministri tal-UE responsabbli għall-affarijiet marittimi fit-8 ta' Ottubru 2012.

L-ewwel nett, dan jista' jseħħ billi jsir użu sħiħ mill-istrumenti disponibbli tal-UE, inkluż billi wieħed iħares lejn il-potenzjal tal-għotjiet ta' finanzjament strutturali tal-UE jew il-Bank Ewropew tal-Investiment li jsellef biex jippromwovi l-investimenti u l-programm ta' riċerka Orizzont 2020 biex jistimula l-innovazzjoni. L-enfasi se tkun fuq l-akkwakultura, it-turiżmu ta' mal-kosta, l-enerġija rinnovabbli, l-estrazzjoni minn qiegħ il-baħar u l-bijoteknoloġija blu.

It-tieni nett, il-Kummissjoni qed tiżviluppa strumenti speċifiċi tal-politika marittima, bħall-ippjanar tal-ispazju marittimu u mappa diġitali ta' qiegħ il-baħar. Għal dan il-għan, se jinħoloq netwerk ta' organizzazzjonijiet għaż-żamma tad-dejta biex jipprovdi punt ta' informazzjoni uniku simplifikat għal dawk kollha li jaħdmu jew joperaw fuq il-baħar.

Il-Kummissjoni feħet konsultazzjonijiet wiesgħa dwar dawn l-inizjattivi sabiex tiżgura li l-istrumenti tal-UE jikkumplimentaw l-inizjattivi lokali u jissodisfaw il-prijoritajiet lokali.

(English version)

Question for written answer E-008993/12
to the Commission
Louis Grech (S&D)
(8 October 2012)

Subject: Seabed mapping — blue growth and jobs

Better management of the oceans and seas surrounding Europe will offer new potential for growth and jobs within the framework of the EU 2020 goals. At the end of August 2012, the Commission adopted its Green Paper on 'Marine Knowledge' and launched a consultation on how the aims it sets out can be achieved. The Commission proposes that a digital seabed map of European waters be created by 2020 by means of collecting all existing data into a single database accessible to all.

The Commission's initiative promises to be a system which will be accessible and interoperable, will be free of restrictions on use, and will help Member States maximise the potential of their marine observation, sampling and surveying programmes.

I believe that in order to achieve this, the current structure whereby data is fragmented and held by various institutions within Europe must be overhauled and transformed into a single and streamlined one-stop information point for all the industry, for all those who work or operate at sea, for all who heavily invest — or wish to invest — in this resource, and for public authorities in general.

This initiative would also serve as a fine opportunity to give new life to the ground-breaking concept proposed some decades ago by Arvid Pardo (former Maltese Ambassador to the UN), who argued that oceans go beyond national jurisdiction and are indeed 'the common heritage of mankind'. Pardo's call to all countries — to protect ocean resources and prevent their arbitrary appropriation, to curb pollution and to enforce regulations securing peace at sea — remains key to the workability and sustainability of the Commission's latest proposal, not least in the Mediterranean, and in particular for island states like Malta.

Can the Commission explain how the expansion of the blue economy can be developed, furthered and secured, particularly for island Member States such as Malta?

Answer given by Ms Damanaki on behalf of the Commission
(17 December 2012)

Island States such as Malta will particularly benefit from the Marine and Maritime Agenda for Growth and Jobs that was adopted by EU ministers responsible for maritime affairs on 8 October 2012.

Firstly, this can be done by making maximum use of available EU instruments, including by looking at the potential of EU structural funding grants or European Investment Bank lending to promote investments and the Horizon 2020 research programme to stimulate innovation. The focus will be on aquaculture, coastal tourism, renewable energy, seabed mining and blue biotechnology.

Secondly, the Commission is developing specific maritime policy instruments, such as maritime spatial planning and a digital seabed map. For this, a network of data-holding organisations will be put in place to provide a single and streamlined one-stop information point for for all those who work or operate at sea.

The Commission is consulting widely on these initiatives in order to ensure that EU instruments complement local initatives and meet local priorities.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-008994/12
lill-Kummissjoni
Louis Grech (S&D)
(8 ta' Ottubru 2012)

Suġġett: Minuri mhux akkumpanjati

Ir-rapport ta' nofs il-perjodu riċenti tal-Kummissjoni dwar l-implimentazzjoni tal-Pjan ta' Azzjoni tal-UE rigward il-Minuri mhux Akkumpanjati (2010-2014) jikkonkludi b'mod inekwivoku li l-wasla ta' minuri mhux akkumpanjati minn pajjiżi terzi fl-Ewropa la hija problema ta' ftit żmien u lanqas ma hija waħda temporanja, iżda hija tabilħaqq aspett li jżid b'mod sinifikanti l-kumplessitajiet diġà eżistenti fir-rigward tal-flussi migratorji li jaffettwaw il-fruntieri tal-UE u li sar parti integrali minnhom.

Il-Kummissarju għall-Affarijiet Interni, Cecilia Malmström, iddikjarat li: "Jeħtieġ li ntejbu l-proċeduri tagħna biex niżguraw li dawn it-tfal jintlaqgħu b'mod dinjituż fil-fruntieri tal-Ewropa. Dan jinkludi kooperazzjoni u kondiviżjoni tal-informazzjoni aħjar bejn il-pajjiżi tal-UE."

1. L-UE-27 sa liema punt qed jikkooperaw bejniethom biex iwettqu dan il-Pjan ta' Azzjoni? Liema huma l-kwistjonijiet l-aktar urġenti u pressanti li l-Istat Membru riċevitur ikkonċernat jeħtieġ jibda jindirizza minnufih mal-wasla ta' dawn il-minuri?

2. Il-Kummissjoni hija sodisfatta li qed jitqiesu b'mod sħiħ l-aħjar interessi u l-benessri tat-tfal ikkonċernati jekk eventwalment jiġu rilokati, kemm jekk f'pajjiż terz jew fl-Ewropa stess? Fil-każ tar-rilokazzjoni, l-Istati Membri jistgħu jagħmlu iktar biex jiżguraw li t-tranżizzjoni tkun mingħajr xkiel u li t-taqlib għat-tfal ikun kemm jista' jkun minimu?

Tweġiba mogħtija mis-Sinjura Malmström f'isem il-Kummissjoni
(28 ta' Novembru 2012)

Kif iddikjarat mill-Kummissjoni fir-rapport ta' nofs it-terminu dwar l-implimentazzjoni tal-Pjan ta' Azzjoni tal-UE dwar Minuri mhux Akkumpanjati (2010-2014), ittieħdu bosta inizjattivi biex jitrawmu l-kooperazzjoni u l-qsim tal-informazzjoni bejn il-pajjiżi tal-UE.

Fl-2011, Frontex nediet operazzjoni konġunta fil-fruntieri tal-ajru, li rriżultat f'linji gwida għall-benefiċċju tal-gwardji tal-fruntiera dwar kif għandhom jiġu ttrattati t-tfal. Bħalissa l-EASO jamministra programm ta' taħriġ vokazzjonali maħsub għall-ħaddiema f'każ ta'ażil tal-Istati Membri tal-UE, li jinkludi modulu dwar l-intervisti lit-tfal. L-EASO dalwaqt se joħroġ ukoll manwal dwar il-kalkolu tal-età, abbażi ta' diversi laqgħat tal-esperti li saru aktar kmieni din is-sena. L-esperti qabblu l-merti ta' tekniki differenti u kif dawn għandhom jiġu applikati b'mod li jifmuhom it-tfal.

Il-Kummissjoni waqqfet Grupp ta' Esperti dwar il-minuri mhux akkumpanjati, li ddiskuta l-kurazija (Ġunju 2011) u t-traċċar tal-familji (Marzu 2012), elementi kruċjali biex jiġi żgurat li l-aħjar interessi tat-tfal jiġu rispettati. Ir-rapporti huma disponibbli pubblikament fuq ir-reġistru tal-Kummissjoni.

Il-minuri mhux akkumpanjati huma identifikati bħala "grupp vulnerabbli". Sa issa, l-ebda minuri mhux akkumpanjati ma ġew rilokati skont il-proġetti ta' Rilokazzjoni Ewropea minn Malta, iżda hemm tliet każijiet ta' rilokazzjoni permezz ta' arranġamenti bilaterali. F'kull każ dan sar bl-għan li dawn jiġu rilokati sabiex jgħixu mal-membri tal-familja tagħhom skont l-aħjar interessi tat-tfal.

(English version)

Question for written answer E-008994/12
to the Commission
Louis Grech (S&D)
(8 October 2012)

Subject: Unaccompanied minors

The Commission's recent mid-term report on the implementation of the EU Action Plan on Unaccompanied Minors (2010-2014) unequivocally concludes that the arrival of unaccompanied minors from third countries into Europe is neither a brief nor a fleeting problem, but indeed an aspect which has significantly added to and become an integral part of the already existent complexities relating to the migratory flows affecting the EU's borders.

The Commissioner for Home Affairs, Cecilia Malmström, has stated that: 'We need to improve our procedures to ensure that these children receive a dignified welcome at Europe's borders. This includes better cooperation and information sharing between EU countries.'

1. To what extent are the EU-27 cooperating amongst themselves to see the realisation of this Action Plan? What are the most urgent and pressing issues that the recipient Member State in question must start to tackle immediately on the arrival of these minors?

2. Is the Commission satisfied that full account is being taken of the best interests and welfare of the children concerned if they are eventually relocated, whether to a third country or within Europe itself? In the case of relocation, is there more that Member States can do to ensure that the transition is smooth and that the upheaval for the child is as minimal as possible?

Answer given by Ms Malmström on behalf of the Commission
(28 November 2012)

As stated in the Commission's mid-term report on the implementation of the EU Action Plan on Unaccompanied Minors (2010-2014), several initiatives have been taken to foster cooperation and information sharing between EU countries.

In 2011, Frontex conducted a joint operation at air borders, which resulted in guidelines for the benefit of border guards on how to deal with children. EASO currently administers a vocational training programme devoted to Asylum Case Workers of EU Member States, which includes a module on interviewing children. EASO will also shortly issue a handbook on age assessment, based on several expert meetings which took place earlier this year. The experts compared the merits of different techniques and how to apply them in a child-friendly manner.

The Commission established an Expert Group on unaccompanied minors, which has discussed guardianship (June 2011) and family tracing (March 2012), crucial elements in ensuring the best interests of the child can be respected. The reports are publicly available on the Commission's registry.

Unaccompanied minors are identified as a 'vulnerable group'. So far, no unaccompanied minors have been relocated under the European Relocation from Malta projects, but there are three cases of relocation through bilateral arrangements. In each case it has been for the purpose of relocating them to live with family members in line with the best interests of the child.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-008995/12
an die Kommission
Mathieu Grosch (PPE)
(8. Oktober 2012)

Betrifft: Altersbeschränkung bei ehrenamtlicher Tätigkeit

Die Europäische Union setzt sich für die Förderung der Freiwilligenarbeit ein und zudem ist dieses Jahr das „Europäische Jahr für aktives Altern und Solidarität zwischen den Generationen". Aus der Kombination dieser beiden Aspekte und der Tatsache, dass es ein Verbot der Diskriminierung aufgrund des Alters gibt, erscheint es problematisch, dass es innerhalb der EU ehrenamtliche Organisationen gibt, die eine Altersbegrenzung für ehrenamtlich tätige Mitglieder vorsehen.

1. Sind solche Altersbegrenzungen vereinbar mit europäischer Gesetzgebung?

2. Ziel des Europäischen Jahres für aktives Altern ist es, die Schaffung einer Kultur des aktiven Alterns zu erleichtern. Widersprechen Altersobergrenzen im Ehrenamt diesen Zielen nicht?

3. Was gedenkt die Kommission zu tun, um Altersdiskriminierungen im Ehrenamt zu verhindern?

Antwort von Frau Reding im Namen der Kommission
(7. Dezember 2012)

Gemäß der Richtlinie 2000/78/EG ist die Diskriminierung aufgrund des Alters in Beschäftigung und Beruf verboten. Dieses Verbot erstreckt sich jedoch nicht auf die Freiwilligenarbeit, da diese weder Beschäftigung noch Beruf darstellt. Deshalb sind Altersbegrenzungen, die von ehrenamtlichen Organisationen festgelegt werden, nicht durch das EU-Recht verboten.

Die Kommission engagiert sich im Rahmen ihrer Zuständigkeiten umfassend für die Verhinderung der Altersdiskriminierung, indem sie die Nichtdiskriminierung in allen EU-Politikbereichen verankert und mit Sensibilisierungskampagnen gegen Stereotypen ankämpft ([1]). Die Kommission bietet zudem nationalen Behörden und der Zivilgesellschaft über das Programm Progress finanzielle Unterstützung zur Bekämpfung der Altersdiskriminierung.

([1]) Die Kampagne „Für Vielfalt — gegen Diskriminierung" (http://ec.europa.eu/justice/fdad) läuft seit 2003.

(English version)

Question for written answer E-008995/12
to the Commission
Mathieu Grosch (PPE)
(8 October 2012)

Subject: Age restriction on volunteering

The European Union is committed to promoting voluntary work and 2012 is also the 'European Year for Active Ageing and Solidarity between Generations'. Given the combination of these two aspects and the fact that discrimination on grounds of age is prohibited, it seems problematic that within the EU there are voluntary organisations which place an age limit on volunteers.

1. Are such age limits compatible with European legislation?

2. The aim of the European Year for Active Ageing is to help create a culture of active ageing. Are upper age limits on voluntary work not contrary to this aim?

3. What does the Commission intend to do to prevent age discrimination in volunteering?

Answer given by Mrs Reding on behalf of the Commission
(7 December 2012)

According to Directive 2000/78/EC, discrimination on grounds of age is prohibited in employment and occupation. This prohibition does however not extend to voluntary work because this represents neither employment nor occupation. Therefore age limits imposed by organisations relying on voluntary work are not prohibited by EC law.

The Commission is fully committed within the boundaries of its competences to prevent age discrimination by mainstreaming non-discrimination in all EU policies and through awareness raising campaigns to fight against stereotypes ([1]). The Commission also provides financial support to national authorities and civil society to combat age discrimination through PROGRESS programme.

([1]) The 'For Diversity, Against Discrimination' campaign (http://ec.europa.eu/justice/fdad) has been running since 2003.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-008996/12
προς την Επιτροπή
Ioannis A. Tsoukalas (PPE)
(8 Οκτωβρίου 2012)

Θέμα: Εθνικό Κέντρο Έρευνας και Τεχνολογικής Ανάπτυξης (CERTH)

Το Εθνικό Κέντρο Έρευνας και Τεχνολογικής Ανάπτυξης (ΕΚΕΤΑ — CERTH) είναι ένα ερευνητικό ινστιτούτο, μη κερδοσκοπικού χαρακτήρα νομικό πρόσωπο ιδιωτικού δικαίου, εποπτευόμενο από το ελληνικό Υπουργείο Παιδείας, που παρουσιάζει εξαιρετικές επιδόσεις στους τομείς της έρευνας και τεχνολογικής ανάπτυξης και συμβάλλει αποφασιστικά στην ανάπτυξη της Βόρειας Ελλάδας μέσα από πλήθος ανταγωνιστικών ερευνητικών προγραμμάτων. Το ΕΚΕΤΑ παρουσιάζει εξαιρετικές επιδόσεις σε πανευρωπαϊκό επίπεδο: σύμφωνα με την πρόσφατη έκθεση αξιολόγησης του 7ου ΠΠ για την έρευνα (*Fifth FP7 monitoring report, 29.8.2012, σελ. 13*), το ΕΚΕΤΑ βρίσκεται στην 18η θέση πανευρωπαϊκά μεταξύ των ερευνητικών κέντρων με την υψηλότερη συμμετοχή σε ερευνητικά έργα του 7ου ΠΠ για τα έτη 2007-2011, με 128 συμμετοχές. Μόλις 7% του προϋπολογισμού του ΕΚΕΤΑ (2011) καλύπτεται από κρατική χρηματοδότηση. Παρόλα αυτά το ελληνικό Υπουργείο Οικονομικών εντάσσει το ΕΚΕΤΑ στη λίστα των δημοσίων επιχειρήσεων και οργανισμών που υπάγονται στο κεφάλαιο Α' του νόμου 3429/2005, με αποτέλεσμα το ΕΚΕΤΑ να αντιμετωπίζεται ουσιαστικά ως προβληματική δημόσια επιχείρηση και να συναντά σημαντικότατους περιορισμούς στη λειτουργία του, που δυσχεραίνουν την εκπλήρωση του ερευνητικού, καινοτομικού και αναπτυξιακού του ρόλου.

Με βάση τα παραπάνω, ερωτάται η Επιτροπή:

— Έχει υπόψη της τις υψηλές επιδόσεις του ΕΚΕΤΑ σε δράσεις Ε&ΤΑ; είναι σε γνώση της η ένταξη του ΕΚΕΤΑ από το Υπουργείο Οικονομικών στη λίστα εποπτευόμενων φορέων του Ν. 3429/2005 και οι συνεπακόλουθες δυσλειτουργίες που αυτή προκαλεί στην επιτυχημένη λειτουργία του ερευνητικού ινστιτούτου;

— Θεωρεί εύλογη την, με οριζόντιο τρόπο, ένταξη του ΕΚΕΤΑ και άλλων αντίστοιχων επιτυχημένων, κερδοφόρων οργανισμών, σε κοινό πλαίσιο ελέγχων και περιορισμών μαζί με πλήθος ετερόκλητων προβληματικών επιχειρήσεων; Θεωρεί ότι η προσέγγιση αυτή μπορεί να εμποδίσει την επιτυχημένη πορεία ενός ερευνητικού ινστιτούτου κρίσιμου για την ανάπτυξη στην Ελλάδα και την ΕΕ;

— Είναι διατεθειμένη να θέσει το θέμα, μέσω του εκπροσώπου της στην Τρόικα, στις ελληνικές αρχές, ώστε να διασφαλίσει ότι επιτυχημένοι φορείς, όπως το ΕΚΕΤΑ, που μπορούν να θέσουν την Ελλάδα σε τροχιά καινοτομικής ανάπτυξης, θα εξαιρεθούν αυτής της ισοπεδωτικής οριζόντιας λογικής;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(14 Ιανουαρίου 2013)

Η Επιτροπή γνωρίζει ότι το ΕΚΕΤΑ έχει ταξινομηθεί εντός της γενικής κυβέρνησης ως νομικό πρόσωπο ιδιωτικού δικαίου το οποίο ανήκει στο κράτος. Η ταξινόμηση αυτή δεν συνεπάγεται την πλήρη εξάρτηση από την κυβέρνηση, αλλά περισσότερο από το ιδιοκτησιακό καθεστώς της εταιρείας και από τη φύση της διεξαγόμενης δραστηριότητας. Στην Ελλάδα, η ΕΛΣΤΑΤ (Ελληνική Στατιστική Αρχή) είναι υπεύθυνη για την ταξινόμηση των οντοτήτων στον τομέα της γενικής κυβέρνησης σύμφωνα με τα κριτήρια που σκιαγραφούνται από το Ευρωπαϊκό Σύστημα Εθνικών Λογαριασμών (ΕΣΟΛ95).

Ως κρατική επιχείρηση, το ΕΚΕΤΑ υπόκειται στο νέο πλαίσιο παρακολούθησης και επιβολής που ορίζεται από τον νόμο, σύμφωνα με το οποίο για κάθε κρατική επιχείρηση καθορίζονται συγκεκριμένοι στόχοι ως προς τα δημοσιονομικά αποτελέσματα και επιβάλλονται κυρώσεις για την υλοποίηση και την πρόληψη τυχόν αποκλίσεων από τον στόχο ([1]).

Το νέο σύστημα στοχεύει μόνο στην εμπέδωση της δημοσιονομικής ευθύνης και προορισμός του δεν είναι να επηρεάζει την απόδοση των κρατικών επιχειρήσεων.

([1]) Βλ. http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp94_en.pdf σ. 27.

(English version)

Question for written answer E-008996/12
to the Commission
Ioannis A. Tsoukalas (PPE)
(8 October 2012)

Subject: Centre for Research and Technology Hellas (CERTH)

CERTH is a legal, non-profit private research institute under the auspices of the Greek Ministry of Education. It has an excellent record in research and technological development and makes a substantial contribution to Northern Greece's development through many competitive research programmes. CERTH produces outstanding results at pan-European level: according to the recent Seventh Framework Project (FP7) research evaluation report (Fifth FP7 monitoring report, 29.8.2012, page 13), CERTH is listed as the 18th-highest contributor in Europe among research centres to FP7 research work for 2007-2011, with 128 contributions. Just 7% of the CERTH budget (2011) is covered by state funding. Despite this, the Greek Ministry of Economy and Finance has included CERTH on a list of public enterprises and organisations governed by Chapter A of Law 3429/2005, meaning that CERTH is essentially viewed as a problematic public enterprise and its operation is facing severe restrictions. This makes it more difficult for it to fulfil its research, innovation and development role.

In view of the above, will the Commission answer the following:

— Is it aware of CERTH's excellent performance in research and technological development? Does it know that the Greek Ministry of Economy and Finance has included CERTH on a list of public enterprises and organisations governed by Law 3429/2005, which will adversely affect its successful operation?

— Does it think it justifiable to include CERTH and other, similarly successful and profitable organisations in a common controls and restrictions framework on the same basis as many heterogeneous problematic enterprises? Does it think that this approach may prevent the successful progress of a research institute that is crucial for Greek and EU development?

— Will it ask the Greek authorities, through its Troika representative, to ensure that successful entities such as CERTH, which can aid Greece in innovative development, are exempt from this levelling horizontal logic?

Answer given by Mr Rehn on behalf of the Commission
(14 January 2013)

The Commission is aware that the CERTH is classified within the general government as a private law entity owned by the State. The classification does not require full dependence on the Government, but rather upon the ownership of the company and on the nature of the activity carried out. In Greece, ELSTAT (Hellenic Statistics Authority) is responsible for the classification of entities in the General Government sector according to criteria outlined in the European system of national accounts (ESA95).

As a State Owned Enterprise (SOE), CERTH is subject to the new monitoring and enforcement framework provided by Law according to which specific targets are fixed for the financial results of each SOE and sanctions are imposed to enforce and prevent any deviations from the target ([1]).

The new system aims at ensuring fiscal responsibility only and it is not directed to interfere with the performance of the SOEs.

([1]) http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp123_en.pdf p27.

(Versión española)

Pregunta con solicitud de respuesta escrita E-008997/12
al Consejo
Sergio Gutiérrez Prieto (S&D), Iratxe García Pérez (S&D) y Enrique Guerrero Salom (S&D)
(8 de octubre de 2012)

Asunto: Mantenimiento del Programa Europeo de Ayuda Alimentaria a las personas más necesitadas

La persistencia y profundidad de la crisis financiera y económica que golpea a amplias capas de la población, junto a las políticas de recortes de derechos en sanidad, educación y política social, han incrementado el número de personas en situación de vulnerabilidad.

Se hace absolutamente necesario el mantenimiento del Programa Europeo de Ayuda Alimentaria más allá de 2013, en un momento en que la pobreza en Europa sigue aumentando.

El mantenimiento de este programa y el establecimiento de un marco de estabilidad presupuestaria son imprescindibles en la actual situación económica y social. Sin embargo, desde 2011 se han visto amenazados debido a las presiones de algunos miembros del Consejo Europeo.

Finalmente, tras las presiones del Parlamento Europeo, se han despejado las incertidumbres sobre su aplicación hasta 2014.

Con independencia de la partida presupuestaria donde se sitúe, es de vital importancia seguir luchando por el mantenimiento del Programa más allá de 2014 y que este cuente con una financiación suficiente.

Resulta vital que se mantenga la financiación del Programa Europeo de Ayuda en el próximo Marco Financiero Plurianual para que los Estados Miembros puedan reforzar el presupuesto nacional destinado a los Bancos de Alimentos; ambos mecanismos son de enorme importancia para responder a la acuciante situación de una parte cada vez mayor de la sociedad europea.

En este sentido, ¿qué iniciativas se están tomando en el seno del Consejo para garantizar la continuidad del Programa Europeo de Ayuda Alimentaria a las personas más necesitadas más allá de 2014, sea cual sea su base jurídica?

Respuesta
(7 de enero de 2013)

Teniendo en cuenta que la creciente inflación de los precios de los alimentos y la situación económica actual han conducido a un incremento del número de personas dependientes de las ayudas alimentarias, el Consejo acordó, en diciembre de 2011, prorrogar el programa de distribución de alimentos a las personas más desfavorecidas de la Unión Europea ([1]), asegurando así la financiación continua del programa durante dos años adicionales, hasta finales de 2013. En la actualidad, se benefician de este programa ([2]) más de 18 millones de ciudadanos europeos.

En lo que respecta al mantenimiento del programa europeo de ayuda alimentaria para los más desfavorecidos después de 2014, la Comisión Europea propuso, el 24 de octubre de 2012, crear un nuevo Fondo de Ayuda Europea para los Más Necesitados ([3]).

El 24 de octubre de 2012 ([4]), se transmitió al Consejo la propuesta de Reglamento del Parlamento Europeo y del Consejo relativa al Fondo de Ayuda Europea para los Más Necesitados. La base jurídica de este nuevo instrumento reside en el artículo 175 del Tratado de Funcionamiento de la Unión Europea (TFUE). De acuerdo con el procedimiento legislativo ordinario, el Parlamento Europeo desempeñará el papel de colegislador. En estas circunstancias, el Consejo entablará los debates al respecto próximamente.

([1]) Doc. 18686/11.
([2]) COM(2011) 643 final.
([3]) COM(2012) 617 final.
([4]) Doc. 15865/12.

(English version)

Question for written answer E-008997/12
to the Council
Sergio Gutiérrez Prieto (S&D), Iratxe García Pérez (S&D) and Enrique Guerrero Salom (S&D)
(8 October 2012)

Subject: Continuation of the European programme of food aid for the most deprived persons

The serious and lasting financial and economic crisis currently affecting large sections of the population, coupled with policies curtailing people's rights in the fields of health, education and social policy, have increased the number of people in vulnerable situations.

At a time when poverty in Europe is on the increase, it is absolutely vital that the European programme of food aid continues beyond 2013.

In the current economic and social climate, it is essential that this programme continues and that a framework of budgetary stability is established. However, since 2011, these two things have been under threat owing to pressure from some members of the European Council.

Eventually, after pressure from the European Parliament, uncertainty over the programme's continued existence was dispelled until 2014.

Regardless of the budget heading that this programme comes under, it is crucial that we carry on fighting to ensure that it continues beyond 2014 and that it receives adequate funding.

It is vital that funding for the European programme of food aid is maintained in the next multiannual financial framework so that Member States can increase national budgets allocated to food banks; both of these mechanisms are of the utmost importance in order to respond to the urgent situation facing a growing proportion of European society.

In the light of this, what initiatives are being taken within the Council to guarantee the continued existence of the European programme of food aid for the most deprived persons beyond 2014, whatever the legal basis?

Reply
(7 January 2013)

Against the background that rising food prices and the economic situation have led to an increase in the number of people depending on food aid, the Council agreed in December 2011 to extend the duration of the programme for distribution of food to the most deprived persons in the European Union ([1]), thereby securing the continued funding of the programme for two more years until the end of 2013. More than 18 million EU citizens are currently benefitting from the programme ([2]).

As regards the continuation of the European programme of food aid for the most deprived persons beyond 2014, on 24 October 2012 the European Commission proposed setting up a new Fund for European Aid to the Most Deprived ([3]).

This proposal for a regulation of the European Parliament and of the Council on the Fund for European Aid to the Most Deprived was transmitted to the Council on 24 October 2012 ([4]). The legal basis for this new instrument is Article 175 of the Treaty on the Functioning of the European Union (TFEU). The European Parliament will be co-legislator under the ordinary legislative procedure. On this basis the Council will commence discussions in the near future.

([1]) 18686/11.
([2]) COM(2011) 634 final.
([3]) COM(2012) 617 final.
([4]) 15865/12.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-008998/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Pino Arlacchi (S&D), David-Maria Sassoli (S&D), Vittorio Prodi (S&D), Salvatore Caronna (S&D), Silvia Costa (S&D), Sergio Gaetano Cofferati (S&D), Andrea Cozzolino (S&D), Gianni Pittella (S&D) e Rita Borsellino (S&D)
(8 ottobre 2012)

Oggetto: VP/HR — Diritti umani nella Repubblica democratica del Congo

Il 24 settembre, dopo aver marciato da Reggio Emilia a Bruxelles per quasi due mesi, gli attivisti del «Comitato per la Marcia dal Congo all'Europa» sono stati ricevuti al Parlamento europeo dalla delegazione italiana del Partito democratico. Il movimento si propone di esortare le istituzioni europee a rompere il silenzio sulla guerra in atto nel Paese e di chiedere la creazione di una roadmap per la pace nella Repubblica democratica del Congo (RDC) e nella zona dei Grandi Laghi, nonché un'eventuale revisione dei trattati bilaterali con il Ruanda. Negli ultimi mesi, in seguito agli scontri tra le forze armate della RDC e le milizie del Congresso nazionale per la difesa del popolo (Cndp), la situazione umanitaria e le condizioni sanitarie nella Repubblica democratica del Congo si sono seriamente aggravate. Il rapporto ONU del gennaio 2012 sulla situazione dei diritti umani nella RDC documenta, infatti, la costante violazione di tali diritti, soprattutto nella zona orientale del Paese, nel Kivu. Esecuzioni arbitrarie, detenzioni illegali, torture, violenze sessuali e reclutamento di bambini soldato da parte dei gruppi armati sono all'ordine del giorno.

La debolezza strutturale della magistratura, sommata alle diffuse pratiche di corruzione, favorisce inoltre l'impunità e la violazione sistematica dello stato di diritto.

Il rapporto mette anche in evidenza che uno dei maggiori fattori di destabilizzazione della situazione nella RDC è l'interferenza del Ruanda, il quale fornisce supporto logistico, finanziario, nonché militare ai gruppi armati presenti nella RDC.

Nella sua dichiarazione del 10 luglio 2012, il Vicepresidente/Alto Rappresentante Ashton ha ribadito la sua grande preoccupazione per il precipitare della situazione umanitaria nella zona orientale del Congo. Alla luce di questo e di quanto detto sopra:

1. quali iniziative urgenti ha assunto il SEAE di fronte all'aggravarsi della situazione di conflitto nella Repubblica democratica del Congo? Esiste una roadmap europea per la pace nella Repubblica democratica del Congo e nella zona dei Grandi Laghi?

2. Cosa intende fare il Vicepresidente/Alto Rappresentante a proposito del ruolo sempre maggiore assunto dal Ruanda nel rifornimento militare ai gruppi armati e nella destabilizzazione dell'intera regione?

3. Può il SEAE attivarsi concretamente per contribuire a riaffermare lo stato di diritto in RDC?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(17 gennaio 2013)

L'Alta Rappresentante/Vicepresidente ha manifestato in più occasioni serie preoccupazioni per il peggioramento della situazione nell'est della Repubblica democratica del Congo e per le conseguenze a livello regionale. La posizione dell'UE in merito è stata espressa innanzitutto agli inizi di giugno in una dichiarazione rilasciata dall'AR/VP a nome dell'Unione, seguita poi dalle conclusioni del Consiglio «Affari esteri» di giugno e da ulteriori dichiarazioni dell'AR/VP. L'Alta Rappresentante/Vicepresidente si è occupata personalmente della questione, inviando chiari messaggi ai presidenti Kagamé e Kabila mediante i canali diplomatici.

Il Consiglio «Affari esteri» di novembre ha invitato l'AR/VP e la Commissione a presentare proposte per un approccio strategico dell'UE alle molteplici sfide in materia di sicurezza e sviluppo cui è confrontata la regione orientale della RDC. Tale approccio verrà elaborato al fine di promuovere e sostenere le attuali iniziative coordinate a livello nazionale, regionale e internazionale.

L'Unione europea ha preso atto della relazione che il gruppo di esperti delle Nazioni Unite ha trasmesso al comitato delle sanzioni istituito ai sensi della risoluzione 1533 ed è profondamente preoccupata dalle informazioni relative al proseguimento del sostegno esterno fornito ai gruppi di ribelli nell'est della RDC. L'UE invita le parti coinvolte a interrompere immediatamente ogni forma di sostegno e a rispettare la sovranità e l'integrità territoriale della RDC. In coordinamento con altri membri della comunità internazionale, l'UE valuterà opportune misure di follow-up, tra cui sanzioni individuali mirate e decisioni del Consiglio di sicurezza dell'ONU, nonché misure destinate a incoraggiare gli attori regionali a un atteggiamento costruttivo.

(English version)

Question for written answer E-008998/12
to the Commission (Vice-President/High Representative)
Pino Arlacchi (S&D), David-Maria Sassoli (S&D), Vittorio Prodi (S&D), Salvatore Caronna (S&D), Silvia Costa (S&D), Sergio Gaetano Cofferati (S&D), Andrea Cozzolino (S&D), Gianni Pittella (S&D) and Rita Borsellino (S&D)
(8 October 2012)

Subject: VP/HR — Human rights in the Democratic Republic of the Congo

On 24 September, after a march of almost two months from Reggio Emilia to Brussels, activists belonging to the 'Committee for the march from the Democratic Republic of the Congo to Europe' were received at the European Parliament by the Italian delegation of the Democratic Party. The group aims to urge the European institutions to break their silence on the war taking place in the Congo and to call for a roadmap for peace in the Democratic Republic of the Congo (DRC) and the Great Lakes region, as well as a possible review of the bilateral treaties with Rwanda. In recent months, following clashes between the armed forces of the DRC and National Congress for the Defence of the People (NCDP) militias, the humanitarian and health situation in the DRC has taken a further serious turn for the worse. The UN report of January 2012 on the state of human rights in the DRC documents constant human rights violations, particularly in Kivu, in the east of the country. Arbitrary execution, illegal detention, torture, violent sexual abuse and the recruitment of child soldiers by armed groups are the order of the day.

The structural weaknesses of the judicial system, combined with widespread corruption, foster impunity and the systematic violation of the rule of law.

The report also highlights the fact that one of the major causes of destabilisation in the DRC is interference by Rwanda, which is providing logistical, financial and military support to the armed groups operating in the DRC.

In her statement of 10 July 2012, Vice-President/ High Representative Ashton expressed serious concern about the deteriorating humanitarian situation in the eastern part of the DRC. In view of that concern and the situation outlined above:

1. What urgent action has the European External Action Service (EEAS) taken in response to the worsening conflict in the Democratic Republic of the Congo? Is there a European roadmap for peace in the DRC and the Great Lakes region?

2. What does the Vice-President/ High Representative intend to do about the ever-greater role played by Rwanda in supplying arms to armed groups and destabilising the whole area?

3. Can the European External Action Service take concrete measures aimed at reasserting the rule of law in the RDC?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(17 January 2013)

The HR/VP has expressed her grave concerns on several occasions regarding the deteriorating situation in eastern DRC and its regional implications. The EU position was first reflected in early June through a HR/VP statement taken on behalf of the EU. This was followed by the June FAC conclusions and HR/VP subsequent statements. The HR/VP has been personally involved in the matter by passing clear messages both to Presidents Kagamé and Kabila through diplomatic channels.

The November FAC has invited the HR/VP and the Commission to bring forward proposals for a stategic EU approach to the multi-faceted security and development challenges facing the eastern DRC. This approach will be drafted with a view to promoting and supporting coordinated ongoing national, regional and international efforts.

The EU has taken note of the report of the UN Group of Experts to the Sanctions Committee 1533 and is deeply concerned at reports of continued external support to rebel groups in the eastern DRC. It calls on those concerned to cease all such support immediately and to respect the sovereignty and territorial integrity of the DRC. In coordination with other members of the International Community, the EU will consider appropriate follow-up steps, including targeted individual sanctions to deliberations in the UNSC, as well as measures to encourage a constructive attitude of the regional actors.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-008999/12
à Comissão (Vice-Presidente/Alta Representante)
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: VP/HR — Afirmações do Relator Especial da ONU sobre a prática de tortura em Marrocos

O Relator Especial da ONU para a tortura, Juan Mendez, afirmou que a tortura de manifestantes e o tratamento desumano e cruel «é muito frequente» em Marrocos, tendo lamentado o aumento da repressão dos protestos.

Segundo afirmou, esse tipo de tratamento inclui espancamentos, choques elétricos, abusos sexuais e queimaduras com cigarros, segundo «relatórios credíveis» e testemunhos recolhidos. Mendez disse também que a tortura parece ser «muito mais cruel e sistemática» nos casos de detidos suspeitos de atentado à segurança nacional.

O perito da ONU alertou também para «um pico» na utilização de força policial excessiva para dispersar manifestações, frequentes em Marrocos desde o início da chamada primavera árabe, em 2011.

Afirmou ainda que «parece ser norma os procuradores e juízes de inquérito rejeitarem as queixas de tortura e não investigarem esse tipo de alegações».

Em face do exposto, solicito à Vice-Presidente/Alta Representante que me informe sobre o seguinte:

1. Tem conhecimento das afirmações do Relator Especial da ONU? Que avaliação faz das mesmas?

2. Que consequências práticas daqui retira para o futuro das relações da UE com Marrocos, nomeadamente tendo em conta os acordos assinados entre a UE e este país e as habituais cláusulas que preveem a sua denúncia em caso de violações de direitos humanos?

3. Não considera que estamos perante uma política de dois pesos e duas medidas por parte da UE, tendo em conta a reação diferente que tem tido com outros países?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(26 de novembro de 2012)

A Alta Representante/Vice-Presidente tem conhecimento das declarações feitas pelo Relator Especial das Nações Unidas, Juan Méndez, sobre a prática de tortura em Marrocos. O respeito pelos direitos humanos está no centro do diálogo da UE com Marrocos e por conseguinte, esta questão é regularmente abordada nas reuniões dos organismos conjuntos estabelecidos ao abrigo do Acordo de Associação com Marrocos. Neste quadro, as conclusões preliminares elaboradas por Juan Méndez foram discutidas com as autoridades marroquinas durante a sétima reunião do Subcomité dos Direitos Humanos, Governação e Democracia, que teve lugar em Rabat em 16-17 de outubro de 2012.

Com base nas disposições pertinentes do Acordo de Associação, a Alta Representante/Vice-Presidente está plenamente empenhada no diálogo com Marrocos sobre os direitos humanos. Durante os últimos anos fizeram-se progressos significativos no âmbito das relações entre a UE e este país, que contribuíram para o desenvolvimento de um vasto processo de reformas democráticas. No entanto continuam a ser necessários novos progressos, designadamente para pôr termo à tortura e aos maus tratos. A este respeito, o reforço das liberdades fundamentais e dos princípios democráticos na nova Constituição e a criação e consolidação das prerrogativas do Conselho Nacional para os Direitos Humanos são evoluções positivas. Além disso, o «Estatuto Avançado», concedido a Marrocos nas suas relações com a UE, implica que continuem a ser realizados progressos neste domínio, estando a União Europeia empenhada em garantir um acompanhamento atento deste processo.

(English version)

Question for written answer E-008999/12
to the Commission (Vice-President/High Representative)
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: VP/HR — Statements by the UN Special Rapporteur concerning torture in Morocco

The UN Special Rapporteur on torture, Juan Méndez, has said that the torture of demonstrators and inhumane and cruel treatment are events which happen 'frequently' in Morocco, and has deplored the ruthlessness with which protests are put down.

According to the Special Rapporteur, treatment of this kind includes beatings, electric shocks, sexual assault, and cigarette burns, as described in 'credible reports' and testimonies obtained. He also notes that torture appears to become much more brutal and systematic when detainees are suspected of posing a threat to national security.

The UN expert has spoken in addition of the 'spike' in which excessive force rises when the police attempt to break up demonstrations, a regular occurrence in Morocco since the start of the 'Arab Spring' in 2011.

Furthermore, 'it appears', in his words, 'to be the norm that prosecutors and investigative judges dismiss complaints of torture or fail to investigate such allegations'.

1. Does the Vice-President/High Representative know about by statements by the UN Special Rapporteur? What is her assessment?

2. What does she believe to be the practical implications for the EU's future relations with Morocco, bearing in mind not least that EU-Morocco agreements contain the usual clauses providing for denunciation in the event of human rights violations?

3. Does she not consider the EU to be applying double standards, given that its response has been different where other countries are concerned?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(26 November 2012)

The HR/VP is aware of the statements made by the UN Special Rapporteur on Torture Juan Méndez on the situation in Morocco. Respect for human rights is at the heart of the EU's dialogue with Morocco and consequently this issue is regularly addressed in the meetings of the relevant joint bodies established under the EU Morocco Association Agreement. In this framework, the preliminary conclusions drawn up by Juan Méndez were discussed with the Moroccan authorities during the 7th meeting of the EU-Morocco Sub-Committee on Human Rights, Governance and Democracy which took place in Rabat on 16-17 October 2012.

On the basis of the relevant provisions of the EU-Morocco Association Agreement the HR/VP is fully engaged in the dialogue on human rights with Morocco. EU-Morocco relations have made significant progress in recent years and have contributed to a wide process of democratic reform in that country, although further progress is necessary, notably efforts to eradicate torture and ill-treatment. The strengthening of fundamental freedoms and democratic principles by the new Constitution and the establishment, and consolidation of prerogatives, of the National Council for Human Rights are positive developments in this regard. Moreover, the Advanced Status, to which Morocco has acceded in its relations with the EU, implies that progress is being made in this area and the EU is committed to ensuring close follow-up in this regard.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009000/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Dia Mundial do Professor — Situação dos professores em Portugal

Na mensagem do Secretário-Geral das Nações Unidas hoje divulgada — por ocasião do Dia Mundial do Professor que hoje se assinala — é valorizado o papel do professor, «os guardiões da aprendizagem». Afirma-se que «não devemos permitir que professores e crianças paguem o custo da crise, temos de proteger os nossos sistemas educativos das atuais pressões financeiras e restrições orçamentais». A finalizar, refere-se que «investir em professores é um investimento sábio no conjunto dos nossos esforços para construir economias fortes, sociedades coesas e um futuro onde existam dignidade e oportunidades para todos».

Ora, em Portugal o programa FMI-UE tem dado cobertura ao maior ataque alguma vez dirigido contra a escola pública e contra os professores desde a revolução de abril de 1974.

Destaca-se o forte aumento do desemprego entre os professores. Até agora, ficaram no desemprego cerca de 10 000 docentes a mais do que no ano passado, devendo atingir-se os 18 000 ao longo do ano. Foi criada uma bolsa de docentes com horário-zero que inicialmente atingiu os 15 000 docentes, podendo agora ter ficado pelos 7 000 a 8 000. Isto ao mesmo tempo que aumenta o número de alunos por turma, degradando as condições de ensino e de aprendizagem.

Em face do exposto, solicito à Comissão que me informe sobre o seguinte:

1. Dispõe de informações atualizadas relativamente à situação social e profissional dos professores em cada um dos 27 Estados-Membros, incluindo sobre o desemprego docente? Dispõe de informações relativamente ao número de professores por cada 100 000 habitantes e ao número médio de alunos por turma nos diferentes Estados-Membros?

2. Como justifica as gravosas medidas de ataque à escola pública e aos professores incluídas no memorando da «troika»? Que análise foi efetuada acerca do seu impacto? Que acompanhamento está a ser feito da sua execução e das suas consequências?

3. Tendo em conta as evidentes responsabilidades da Comissão neste domínio, em virtude do supracitado programa FMI-UE, que medidas pensa adotar para acolher as recomendações do Secretário-Geral da ONU agora divulgadas?

Resposta dada por Olli Rehn em nome da Comissão
(21 de dezembro de 2012)

As informações de que a Comissão dispõe relativamente à situação socioprofissional dos professores nos Estados-Membros provêm do Eurostat, da OCDE e dos pontos de contacto da rede Eurydice nos Estados-Membros.

Os dados mostram que alguns Estados-Membros reduziram ou congelaram os salários dos professores nos últimos dois anos. Em Portugal, os ganhos conseguidos nesses salários na primeira década do século, em termos de poder de compra real dos professores, sofreram efetivamente um retrocesso, devido às medidas de crise tomadas ([1]).

Por outro lado, o rácio de alunos por professor no ensino primário e secundário continua a ser muito baixo em Portugal, no contexto europeu ([2]). Quanto ao número de horas de ensino por semana, os professores portugueses estão mais ou menos ao nível da média europeia ([3]).

([1]) Eurydice (2012) Teachers' and School Heads' Salaries and Allowances in Europe, 2011/12, figuras 4, 5 e 6 e página 64: http://eacea.ec.europa.eu/education/eurydice/documents/facts_and_figures/salaries.pdf
([2]) Eurydice (2012), Key Data on Education in Europe 2012, p. 155 e figuras F9 e F10: http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/134EN.pdf
([3]) Eurydice (2012), Key Data on Education in Europe 2012, figura E8: http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/134EN.pdf

No que respeita aos resultados do sistema de ensino português, tem havido melhorias notáveis, por exemplo nas competências básicas ([4]) e ao nível da redução do abandono escolar precoce. Subsiste, no entanto, uma grande margem para melhorias ([5]).

O sistema de ensino em Portugal continua a necessitar de reformas e, para melhorar a sua eficiência, há que controlar de perto os custos. No quadro do programa de ajustamento económico, o Governo Português iniciou uma série de reformas cruciais neste domínio, cuja concretização tem atingido níveis elevados.

([4]) Education and Training Monitor 2012, p. 29.
([5]) Education and Training Monitor 2012, p. 15.

(English version)

Question for written answer E-009000/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: World Teachers' Day — Situation of teachers in Portugal

The message from the UN Secretary-General to mark World Teachers' Day, 5 October, emphasises the role of teachers, the 'custodians of learning'. The Secretary-General maintains that 'We should not let teachers and children pay the cost of the crisis; we must protect our education systems from current financial pressures and budgetary constraints'. He concludes by saying that 'investing in teachers is a wise investment in our efforts to build strong economies, cohesive societies and a future of dignity and opportunity for all'.

In Portugal, however, the IMF-EU programme has been serving as the pretext for the most thoroughgoing assault on state education, and on teachers, since the April 1974 revolution.

Unemployment among teachers has increased sharply. There are currently about 10 000 more teachers out of work than in 2011, and that figure is likely to rise to 18 000 in the course of the year. The grant established for those with no classes to teach initially covered 15 000 teachers, but the number may now range between 7 000 and 8 000. Meanwhile, class sizes are increasing, resulting in poorer teaching and learning conditions.

1. Does the Commission have up-to-date information about the social and professional situation of teachers in each of the 27 Member States, including where unemployment is concerned? Does it have information about the number of teachers per 100 000 inhabitants and average class sizes in the Member States?

2. Can it say why the Troika memorandum includes measures amounting to a swingeing attack on state education and teachers? What assessment has been made of their impact? What is being done to keep their implementation and their effects under review?

3. Given that the Commission clearly bears some share of responsibility in this area, on account of the abovementioned IMF-EU programme, what steps will it take to comply with the UN Secretary-General's newly published recommendations?

Answer given by Mr Rehn on behalf of the Commission
(21 December 2012)

The Commission has information available related to the social and professional situation of teachers in Member States, from Eurostat, OECD, and the Eurydice Network-contact points in the Member States.

The data shows that several Member States have reduced or frozen teacher salaries in the last two years. In Portugal, the advances in teacher salaries, in terms of actual power purchasing standards, gained during the 2000s have effectively been rolled back due to crisis measures. ([1])

At the same time, the student/teacher ratio in primary and secondary schools remains very low in Portugal, seen within the EU context, ([2]) while teachers teach more or less the same amount of hours per week as the EU average. ([3])

With regard to the outcomes of the Portuguese education system, there have been remarkable improvements, for example in basic skills ([4]) and the reduction of early school leaving. However, the scope for improvement was also, and remains, large. ([5])

([1]) Eurydice (2012) Teachers' and School Heads' Salaries and Allowances in Europe, 2011/12, figures 4, 5, and 6, and p. 64. http://eacea.ec.europa.eu/education/eurydice/documents/facts_and_figures/salaries.pdf
([2]) Eurydice (2012). Key Data on Education in Europe 2012, p. 155, and Figures F9 and F10. http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/134EN.pdf
([3]) Eurydice (2012). Key Data on Education in Europe 2012, Figure E8. http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/134EN.pdf
([4]) Education and Training Monitor 2012, p. 29.
([5]) Education and Training Monitor 2012, p. 15.

The education system in Portugal continues to be in need of reform. Costs have to be closely controlled to increase the efficiency of the overall system. In the framework of the economic adjustment programme the Portuguese Government has started a number of crucial reforms in this regard, and implementation performance has been strong.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009001/12
à Comissão (Vice-Presidente/Alta Representante)
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(8 de outubro de 2012)

Assunto: VP/HR — Destruição de armas e eliminação dos arsenais nucleares

A manutenção de arsenais de armas nucleares estratégicas e táticas e a sua modernização, assim como as novas doutrinas que estabelecem os fundamentos para a sua possível utilização, representam uma séria ameaça para a Humanidade. O Tratado de Não Proliferação (TNP) não estabelece o direito indeterminado dos Estados que detêm armas nucleares a manterem os seus arsenais nucleares. Os Estados partes do TNP ainda não cumpriram com a obrigação que assumiram, em virtude do artigo VI do TNP, de destruir todas as armas nucleares dentro de um prazo determinado.

Neste contexto, solicitamos à Vice-Presidente/Alta Representante que nos informe sobre o seguinte:

1. Que diligências fez ou pretende fazer junto dos Estados signatários do TNP e de países não signatários do mesmo tratado no sentido de defender a celebração de acordos e compromissos com prazos concretos, tendo em vista a eliminação dos seus arsenais nucleares?

2. Houve alguma discussão ao nível do Conselho sobre a necessidade urgente de estabelecer prazos para que os arsenais nucleares existentes nos países da UE sejam eliminados?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(4 de dezembro de 2012)

Em conformidade com a Estratégia contra as armas de destruição maciça adotada pelo Conselho Europeu em 12 de dezembro de 2003, a UE tem participado de forma ativa nas instâncias internacionais relevantes neste domínio. A UE tem insistido em que é absolutamente necessário que todos os Estados Partes garantam a plena observância de todas as disposições do Tratado de Não-Proliferação das Armas Nucleares. A UE congratulou-se com os esforços envidados pelos P5 no sentido de reconfirmar o princípio da irreversibilidade no domínio do desarmamento nuclear e do controlo do armamento. Com base na Decisão 2010/212/PESC, a UE continuará a defender uma maior transparência relativamente aos arsenais nucleares, a inclusão das armas nucleares não estratégicas no processo de desarmamento nuclear, a transparência e a implementação de medidas de instauração da confiança, assim como a realização de novas reduções nos arsenais nucleares. Para atingir o seu objetivo de alcançar um mundo livre de armas nucleares, a UE ofereceu-se para colaborar na aplicação do Tratado de Pelindaba e tem trabalhado ativamente na criação de uma zona livre armas de destruição maciça no Médio Oriente.

A UE disponibilizou um importante apoio, tanto a nível político como financeiro (15 milhões de euros), para a entrada em vigor deste tratado, que proíbe a realização de testes nucleares, tendo também insistido no início das negociações para a conclusão de um tratado de proibição da produção de material cindível. A UE prestou também o seu apoio à Parceria Mundial do G8 para a reorientação de antigos cientistas especializados em armas de destruição maciça.

A UE apelou ainda à elaboração de acordos de verificação adequados e juridicamente vinculativos com a Agência Internacional de Energia Atómica, para a remoção de forma irreversível de materiais cindíveis que já não sejam necessários para fins militares nos Estados detentores de armas nucleares.

A UE acolheu com agrado o novo acordo START, tendo incentivado sistematicamente a realização de novas reduções.

(English version)

Question for written answer E-009001/12
to the Commission (Vice-President/High Representative)
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(8 October 2012)

Subject: VP/HR — Destruction of weapons and elimination of nuclear arsenals

The continued existence, and the modernisation, of strategic and tactical nuclear arsenals, as well as the new doctrines paving the way to their possible use, constitute a serious threat to humanity. The Non-Proliferation Treaty (NPT) does not give countries an unlimited right to possess nuclear weapons or maintain their nuclear arsenals. The parties to the NPT have still not fulfilled their obligation under Article VI to destroy all nuclear weapons within a given time-frame.

1. What has the Vice-President/High Representative already done, and what steps does she intend to take, in order to press individual countries, whether or not they have signed the NPT, to enter into agreements and commitments laying down clear-cut time limits with a view to eliminating their nuclear arsenals?

2. Has there been any discussion within the Council on the urgent need to set dates for the elimination of nuclear arsenals in Member States?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 December 2012)

The EU has been active in the relevant international fora pursuant to the WMD Strategy adopted by the European Council on 12 December 2003. The EU has in particular consistently stressed the absolute necessity of full compliance with all the provisions of the NPT by all States Parties. It has welcomed P5 efforts to reconfirm the principle of irreversibility with regard to nuclear disarmament and arms control, and — based on Council Decision CFSP/212/2010 — will continue to advocate for increased transparency of nuclear arsenals, inclusion of non-strategic nuclear weapons into the nuclear disarmament process, transparency and confidence-building measures, and further reductions in nuclear arsenals. To underpin its support towards the ultimate aim of a nuclear weapons free world, the EU has offered to support the implementation of the Pelindaba Treaty and has worked actively on supporting the establishment of a WMD-free zone in the Middle East.

EU has provided strong political and financial support (EUR 15 million) for the entry into force of the CTBT, the treaty banning tests of nuclear weapons, and has constantly called for starting negotiations on a Fissile material cut-off treaty (FMCT). It has provided support to the G8 Global Partnership for assisting redirection of former WMD scientists.

EU has called for the development of appropriate legally binding verification arrangements with IAEA for the irreversible removal of fissile material of the nuclear-weapon States no longer required for military purposes.

EU has welcomed the new START Agreement, and has consistently encouraged further reductions.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009002/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Coexistência de culturas geneticamente modificadas (na sequência do acórdão do TJE)

Relativamente à organização da coexistência de culturas geneticamente modificadas — quer por razões comerciais, quer por razões de investigação — a Comissão, em resposta à pergunta E-008319/2011 (datada de 28 de outubro de 2011), referiu que estava a explorar formas de abordar estas questões com os Estados-Membros. Além de discussões no Comité Permanente, a Comissão afirmou ter debatido com as partes interessadas — incluindo apicultores, organizações de agricultores e a indústria alimentar — com vista a conhecer as suas preocupações e questões.

A Comissão pode informar quais são as conclusões dos trabalhos efetuados, que iniciativas foram tomadas e que iniciativas pensa tomar, bem como quais as medidas que permitem hoje garantir que o mel importado de países terceiros não contém pólen proveniente de culturas geneticamente modificadas que não são autorizadas na UE para cultivo ou para alimentação humana ou animal?

Resposta dada por Maroš Šefčovič em nome da Comissão
(26 de novembro de 2012)

A Comissão pediu ao Gabinete Europeu de Coexistência ([1]) para analisar a questão da apicultura quando atualizar o seu documento de boas práticas sobre o milho geneticamente modificado até ao final de 2012. O seu documento de boas práticas, que é elaborado em colaboração com peritos dos Estados-Membros, irá providenciar apoio técnico para ajudar os Estados-Membros a criar, se assim o desejarem, medidas para garantir a coexistência de organismos geneticamente modificados (os OMG) com colmeias.

Quando às importações de países terceiros, os Estados-Membros têm de garantir que as inspeções e outras medidas de controlo, incluindo os controlos por amostragem e os testes necessários, são implementadas para assegurar a conformidade com a legislação em matéria de OGM. Para este feito, o laboratório da UE de referência no domínio dos OGM publicou métodos de deteção para facilitar os controlos oficiais nos Estados-Membros de OGM que estão autorizados na EU, ou que estão em vias de ser autorizados. Nos casos em que foi necessário, a Comissão adotou também decisões de emergência em relação a OGM não autorizados (LL Rice 601, Bt73 e outras ocorrências em alimentos originários da China), que fornecem métodos de controlo adequados aos Estados-Membros.

([1]) http://ecob.jrc.ec.europa.eu/.

(English version)

Question for written answer E-009002/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: Co-existence of genetically modified crops (following the ECJ ruling)

In its answer of 28 October 2011 to Question E-008319/2011, the Commission said, in relation to the organisation of co-existence with genetically modified crops — whether grown for commercial or for research reasons — that it was exploring ways to address these issues with the Member States. In addition to discussions in the Standing Committee, the Commission said that it had held discussions with stakeholders — including beekeepers, farmers' organisations and the food industry — to hear their concerns and queries.

Can the Commission outline the conclusions of the work carried out? What initiatives have been taken and what initiatives will it take? What measures currently make it possible to guarantee that honey imported from third countries does not contain pollen from genetically modified crops that are not authorised in the EU for cultivation or for food or feed use?

Answer given by Mr Šefčovič on behalf of the Commission
(26 November 2012)

The Commission has asked the European Coexistence Bureau ([1]) to consider the issue of beekeeping when updating its best practice document on GM maize by the end 2012. This best practice document, which is established in cooperation with experts of the Member States, will provide technical support to help Member States establishing, if they wish, measures to ensure coexistence between GMO crops fields and hives.

With respect to imports from third countries, Member States have to ensure that inspections and other control measures, including sample checks and testing as appropriate, are carried out to ensure compliance with the GMO legislation. To this purpose the EU Reference Laboratory for GMOs has published detection methods to facilitate official controls in Member States for GMOs which are authorised in the EU or in the process of being authorised. Where necessary, the Commission has also adopted emergency decisions concerning unauthorised GMOs (LL Rice 601, Bt73 and other events present in food originating from China) which provide appropriate methods of controls to Member States.

([1]) http://ecob.jrc.ec.europa.eu/.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009003/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Nova proposta para regular as limitações do tempo de voo

Os pilotos da aviação têm vindo a contestar a proposta da Agência Europeia para a Segurança da Aviação (EASA), relativa às limitações do tempo de voo. Segundo estes profissionais, esta proposta põe «em risco a segurança dos passageiros». De acordo com o Sindicato dos Pilotos da Aviação Civil (Portugal), um dos aspetos mais preocupantes é a possibilidade de um piloto aterrar um avião ao fim de 22 horas acordado. Os pilotos acusam a EASA de «ignorar pareceres científicos que são unânimes» e criticam que sejam propostas noites de voo com mais de 12 horas, quando os especialistas definem um tempo limite de 10 horas.

O presidente da «European Cockpit Association» (ECA), órgão que representa mais de 38 000 pilotos de toda a Europa, considerou que «a EASA está apenas concentrada em ganhos marginais para as companhias aéreas, negligenciando que a sua proposta vai permitir alargar horários de trabalho e sujeitar os pilotos a voar, quando estão perigosamente cansados».

Tendo em conta a relevância do problema, solicito à Comissão que me informe sobre o seguinte:

1. Que avaliação faz das críticas dos pilotos, nomeadamente quanto ao facto de com esta proposta estarem a ser ignorados pareceres científicos?

2. Quais as intenções da Comissão relativamente a este assunto?

Resposta dada por Siim Kallas em nome da Comissão
(30 de novembro de 2012)

A Agência Europeia para a Segurança da Aviação (EASA) facultou recentemente à Comissão Europeia o seu parecer formal sobre a revisão das regras vigentes em matéria de limitações do tempo de voo, após consulta exaustiva a todas as partes interessadas e a um acervo substancial de material científico.

Relativamente ao seu parecer, a EASA declarou que, na elaboração da proposta, tivera em devida conta todos os estudos científicos pertinentes e publicamente disponíveis. Deve notar-se, a este respeito, que os resultados de diversos estudos científicos realizados num contexto bastante distinto do do quadro regulamentar europeu (designadamente em termos de requisitos de repouso) ou num contexto operacional muito específico, não podiam ser tomados à letra. Por essa razão, a EASA decidiu limitar as alterações das regras vigentes às questões em que os dados científicos tinham identificado uma necessidade clara de melhoramento potencial da segurança e propôs que o regime revisto fosse reavaliado, com base em dados operacionais recolhidos durante um período extenso após a sua entrada em vigor.

A Comissão está atualmente a avaliar as propostas da EASA em todo o pormenor. Neste contexto, tendo conhecimento de opiniões quer positivas quer negativas sobre essas propostas, a Comissão tem analisado com o máximo cuidado todos os pareceres expressos, antes de decidir a via a adotar.

(English version)

Question for written answer E-009003/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: Fresh proposal on flight time limitations

Pilots have again been contesting the proposal from the European Aviation Safety Agency (EASA) on flight time limitations. According to pilots, this proposal will put passenger safety at risk. The Portuguese civil aviation pilots' union notes that one of the most worrying aspects of the proposal is the possibility that a pilot could land a plane after having been awake for 22 hours. Pilots are accusing the EASA of disregarding unanimous scientific advice and criticise the fact that night flights of more than 12 hours are being proposed, whereas experts set the limit at 10 hours.

The President of the European Cockpit Association (ECA), an organisation representing more than 38 000 pilots from across Europe, has said that 'by focusing on some marginal improvements (…), EASA deflects from the fact that its proposal will permit work schedules that will make pilots fly whilst being dangerously fatigued'.

Given that this is an extremely important issue, can the Commission answer the following questions:

1. What is its assessment of the criticism made by pilots, in particular as regards the fact that the proposal disregards scientific advice?

2. How does the Commission intend to proceed on this issue?

Answer given by Mr Kallas on behalf of the Commission
(30 November 2012)

The European Aviation Safety Agency (EASA) has recently provided to the European Commission its formal Opinion concerning the revision of the current rules concerning flight time limitations after having thoroughly consulted all stakeholders and an extensive amount of scientific material.

With regard to its Opinion, EASA stated that it took due account of all relevant, publicly available scientific studies when drafting its proposal. It has to be noted in this respect that the results of a number of scientific studies which were conducted in a context significantly different than that of the European regulatory framework (in particular in terms of rest requirements) or in a very specific operational context, could not be taken into account literally. For this reason, EASA decided to limit the changes to the current rules to issues where scientific evidence had identified a clear need for potential safety improvement and has proposed to conduct a review of the revised regime based on operational data gathered on long term basis after its entry into force.

The Commission is currently assessing in all its detail the EASA proposals. In this context, the Commission is aware of both positive as well as negative views on such proposals and it is analysing with great care all the views expressed before deciding on the way forward.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009004/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Presença de pólen transgénico no mel

Em resposta à pergunta E-008319/2011, sobre a decisão do Tribunal de Justiça Europeu relativa ao mel contaminado com pólen transgénico, a Comissão Europeia refere que solicitou à AESA (em 4 de outubro de 2010) que apresentasse uma declaração específica sobre a segurança do pólen MON 810 no mel.

Recentemente, a Comissão apresentou uma Proposta de Diretiva do Parlamento Europeu e do Conselho que altera a Diretiva 2001/110/CE relativa ao mel. Na sequência do acórdão do Tribunal de Justiça no Processo C-442/092, é objetivo desta proposta, explicitar o estatuto do pólen como um componente especial do mel em vez de um ingrediente do mel (como havia sido interpretação do Tribunal Europeu de Justiça no referido acórdão).

Solicito à Comissão que me informe sobre o seguinte:

1. Em face do quadro legislativo proposto, como poderão os produtores de mel, no futuro, garantir a inexistência de pólen proveniente de Organismos Geneticamente Modificados no seu mel?

2. Como poderão os consumidores, no futuro, estar certos da inexistência de pólen proveniente de Organismos Geneticamente Modificados no mel que adquirem?

3. Qual a posição tomada pela AESA relativamente à «segurança do pólen MON 810 no mel»? Qual a fundamentação científica dessa posição?

Resposta dada por Maroš Šefčovič em nome da Comissão
(28 de novembro de 2012)

1. e 2. A proposta tem como objetivo clarificar que o pólen não é um ingrediente do mel, mas antes um dos seus componentes, para que se reflita adequadamente na legislação a origem natural do pólen no mel, em conformidade com os padrões internacionais. Esta proposta não impedirá os Estados-Membros de tomar medidas adequadas, de acordo com os princípios de coexistência enunciados no artigo 26.° da Diretiva 2001/18/CE ([1]), ou os apicultores dos Estados-Membros de implementar estas medidas se desejarem limitar a presença de pólen GM no seu mel. Tal como foi indicado na resposta à pergunta E-009002/2012, o Gabinete Europeu de Coexistência (ECoB) está a trabalhar para atualizar o seu documento de boas práticas em relação ao milho GM para incluir a questão da coexistência de milho GM com colmeias. Tal proporcionará orientação técnica aos Estados-Membros quando estes desenvolverem medidas de coexistência adequadas.

3. No seguimento de um pedido da Comissão, a Autoridade Europeia para a Segurança dos Alimentos (AESA) concluiu em 20 de outubro de 2011 que o pólen MON810 é tão seguro como qualquer pólen de milho convencional. A AESA baseou a sua apreciação em dados constantes dos ficheiros já apresentados sobre o MON810 e na análise de literatura sobre a segurança do pólen de milho em geral e do pólen de milho MON810 em particular.

([1]) JO L 106 de 17.4.2001.

(English version)

Question for written answer E-009004/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: GM pollen in honey

In reply to Question E-008319/2011, relating to the Court of Justice ruling on honey contaminated by GM pollen, the Commission indicated that it had asked the EFSA (on 4 October 2010) to produce a specific statement on the safety of MON 810 pollen in honey.

The Commission has recently submitted a proposal for a European Parliament and Council directive amending Directive 2001/110 on honey. Prompted by the Court ruling in Case C-442/092, the proposal is intended to establish that pollen is a component of honey and not an ingredient (the Court having based its ruling on the latter interpretation).

1. Taking into account the proposed legislative framework, how will honey producers be able to guarantee in the future that their honey will be free of GM pollen?

2. How can consumers be certain in the future that there will be no GM pollen in the honey that they buy?

3. What position has the EFSA taken on the 'safety of MON 810 pollen in honey'? What is the scientific basis for that position?

Answer given by Mr Šefčovič on behalf of the Commission
(28 November 2012)

1-2. The objective of the proposal is to clarify that pollen is not an ingredient in honey but a constituent in order to adequately reflect in the legislation the natural origin of pollen in honey, in line with international standards. This proposal will not prevent Member States to take appropriate measures, along the principles of coexistence as set out in Article 26 of Directive 2001/18/EC ([1]), or the beekeepers in the Member States to implement these measures if they wish to limit the presence of GM pollen in their honey. As indicated in the response to Question E-009002/2012, the European Coexistence Bureau (ECoB) ([2]) is undertaking work to update the best practice document on GM maize to include the issue of coexistence of GM maize with hives. This will provide technical guidance for the Member States when developing appropriate co-existence measures.

3. Following a request from the Commission, the European Food Safety Authority (EFSA) concluded on 20 October 2011 that MON810 pollen is as safe as any conventional maize pollen. EFSA has based its assessment on data present in already submitted files on MON810 and on a review of the literature on the safety of maize pollen in general and MON810 maize pollen in particular.

([1]) OJ L 106, 17.4.2001.
([2]) http://ecob.jrc.ec.europa.eu/

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009005/12
à Comissão (Vice-Presidente/Alta Representante)
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(8 de outubro de 2012)

Assunto: VP/HR — Fim do bloqueio a Cuba

Os prejuízos materiais resultantes de mais de 50 anos de bloqueio dos EUA a Cuba ascendem a um bilião de dólares (considerando a desvalorização do dólar face ao ouro), ao que acrescem os incalculáveis danos humanos provocados a cada família cubana desde fevereiro de 1962.

Desde o início da administração de Barack Obama foram impostas multas de dois mil milhões de dólares a empresas e cidadãos estrangeiros que mantenham negócios com Cuba. Não obstante, e apesar de o governo norte-americano manter o país no discricionário rol de «países patrocinadores do terrorismo» para justificar o bloqueio, Cuba tem reiterado a vontade de «normalizar as relações» com os EUA «mediante o diálogo em pé de igualdade».

Em face do exposto, perguntamos à Vice-Presidente/Alta Representante:

— Que esforços foram feitos até à data, ou vão ainda ser, junto do governo dos EUA no sentido deste terminar com o bloqueio unilateral a Cuba que dura há mais de 50 anos, tendo em conta que esta tem sido também uma exigência por várias vezes repetida através de resoluções da Assembleia-Geral da ONU?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(30 de novembro de 2012)

A União Europeia está convencida de que a política comercial aplicada pelos Estados Unidos a Cuba é fundamentalmente uma questão bilateral. Não obstante, a União Europeia e os seus Estados-Membros manifestaram-se claramente contra da extensão extraterritorial do embargo dos Estados Unidos a Cuba, nomeadamente prevista no *Cuban Democracy Act* de 1992 e no *Helms-Burton Act* de 1996.

Em novembro de 1996, a UE adotou medidas para proteger os interesses das pessoas singulares ou coletivas residentes no território da União Europeia dos efeitos da aplicação extraterritorial da lei Helms-Burton, proibindo o cumprimento dessa legislação. Além disso, em 18 de maio de 1998, na cimeira entre a União Europeia e os Estados Unidos realizada em Londres, foi acordado um pacote de medidas que incluíram isenções aos títulos III e IV da lei Helms-Burton e foi obtido um compromisso por parte da administração dos Estados Unidos de evitar este tipo de legislação extraterritorial no futuro, bem como um acordo relativo às medidas de reforço da proteção dos investimentos. A União Europeia continua a apelar aos Estados Unidos para que apliquem o Acordo de 18 de maio de 1998.

(English version)

Question for written answer E-009005/12
to the Commission (Vice-President/High Representative)
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(8 October 2012)

Subject: VP/HR — End of the embargo against Cuba

The material damage caused by more than 50 years of US embargo against Cuba amounts to 8 000 billion dollars (taking account of the devaluation of the dollar against gold prices), on top of the incalculable harm done to every Cuban family since February 1962.

Since the start of the Obama Administration, fines amounting to 2 billion dollars have been imposed on foreign undertakings and citizens who have conducted business with Cuba. Nevertheless, even though the US government still includes Cuba on the discretionary list of 'state sponsors of terrorism' in order to justify the embargo, Cuba has reiterated its willingness to normalise relations with the US through dialogue on an equal footing.

In this light, can the Vice-President/High Representative answer the following question:

— What steps have been taken or will be taken vis-à-vis the US government with a view to persuading it to end the unilateral embargo against Cuba that has been in place for more than 50 years, bearing in mind that this appeal has also been reiterated several times through resolutions of the UN General Assembly?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(30 November 2012)

The European Union believes that the United States trade policy towards Cuba is fundamentally a bilateral issue. Notwithstanding, the European Union and its Member States have clearly expressed their opposition to the extraterritorial extension of the United States embargo, such as that contained in the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

In November 1996, the EU adopted measures to protect the interest of natural or legal persons resident in the European Union against the extraterritorial effects of the Helms-Burton legislation, prohibiting compliance with that legislation. Moreover, on 18 May 1998, at the European Union/ United States Summit in London, a package was agreed covering waivers to titles III and IV of the Helms-Burton Act; a commitment by the United States administration to resist future extraterritorial legislation of that kind; and an understanding with respect to disciplines for the strengthening of investment protection. The European Union continues to urge the United States to implement the 18 May 1998 Understanding.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009006/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Situação na Guiné-Bissau — projetos da UE em curso no país

Em resposta à pergunta E-004421/12, sobre a situação na Guiné-Bissau após o golpe militar que teve lugar no país, a Comissão refere que «acompanha a situação na Guiné-Bissau, encontrando-se em estreita ligação com as organizações não-governamentais internacionais, a Cruz Vermelha e os parceiros da ONU no terreno».

Solicito à Comissão que me informe sobre o seguinte:

1. Que avaliação faz da evolução da situação?

2. Qual o ponto da situação dos projetos da UE (ou financiados pela UE) que estavam em curso no país à data do golpe?

3. Qual o ponto da situação relativamente aos projetos futuros, cuja preparação estava em curso à data do golpe e que não chegaram a arrancar?

4. Que meios de apoio às populações (incluindo alimentos, medicamentos, água, combustíveis e outros) foram até à data mobilizados pela UE?

Resposta dada por Andris Piebalgs em nome da Comissão
(6 de dezembro de 2012)

1. A Comissão acompanha muito atentamente a evolução da situação na Guiné-Bissau e está muito preocupada com a situação dos direitos humanos. Os recentes atos de violência, que são os últimos de uma longa série de intervenções violentas por parte das forças armadas da Guiné-Bissau, evidenciam, uma vez mais, a necessidade urgente de pôr termo ao controlo do poder civil pelas forças armadas e de proceder a uma reforma, genuína e profunda, do setor da segurança. A Comissão está convicta de que a solução reside numa abordagem verdadeiramente inclusiva, e está disposta a apoiá-la, nomeadamente incentivando o Governo de transição a organizar um processo eleitoral credível e democrático.

2. Na sequência da sublevação de abril de 2010, a ajuda da UE à Guiné-Bissau foi suspensa, à exceção dos projetos de apoio direto à população, que prosseguirão. Uma decisão do Conselho da UE estabeleceu uma lista de compromissos para o reatamento gradual da cooperação, em três fases. Na sequência do golpe de Estado perpetrado pelas forças armadas em 12 de abril de 2012, o Conselho da UE prorrogou a aplicação destas medidas até julho de 2013 ([1]).

3. Em 2013, será lançado apenas um projeto em favor da população, no âmbito da Iniciativa relativa aos Objetivos de Desenvolvimento do Milénio (ODM). O projeto (5,5 milhões de euros) visa a redução da mortalidade infantil e materna e será executado por ONG.

4. Até ao momento, a Comissão tem ajudado a população da Guiné-Bissau mediante um apoio multissetorial: melhoria das infraestruturas sociais (saúde e educação), melhoria do acesso aos medicamentos e cuidados de saúde e abastecimento de água em meio rural.

([1]) Decisão 2012/387/UE, de 16 de julho de 2012.

(English version)

Question for written answer E-009006/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: Situation in Guinea-Bissau — EU-funded projects

In its answer to Written Question E-004421/12 on the situation in Guinea-Bissau following the military coup, the Commission said that it 'is monitoring the situation in Guinea-Bissau and liaising closely with international non-governmental organisations, the Red Cross, and UN partners on the ground'.

1. What is the Commission's assessment of the unfolding situation in Guinea-Bissau?

2. What is the situation in relation to EU projects (or EU-funded projects) already underway in Guinea-Bissau at the time of the coup?

3. What is the state of play concerning future projects, which were already at the planning stage when the coup took place?

4. What forms of support (including food, medicines, water, fuel, etc) has the EU provided so far to the people of Guinea-Bissau?

Answer given by Mr Piebalgs on behalf of the Commission
(6 December 2012)

1. The Commission follows very carefully the evolution of the situation in Guinea-Bissau and is very concerned about the human rights situation. The recent acts of violence are the latest in a long series of violent interventions by the armed forces of Guinea-Bissau; these events highlight once more the urgent need to remove the grip by the armed forces on the civilian powers and to proceed with a genuine and deep reform of the security sector. The Commission is convinced that a truly inclusive approach is the solution and push for it, especially by encouraging the transition government to set up a credible and democratic electoral process.

2. Following the April 2010 mutiny, EU aid to Guinea-Bissau was suspended, except for projects directly supporting the population which will continue. A decision by the Council of the EU determined a schedule of commitments for the gradual resumption of cooperation in three stages. Following the coup of 12 April 2012 by the armed forces, the Council of the EU extended the application of these measures until July 2013 ([1]).

3. Only one project will be launched in 2013, in favor of the population, in the framework of the Millenium Development Goals (MDGs) Initiative. The project (EUR 5.5 million) aims at decreasing infant and mother mortality and will be implemented by NGOs.

4. So far, the Commission has helped the population of Guinea-Bissau by delivering a multi-sectoral assistance: improvement of social infrastructure (health and education), improvement of access to medicines and healthcare, and rural water supply.

([1]) Decision 2012/387/EU, 16 July 2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009007/12
à Comissão
João Ferreira (GUE/NGL)
(8 de outubro de 2012)

Assunto: Relatório da ONU sobre a redução da ajuda pública ao desenvolvimento

Segundo um relatório recente do Secretário-Geral das Nações Unidas, a diminuição da ajuda ao desenvolvimento vem pôr em causa alguns dos objetivos de desenvolvimento traçados, incluindo mesmo alguns relativamente aos quais se registaram avanços significativos nos últimos anos.

O relatório alerta para o facto de, apesar de várias metas globais importantes terem sido atingidas antes do prazo de 2015, «pela primeira vez em muitos anos a ajuda ao desenvolvimento representa um declínio que pode fazer abrandar o ímpeto de ganhos significativos». E continua, dizendo que sem o compromisso aparente dos governos doadores no sentido de inverter esta tendência, é possível que menos Objetivos de Desenvolvimento do Milénio (ODM) — as metas de redução da pobreza das Nações Unidas — sejam atingidos em menos países até 2015, altura em que termina o prazo definido.

É referida uma diferença de 167 mil milhões de dólares entre os atuais gastos e os valores inicialmente prometidos.

O relatório do Grupo de Reflexão sobre os Atrasos na realização dos ODM afirma que dos 23 doadores que são membros do Comité de Ajuda ao Desenvolvimento (CAD) da OCDE, 16 reduziram a ajuda em 2011, essencialmente devido a restrições relacionadas com a crise económica.

Em face do exposto, solicito à Comissão que me informe sobre o seguinte:

1. Que avaliação faz deste relatório?

2. Que medidas irá propor a Comissão — seja no plano do orçamento comunitário ou noutros — para superar a lacuna entre os gastos atuais e os valores inicialmente previstos?

3. Quais são os países da UE que diminuíram os orçamentos consagrados à ajuda pública ao desenvolvimento? Quais são os montantes em causa?

4. Qual é a situação relativamente ao cancelamento da dívida dos países altamente endividados, tendo em conta que o relatório identifica 20 países vulneráveis de baixos rendimentos que se encontram em situação de dívida ou em alto risco? Que esforços tem vindo a desenvolver a UE com vista ao cancelamento da dívida destes países?

Pergunta com pedido de resposta escrita E-009443/12
à Comissão
Diogo Feio (PPE)
(17 de outubro de 2012)

Assunto: Ajuda ao Desenvolvimento

Segundo as conclusões de um inquérito do Eurobarómetro sobre a ajuda ao Desenvolvimento, 85 % dos cidadãos da UE consideram que, apesar da crise económica atual, a Europa deve continuar a ajudar os países em desenvolvimento.

Assim, pergunto à Comissão:

Dadas as contingências económicas extraordinárias que a UE atravessa, prevê rever os valores com os quais a União contribui enquanto doadora para a ajuda aos países em desenvolvimento?

Resposta conjunta dada por Andris Piebalgs em nome da Comissão
(11 de dezembro de 2012)

A Comissão remete os Senhores Deputados para a resposta à anterior pergunta escrita E-006649/2012 ([1]), que trata de temas conexos. Relativamente a estas questões específicas:

([1]) http://www.europarl.europa.eu/plenary/fr/parliamentary-questions.html?tabType=all#sidesForm.

A Comissão toma nota do relatório do Secretário-Geral das Nações Unidas a que o Senhor Deputado se refere. A Comissão gostaria de chamar a atenção dos Senhores Deputados para o Relatório sobre a responsabilização da UE em matéria de financiamento do desenvolvimento ([2]), adotado pela Comissão em 9 de julho de 2012, que apresenta uma descrição detalhada dos esforços envidados pela UE e pelos seus Estados-Membros no sentido de apoiar os diversos aspetos do financiamento do desenvolvimento, incluindo os que são mencionados no relatório das Nações Unidas.

A Comissão está ciente da situação relativamente aos níveis de ajuda da UE e continua a instar os Estados-Membros a alcançarem os objetivos acordados em matéria de objetivos de Ajuda Pública ao Desenvolvimento (APD), em conformidade com os compromissos coletivos e individuais da UE. Por outro lado, a Comissão gostaria de salientar que os Estados-Membros confirmaram o seu compromisso de alcançar os objetivos em matéria de APD no Conselho Negócios Estrangeiros de maio de 2012 e no Conselho Europeu de junho de 2012. A proposta da Comissão para o próximo Quadro Financeiro Plurianual, se for aprovada pela Autoridade Orçamental, garantirá que o orçamento da UE contribui proporcionalmente para o aumento necessário.

([2]) http://ec.europa.eu/europeaid/what/development-policies/financing_for_development/accountability_report_2012_en.htm

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-009908/12
adresată Comisiei
Vasilica Viorica Dăncilă (S&D)
(30 octombrie 2012)

Subiect: Anul european pentru dezvoltare

Consider benefică ideea declarării anului 2015 ca „An European pentru dezvoltare", având în vedere că trei din principalii cinci donatori la nivel mondial de ajutor pentru dezvoltare sunt țări ale Uniunii. Din păcate, media europeană nu este mai mare de 0,43% din produsul intern brut al statelor UE, ceea ce înseamnă că un efort colectiv important trebuie să fie realizat pentru a atinge obiectivul de 0,7% din PIB până în 2015.

Cum intenționează Comisia să acționeze pentru a atinge acest obiectiv împreună cu statele membre și prin atragerea altor parteneri externi?

Răspuns comun dat de dl Piebalgs în numele Comisiei
(11 decembrie 2012)

Comisia le recomandă distinșilor deputați să consulte răspunsul la întrebarea anterioară cu solicitare de răspuns scris E-006649/2012 ([1]), care se referă la aspecte conexe. Cu privire la întrebările specifice:

Comisia ia notă de raportul Secretarului General al Organizației Națiunilor Unite (ONU), la care se referă distinșii deputați. Comisia ar dori să le atragă atenția distinșilor deputați asupra Raportului pe 2012 privind răspunderea UE ([2]) adoptat de Comisie la 9 iulie 2012, care conține o prezentare detaliată a eforturilor depuse de UE și de statele sale membre pentru a sprijini diverse aspecte ale finanțării pentru dezvoltare, inclusiv pe cele menționate în raportul ONU.

Comisia este conștientă de situația privind nivelurile ajutoarelor acordate de UE și continuă să invite statele membre să îndeplinească obiectivele convenite în materie de asistență oficială pentru dezvoltare (AOD), în conformitate cu angajamentele colective și individuale asumate de către UE. În plus, Comisia dorește să sublinieze faptul că statele membre și-au confirmat angajamentul de a atinge obiectivele AOD în cadrul Consiliului Afaceri Externe din mai 2012 și al Consiliului European din iunie 2012. Propunerea Comisiei pentru următorul cadru financiar multianual, în cazul în care va fi aprobată de autoritatea bugetară, ar asigura faptul că bugetul UE contribuie proporțional cu creșterea necesară.

([1]) http://www.europarl.europa.eu/plenary/ro/parliamentary-questions.html?tabType=all.
([2]) http://ec.europa.eu/europeaid/what/development-policies/financing_for_development/accountability_report_2012_en.htm

(English version)

Question for written answer E-009007/12
to the Commission
João Ferreira (GUE/NGL)
(8 October 2012)

Subject: UN report on cuts to official development assistance

A recent report from the Secretary-General of the United Nations notes that the decline in official development assistance is jeopardising some of the development goals set, including some on which significant progress had been made in recent years.

The report warns that, even though a number of key global targets have been met before the 2015 deadline, 'official development assistance (ODA) fell for the first time in many years' and 'for the first time there are signs of backsliding'. It goes on to say that, unless donor governments give a clear commitment to reverse this trend, it is possible that fewer Millennium Development Goals (MDGs, the United Nations poverty reduction targets) will be reached in fewer countries by 2015, when the deadline expires.

The gap between actual disbursements and the amounts initially pledged is put at 167 billion dollars.

The report by the MDG Gap Task Force states that, of the 23 donors that are members of the Development Assistance Committee (DAC) of the OECD, 16 reduced their aid in 2011, mainly as a result of constraints related to the economic crisis.

1. What is the Commission's assessment of this report?

2. What steps will the Commission propose — in relation to the Community budget or at other levels — in order to bridge the gap between actual disbursements and the amounts initially pledged?

3. Which EU countries have cut the budgets allocated to official development assistance? What amounts are involved?

4. What is the situation with regard to cancelling the debt of highly indebted countries, bearing in mind that the report identifies 20 vulnerable low-income countries that are in debt or at high risk? What efforts has the EU been making with a view to cancelling these countries' debts?

Question for written answer E-009443/12
to the Commission
Diogo Feio (PPE)
(17 October 2012)

Subject: Development aid

According to the conclusions of a Eurobarometer survey on development aid, 85% of EU citizens consider that despite the current economic crisis, Europe should continue to help developing countries.

I would therefore ask the Commission:

Given the extraordinary economic situation which the EU is facing, does it plan to review the sums which the Union contributes as a donor of aid to developing countries?

Question for written answer E-009908/12
to the Commission
Vasilica Viorica Dăncilă (S&D)
(30 October 2012)

Subject: European Year for Development

In view of the fact that three of the world's leading five aid donors are EU countries, it would seem a worthwhile idea to declare 2015 the 'European Year for Development'. Unfortunately, the EU's aid donation average is no more than 0.43% of the Member States' gross domestic product, meaning that a major collective effort is required in order to reach the target of 0.7% of GDP by 2015.

What action will the Commission take, in conjunction with the Member States and with the involvement of other, external, partners, in order to attain that target?

Joint answer given by Mr Piebalgs on behalf of the Commission
(11 December 2012)

The Commission kindly refers the Honourable Members to the answer to previous Written Question E-006649/2012 ([1]), which adresses linked issues. On the specific questions:

The Commission takes note of the United Nations (UN) Secretary-General report to which the Honourable Members refer. The Commission would like to draw the attention of the Honourable Members to the EU Accountability Report 2012 ([2]) adopted by the Commission on 9 July 2012, which presents a detailed overview of the efforts of the EU and its Member States to support the various aspects of financing for development, including those mentioned in the UN report.

The Commission is aware of the situation with regard to EU aid levels and continues to call on Member States to deliver on the agreed Official Development Assistance (ODA) targets, in line with the EU's collective and individual commitments. Furthermore, the Commission wishes to point out that the Member States confirmed their commitment to reach the ODA targets at the Foreign Affairs Council of May 2012 and the European Council of June 2012. The Commission proposal for the next Multiannual Financial Framework, if agreed by the Budgetary Authority, would ensure that the EU Budget contributes proportionally to the increase needed.

([1]) http://www.europarl.europa.eu/plenary/fr/parliamentary-questions.html?tabType=all#sidesForm
([2]) http://ec.europa.eu/europeaid/what/development-policies/financing_for_development/accountability_report_2012_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009008/12
an die Kommission
Hans-Peter Martin (NI)
(8. Oktober 2012)

Betrifft: Technologische Unterstützung von EU-Sprachen

Das Spitzenforschungsnetzwerk „Multilinguale Europäische Technologie Allianz" (META-NET) veröffentlichte im September 2012 ein Weißbuch, welches die Unterstützung von 30 europäischen Sprachen bei Computertechnologien analysierte. Insbesondere Litauisch, Lettisch und Maltesisch schneiden in allen durch die Studie untersuchten Kategorien mit dem Ergebnis „kaum/keine Unterstützung" ab. Die Autoren schreiben in ihrer Schlussfolgerung: „Die Ergebnisse unserer Weißbuch-Serie zeigen, dass dramatische Unterschiede hinsichtlich der Technologieunterstützung zwischen den europäischen Sprachen existieren. Für einige Sprachen und Anwendungsbereiche stehen Software und Ressourcen zur Verfügung, bei anderen wiederum, vor allem den kleineren Sprachen, bestehen erhebliche Lücken. Vielen Sprachen mangelt es an Basistechnologien für die Textanalyse sowie an ausreichenden Ressourcen."

1. Verfügt die Kommission über eine eigene Untersuchung der Unterstützung von in der EU gebräuchlichen Sprachen im digitalen Raum?

2. Kann die Kommission einen Überblick darüber geben, welche EU-Programme und Projekte derzeit darauf abzielen, die technologische Unterstützung von EU-Sprachen (im speziellen in den von META-NET untersuchten Bereichen der Verarbeitung gesprochener Sprache, der maschinellen Übersetzung, der Textanalyse und der Verfügbarkeit von Sprach- und Textressourcen) zu fördern?

3. Verfügt die EU über eine Strategie, die technologische Unterstützung der in der EU gebräuchlichen Sprachen zu verbessern? Wenn nicht, plant die Kommission, eine solche Strategie vorzuschlagen?

Antwort von Frau Vassiliou im Namen der Kommission
(26. November 2012)

Das Exzellenznetz META-NET wird aus dem Budget des 7. Rahmenprogramms für Forschung und Entwicklung (RP7) kofinanziert.

Derzeit unterstützt die Kommission über den IKT-Bereich (Informations- und Kommunikationstechnologien) des RP7 und das Programm zur Unterstützung der IKT-Politik aus dem Rahmenprogramm für Wettbewerbsfähigkeit und Innovation ([1]) etwa 60 Forschungs- und Innovationsprojekte mit Finanzmitteln in Höhe von insgesamt nahezu 150 Millionen EUR. Zwei Aufforderungen zur Einreichung von Vorschlägen im Bereich der Sprachtechnologie und -analyse ([2]) stehen gegenwärtig offen.

Was künftige Finanzierungstätigkeiten betrifft, so ist im Bereich „Telekommunikation" des Kommissionsvorschlags für die Fazilität „Connecting Europe" (2014-2020) eine digitale Dienstinfrastruktur vorgesehen, die „mehrsprachigen Zugang zu Online-Diensten" bieten soll. Ziel ist es, eine Sprachressourcen-Infrastruktur einzurichten, so dass Anbieter von Online-Inhalten und -Diensten ihre Angebote problemlos in allen EU-Amtssprachen zur Verfügung stellen können.

Darüber hinaus arbeitet das Netz META-NET an einer strategischen Forschungsagenda ([3]) mit Vorschlägen für künftige Forschungs- und Innovationsmaßnahmen in diesem Bereich. In diesem Rahmen sollen auch Möglichkeiten zur Überwindung vorhandener Barrieren erörtert werden, um alle EU-Sprachen in stärkerem Maße als gleichrangig zu behandeln.

Ferner leistet die Kommission einen Beitrag zur Entwicklung natürlicher Sprachlösungen, indem sie das gesamte EU-Recht — den größten mehrsprachigen Korpus von Rechtsvorschriften, der parallel 22 Sprachen umfasst —, Forschern und Entwicklern im Bereich sprachgestützter Systeme und Dienste frei zur Verfügung stellt ([4]).

([1]) http://cordis.europa.eu/fp7/ict/language-technologies/projects_en.html
([2]) http://cordis.europa.eu/fp7/ict/language-technologies/upcoming_en.html
([3]) http://www.meta-net.eu/sra-en.
([4]) http://langtech.jrc.it/JRC-Acquis.html

(English version)

Question for written answer E-009008/12
to the Commission
Hans-Peter Martin (NI)
(8 October 2012)

Subject: Technological support for EU languages

In September 2012 the Multilingual European Technological Alliance (META-NET) , a research network of excellence, published a white paper series analysing computer technology support for 30 European languages. For Lithuanian, Latvian and Maltese in particular — in all categories examined by the study — the rating is 'weak/no support'. The authors state the following in their conclusions: 'The results of this white paper series show that there is a dramatic difference in language technology support between European languages. While there are good quality software and resources available for some languages and application areas, other (usually smaller) languages have substantial gaps. Many languages lack basic technologies for text analysis and the essential resources.'

1. Is there a Commission study on digital support for the EU's more commonly used languages?

2. Can the Commission provide an overview of the EU programmes and projects seeking to promote technological support for EU languages (in particular in the areas examined by META-NET: speech processing, machine translation, text analysis, and speech and text resources)?

3. Is there an EU strategy to improve technological support for the EU's more commonly used languages? If not, is the Commission planning to propose such a strategy?

Answer given by Ms Vassiliou on behalf of the Commission
(26 November 2012)

The META-NET network of excellence is co-funded through the 7th Framework Programme for Research and Development (FP7).

Currently, the Commission supports around 60 research and innovation projects with a total funding of nearly 150 million EUR through the ICT (information and communication technologies) strand of the FP7 and the ICT-Policy Support Programme of the Competitiveness and Innovation Framework Programme (CIP) ([1]). Two calls for proposals are currently open for submission in the area of language technology and analytics ([2]).

With regard to future funding, the 'Telecommunications' strand of the Commission proposal for the Connecting Europe Facility (2014-2020) foresees a digital service infrastructure providing 'Multilingual access to online services'. Its purpose is to deploy a language resource infrastructure so that all providers of online content and services can easily make their offers available in all official EU languages.

Moreover, the META-NET network is working on a Strategic Research Agenda which will propose future research and innovation actions in the field and examine how best to overcome existing barriers in order to place all EU languages on a more equal footing ([3]).

The Commission is also making a contribution to the development of natural language solutions by making the body of EU legislation — the largest parallel multilingual corpus comprising of 22 languages — freely available to researchers and developers of language-enabled systems and services ([4]).

([1]) http://cordis.europa.eu/fp7/ict/language-technologies/projects_en.html
([2]) http://cordis.europa.eu/fp7/ict/language-technologies/upcoming_en.html
([3]) http://www.meta-net.eu/sra-en.
([4]) http://langtech.jrc.it/JRC-Acquis.html

(Version française)

Question avec demande de réponse écrite E-009010/12
à la Commission
Michèle Striffler (PPE)
(8 octobre 2012)

Objet: Révision de la directive «Aménagement du temps de travail»

L'actuelle directive 2003/88/CE, dite directive sur l'aménagement du temps de travail, ne semble plus adaptée à la réalité socio-économique actuelle en Europe.

En ne prévoyant pas suffisamment de flexibilité dans l'aménagement du temps de travail, cette directive met en péril de nombreux systèmes de secours européens qui reposent pour la plupart sur l'engagement volontaire.

En effet, l'actuelle directive assimile les activités de secours (et notamment celles des pompiers) à un travail salarié, avec un encadrement strict du temps d'activité, ce qui porte atteinte à l'efficacité des interventions d'urgence des forces de secours et au rôle prépondérant des volontaires au sein de celles-ci.

La Commission a t elle l'intention de tenir compte de la diversité des statuts liés aux forces de secours, en proposant des dispositions spécifiques sur le volontariat lors de la révision de cette directive?

Réponse donnée par M. Andor au nom de la Commission
(26 novembre 2012)

La Commission invite l'auteur de la question à se reporter à la réponse à la récente question E-004590/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/fr/parliamentary-questions.html

(English version)

Question for written answer E-009010/12
to the Commission
Michèle Striffler (PPE)
(8 October 2012)

Subject: Revision of the Working Time Directive

Directive 2003/88/EC, known as the Working Time Directive, no longer reflects socioeconomic realities in Europe.

By restricting the degree of flexibility which may be incorporated into working-time arrangements, the directive is putting at risk the operation of many European emergency services, which are largely based on the work of volunteers.

The directive equates the activities of the emergency services (and, in particular, of the fire service) with employment, laying down strict rules to govern working time, hampering the effectiveness of responses to emergencies and calling into question the vital role played by volunteers.

Does the Commission intend to take account of the involvement of both volunteers and workers in the emergency services by proposing specific provisions on volunteering in the context of the revision of the Working Time Directive?

Answer given by Mr Andor on behalf of the Commission
(26 November 2012)

The Commission would refer the Honourable Member to the reply already given in the recent Question E-004590/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009011/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(8 Οκτωβρίου 2012)

Θέμα: Προβλήματα στην αλιευτική παραγωγή της Ελλάδας

Σύμφωνα με πρόσφατο άρθρο της «Καθημερινής» ανησυχία προκαλεί το γεγονός ότι στην Ελλάδα επιτρέπεται το ψάρεμα για όλα τα αλιευτικά εργαλεία και την περίοδο από τον Απρίλιο έως το Μάιο, παρά το ότι είναι η βασική περίοδος αναπαραγωγής των περισσότερων ειδών. Το αποτέλεσμα είναι αυγωμένα ψάρια ή ψάρια-νεογνά να καταλήγουν στον καταναλωτή.

Ως προς το ελάχιστο επιτρεπόμενο μέγεθος αλιευμάτων, οι έλεγχοι δεν είναι επαρκείς και έτσι πωλούνται ανεξέλεγκτα στις αγορές ιχθύδια, παρά το ότι η τακτική αυτή είναι παράνομη.

Σημειώνεται ακόμα ότι η αλιευτική παραγωγή της Ελλάδας τα τελευταία χρόνια έχει μειωθεί κατά 50%, ενώ, σύμφωνα με στοιχεία της Επιτροπής, το 65%-70% των εμπορικών ειδών στη χώρα βρίσκεται εκτός ασφαλών βιολογικών ορίων.

Δεδομένου ότι η διατήρηση των θαλάσσιων πόρων είναι ένας από τους έξι τομείς πολιτικής για τους οποίους η Συνθήκη της Λισαβόνας αναθέτει στην Ευρωπαϊκή Ένωση αποκλειστική αρμοδιότητα, ερωτάται η Επιτροπή:

— Προτίθεται, κάνοντας χρήση του δικαιώματος της πρωτοβουλίας, να λάβει τα κατάλληλα μέτρα ούτως ώστε να απαγορευτεί η αλίευση σε περιόδους αναπαραγωγής των ιχθυαποθεμάτων;

— Με ποιους συγκεκριμένους τρόπους προτίθεται να ενισχύσει τους ελέγχους ώστε να μην αλιεύονται ψάρια κατώτερα του επιτρεπόμενου μεγέθους και ειδικότερα τους ελέγχους στις ιχθυόσκαλες ώστε να μην διοχετεύονται ιχθύδια στην αγορά;

Απάντηση της κας Δαμανάκη εξ ονόματος της Επιτροπής
(10 Δεκεμβρίου 2012)

Η Επιτροπή παραπέμπει το Αξιότιμο Μέλος στην απάντησή της, της 27ης Ιανουαρίου 2012, στη γραπτή ερώτηση E-9018/2012 ([1]). Στην εν λόγω απάντησή της η Επιτροπή επισημαίνει ότι κάθε κράτος μέλος είναι αρμόδιο για τον καθορισμό της πλέον ενδεδειγμένης διαχείρισης της αλιευτικής του παραγωγής, συμπεριλαμβανόμενων των περιόδων απαγόρευσης της αλιείας.

Η Επιτροπή θεωρεί ιδιαίτερα σημαντικό το ζήτημα της εκφόρτωσης ψαριών με μέγεθος μικρότερο του ελάχιστου επιτρεπόμενου ορίου. Ο κανονισμός για τη Μεσόγειο καθορίζει τις ελάχιστες απαιτήσεις για την επιλεκτικότητα των αλιευτικών εργαλείων και ορίζει, για σειρά ειδών, το ελάχιστο επιτρεπόμενο μέγεθος των ψαριών που πρέπει να τηρείται τόσο κατά τη στιγμή της αλίευσης όσο και κατά την εκφόρτωση. Το τελευταίο στοιχείο αποτελεί σημαντική συνισταμένη που εξασφαλίζει εξαρχής την αποφυγή ανεπιθύμητων αλιευμάτων, στον μέγιστο δυνατό βαθμό.

Τα κράτη μέλη είναι αρμόδια για την επιβολή των κανόνων αυτών. Η Επιτροπή διεξάγει τακτικούς ελέγχους προκειμένου να εξασφαλίσει ότι οι κανόνες σχετικά με το ελάχιστο επιτρεπόμενο μέγεθος των ψαριών επιβάλλονται και εφαρμόζονται σωστά από τις ελληνικές αρχές. Οι έλεγχοι σχετικά με το ελάχιστο επιτρεπόμενο μέγεθος των ψαριών διεξάγονται από τις ελληνικές αρχές κατά την εκφόρτωση. Τα ψάρια με μέγεθος μικρότερο του επιτρεπόμενου ορίου κατάσχονται και επιβάλλεται πρόστιμο στον διαχειριστή του σκάφους.

Η ΕΕ στηρίζει χρηματοδοτικά την εφαρμογή του κανονισμού για τη Μεσόγειο και την τήρηση των υποχρεώσεων ελέγχου εκ μέρους των κρατών μελών. Στο μέτρο 2.3 του Ευρωπαϊκού Ταμείου Αλιείας (κανονισμός (ΕΚ) αριθ. 1198/2006) προβλέπεται η συγχρηματοδότηση των επενδύσεων σε αλιευτικά σκάφη, συμπεριλαμβανομένης της βελτίωσης της επιλεκτικότητας των αλιευτικών διχτυών. Η Ελλάδα έχει δημοσιεύσει πρόσκληση εκδήλωσης ενδιαφέροντος ύψους 22 εκατ. ευρώ, με στόχο τη στήριξη προγραμμάτων στο πλαίσιο του εν λόγω μέτρου. Στον τομέα του ελέγχου, η Επιτροπή συγχρηματοδότησε το 2011 και το 2012 δύο ελληνικά προγράμματα για την αγορά κατάλληλων οργάνων μέτρησης των διχτυών. Τα εν λόγω προγράμματα έχουν ήδη ξεκινήσει.

([1]) http://www.europarl.europa.eu/plenary/el/parliamentary-questions.html

(English version)

Question for written answer E-009011/12
to the Commission
Nikolaos Salavrakos (EFD)
(8 October 2012)

Subject: Problems with Greek fisheries

A recent article in the Kathimerini expresses concern that the Greek authorities are allowing fishing activities with all types of fishing gear even in the period from April to May, the main breeding period for many species. As a result, berried fish or fry are being purchased by consumers.

Inspections to ensure compliance with smallest allowable catch sizes are inadequate, with the result that fry are being sold illegally without any prior checks.

Catches by Greek fishermen have fallen by around 50% over the last few years while, according to the Commission, 65 to 70% of commercial species are outside safe biological limits.

Given that the sustainability of marine resources is one of the six policy areas for which the European Union has sole responsibility under the terms of the Lisbon Treaty:

— Will the Commission, using its right of initiative, take the necessary measures to ban fishing during breeding periods, when fish stocks are replenished?

— What steps will it take to step up monitoring activities so as to prevent the landing of undersized fish and, in particular, inspections at fish wharves so as to prevent the selling of fry?

Answer given by Ms Damanaki on behalf of the Commission
(10 December 2012)

The Commission refers the Honourable Member to its reply to Written Question E-9018/2012 ([1]). As indicated in that reply it is up to the Member States to define the most appropriate management of their fisheries, including the closing seasons

The Commission takes very seriously the issue of undersized fish landings. The Mediterranean Regulation defines minimum requirements to improve the selectivity of the fishing gears, and sets a minimum catching size for several species that has to be respected at the time of the capture and not only at the landing. The last element is a strong driving force to ensure that unwanted catches are avoided as much as possible in the first place.

The responsibility to enforce these rules lays with Member States. The Commission carries out regular verifications to establish whether there is proper control and enforcement of the minimum catching size by the Greek authorities. Control on minimum fish size is carried out by the Greek authorities at landing. Undersized fish is seized and a fine is applied to the operator.

The EU provides funding to support the implementation of the Mediterranean Regulation and the control obligations of Member States. Measure 2.3 of the European Fisheries Fund (EC Regulation 1198/2006) provides for the co-financing of on-board investments of fishing vessels, including the improvement of the selectivity of the nets. Greece has issued a call for expression of interest amounting to EUR 22 million to support projects under this measure. In the area of control, the Commission co-financed in 2011 and 2012 two Greek projects for the purchase of appropriate net measuring instruments. These projects are in the process of being materialised.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009012/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(8 Οκτωβρίου 2012)

Θέμα: Φορολογικοί παράδεισοι

Από στοιχεία που είδαν πρόσφατα το φως της δημοσιότητας στην Ελλάδα, μεγάλος αριθμός πολιτών φοροδιαφεύγουν φυγαδεύοντας τεράστια ποσά στην Ελβετία και σε άλλες χώρες του εξωτερικού που είναι γνωστές ως «φορολογικοί παράδεισοι».

Γνωστή είναι η «λίστα Λαγκάρντ» με 1 991 Έλληνες πολίτες που διατηρούν λογαριασμούς σε τράπεζες της Ελβετίας που συνδέονται πιθανόν με ξέπλυμα μαύρου χρήματος.

Ερωτάται η Επιτροπή:

— Τι προτίθεται να πράξει ώστε να τεθεί τέρμα σ' αυτό το φαινόμενο που είναι καταστροφικό και άδικο για την οικονομία διαφόρων ευρωπαϊκών χωρών;

— Προτίθεται να συνάψει συμφωνία με την Ελβετία, ή άλλες χώρες που θεωρούνται «φορολογικοί παράδεισοι», για ανταλλαγή εμπιστευτικών στοιχείων σε μια προσπάθεια καταπολέμησης της φοροδιαφυγής;

Απάντηση του κ. Šemeta εξ ονόματος της Επιτροπής
(22 Νοεμβρίου 2012)

Η Επιτροπή δεν έχει αρμοδιότητα να διενεργεί φορολογικές έρευνες του είδους που αναφέρεται στην ερώτηση του Αξιότιμου Μέλους του Κοινοβουλίου. Οι ελληνικές αρχές είναι εκείνες που προβαίνουν στις σχετικές ενέργειες για τη φορολόγηση επενδύσεων στο εξωτερικό που ανήκουν σε Έλληνες υπηκόους.

Χάρη στην «οδηγία για τις αποταμιεύσεις» ([1]), δίνονται πληροφορίες στα κράτη μέλη σχετικά με τους τόκους που εισπράττουν οι μόνιμοι κάτοικοι καθενός από αυτά από τις αποταμιεύσεις που έχουν επενδυθεί σε άλλα κράτη μέλη. Ταυτόχρονα η Επιτροπή έχει υπογράψει συμφωνίες με πέντε άλλα κράτη που συνορεύουν με την Ένωση, μεταξύ των οποίων και η Ελβετία, οι οποίες προβλέπουν την εφαρμογή μέτρων ισοδύναμων με την οδηγία υπό τη μορφή φόρου παρακρατούμενου στην πηγή. Η Επιτροπή έχει προτείνει στο Συμβούλιο να βελτιωθεί η εν λόγω οδηγία ([2]), καθώς και να της δοθεί εξουσιοδότηση να διαπραγματευθεί βελτιώσεις των σχετικών συμφωνιών για τις αποταμιεύσεις.

Επιπλέον, η πρόσφατη ανακοίνωση σχετικά με τη φορολογική απάτη και τη φοροδιαφυγή ([3]), θα υποστηρίζεται σύντομα από ένα σχέδιο δράσης, το οποίο θα προσδιορίζει συγκεκριμένα μέτρα που θα πρέπει να ληφθούν σε επίπεδο κρατών μελών και ΕΕ.

Εάν τα κράτη μέλη ενεργήσουν προς το κοινό συμφέρον, ιδίως εξουσιοδοτώντας την Επιτροπή να διαπραγματευθεί βελτιωμένη συμφωνία για τις αποταμιεύσεις με την Ελβετία και άλλα κράτη που συνορεύουν με την Ένωση, η θέση όλων των κρατών μελών όσον αφορά την ορθή φορολόγηση επενδύσεων που διατηρούνται στο εξωτερικό θα ενισχυθεί.

([1]) Οδηγία 2003/48/ΕΚ του Συμβουλίου, της 3ης Ιουνίου 2003, για τη φορολόγηση των υπό μορφή τόκων εισοδημάτων από αποταμιεύσεις, ΕΕ L 157 της 26.6.2003, σ. 38.
([2]) COM(2008)727 τελικό της 13.11.2008.
([3]) http://ec.europa.eu/taxation_customs/resources/documents/common/publications/com_reports/taxation/COM (2012) 351_el.pdf

(English version)

Question for written answer E-009012/12
to the Commission
Antigoni Papadopoulou (S&D)
(8 October 2012)

Subject: Tax havens

It has recently emerged that in Greece many individuals are evading taxes by channelling enormous amounts of money into Switzerland and other foreign countries known to be tax havens.

Furthermore, 1 991 Greek citizens holding accounts in Switzerland and suspected of money laundering have been entered on the 'Lagarde list'.

In view of this:

— What action will the Commission take to end such iniquitous practices, which are causing untold harm to the economies of a number of European countries?

— Will the Commission conclude an agreement with Switzerland or other countries regarded as tax havens for the exchange of reliable information with a view to combating tax evasion?

Answer given by Mr Šemeta on behalf of the Commission
(22 November 2012)

The Commission does not have the powers to carry out the type of tax investigations referred to in the Honourable Member's question. It is the Greek authorities who act in relation to taxing investments held abroad by Greek nationals.

Thanks to the 'Savings Directive' ([1]), information is given to Member States on interest earned by their residents on savings invested in other Member States. At the same time the Commission has signed agreements with five other States neighbouring the Union, including Switzerland, that provide for the application of equivalent measures to the directive in the form of a withholding tax. The Commission has proposed to the Council to improve that directive ([2]), as well as an authorisation to negotiate enhancements of the related Savings Agreements.

Furthermore, the recent communication on tax fraud and tax evasion ([3]), will shortly be supported by an action plan identifying concrete steps that should be taken at Member State and EU level.

If Member States act in the common interest, in particular by authorising the Commission to negotiate an enhanced Savings Agreement with Switzerland and other States neighbouring the Union, the position of all Member States in relation to properly taxing investments held abroad will be strengthened.

([1]) Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments OJ L 157, 26.6.2003, p. 38.
([2]) COM(2008) 727 final of 13.11.2008.
([3]) http://ec.europa.eu/taxation_customs/resources/documents/common/publications/com_reports/taxation/com(2012)351_en.pdf

(English version)

Question for written answer E-009013/12
to the Commission
Marian Harkin (ALDE)
(8 October 2012)

Subject: Free movement of goods and consumer rights within the EU

Could the Commission please state its legal opinion on the following situation as regards the free movement of goods and consumer rights.

An Irish citizen living in Ireland sought to purchase a specific product online from a company in another EU Member State. This company has a contract with an Irish distributor and therefore it is refusing to sell the specific product online to the Irish citizen because he is resident in Ireland. If, however, he was resident in the UK, he would be able to purchase the product online.

Does the Commission agree that such a situation is in contravention of the rights of an EU citizen and in breach of EC law in terms of the free movement of goods as defined under Articles 34-36 of the Treaty on the Functioning of the European Union?

Question for written answer E-009014/12
to the Commission
Marian Harkin (ALDE)
(8 October 2012)

Subject: Free movement of goods and consumer rights within the EU

Could the Commission please state its legal opinion on the following situation as regards the free movement of goods and consumer rights.

An Irish citizen living in Ireland sought to purchase a specific product online from a company in another EU Member State. He was refused the right to purchase online because the policy of the company in question prevents shipping across borders.

Does the Commission agree that such a situation is in contravention of the rights of an EU citizen and in breach of EC law in terms of the free movement of goods as defined under Articles 34-36 of the Treaty on the Functioning of the European Union?

Joint answer given by Mr Barnier on behalf of the Commission
(12 December 2012)

Discrimination by service providers falls under Art. 20(2) of the Services Directive ([1]): 'Member States shall ensure that the general conditions of access to a service […] do not contain discriminatory provisions relating to the nationality or place of residence of the recipient […]'. However, differences in access conditions are allowed when 'those differences are directly justified by objective criteria'.

In June 2012, the Commission published a document on this provision ([2]) which illustrates the typical situations where service recipients are treated differently or refused a service on grounds of nationality or residence, and the justifications that might be invoked by businesses. It also provides some general indications as to when these differences in treatment may or may not be objectively justified so that national authorities are better equipped to undertake the necessary case-by-case analysis. Distribution agreements, including for the distribution of goods, are one of the issues at stake. Service providers cannot be obliged to breach contracts they have validly entered.

In any event, Article 8 of the Consumer Rights Directive ([3]) requires trading websites to indicate clearly by the beginning of the ordering process whether any delivery restrictions apply.

([1]) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.
([2]) Commission Staff Working Document with a view to establishing guidance on the application of Article 20(2) of Directive 2006/123/EC on services in the internal market, accessible at: http://ec.europa.eu/internal_market/services/services-dir/rights_of_recipients_en.htm
([3]) Directive 2011/83/EU of the European Parlaiment and of the Council of 25 October 2011 on consumer rights.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-009015/12
aan de Commissie
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Cornelis de Jong (GUE/NGL) en Marietje Schaake (ALDE)
(8 oktober 2012)

Betreft: Godslasteringswetten in de Europese Unie

De recente golf van geweld in de moslimwereld als reactie op een online video waarin Mohammed wordt afgebeeld, heeft vele Europese leiders ertoe gebracht het recht op vrijheid van meningsuiting te verdedigen tegen de beschuldigingen van godslastering. Tegelijkertijd zijn er in de EU nog steeds lidstaten die godslasteringswetten hebben en uitvoeren. Dit werd onder meer aangetoond door de recente arrestatie van een 27-jarige man door de Griekse autoriteiten ([1]) en de vervolging van een artiest door de Spaanse autoriteiten voor een werk dat hij tientallen jaren eerder maakte ([2]).

De Commissie van Venetië, in haar verslag van 23 oktober 2010, en de Parlementaire Vergadering van de Raad van Europa, in de aanbeveling 1805(2007) van 29 juni 2007, hebben erop gewezen dat in een minderheid van de lidstaten van de EU (Oostenrijk, Denemarken, Finland, Griekenland, Italië, Ierland en Nederland) nog steeds godslasteringswetten van kracht zijn, maar slechts zelden worden uitgevoerd. Iets dat vergelijkbaar is met godslastering — „godsdienstbelediging" — is nog steeds een misdrijf in een groot aantal lidstaten (Cyprus, de Tsjechische Republiek, Denemarken, Spanje, Finland, Duitsland, Griekenland, Italië, Litouwen, Nederland, Polen, Portugal en Slowakije). Zowel de Commissie van Venetië als de Parlementaire Vergadering deden de aanbeveling het misdrijf van godslastering en godsdienstbelediging af te schaffen, met het oog op de artikelen 10 (vrijheid van meningsuiting) en 9 (vrijheid van gedachte, geweten en godsdienst) van het EHRM ([3]), die ook worden weerspiegeld in de artikelen 11 en 10 van het EU-Handvest van de grondrechten. Artikel 20, lid 2, van het Internationaal Verdrag inzake burgerrechten en politieke rechten bepaalt dat „het propageren van op nationale afkomst, ras of godsdienst gebaseerde haatgevoelens die aanzetten tot discriminatie, vijandigheid of geweld, wordt bij de wet verboden".

1. Is de Commissie van mening dat wetten tegen godslastering en godsdienstbelediging in strijd zijn met de vrijheid van meningsuiting?

2. Is de Commissie van mening dat de arrestatie en veroordeling van Europese burgers op grond van godslastering in overeenstemming is met de EU-verdragen en het Handvest van de grondrechten?

3. Roept de Commissie in haar extern beleid op tot de afschaffing van godslasteringswetten?

4. Is de Commissie voornemens om, binnen het kader van internationale organisaties als de VN, te pleiten voor een wereldwijd verbod op godslasteringswetten?

5. Hoe denkt de Commissie ervoor te zorgen dat de vrijheid van meningsuiting niet kan worden beperkt door wetten tegen godslastering en godsdienstbelediging zowel binnen als buiten de Europese Unie?

Antwoord van mevrouw Reding namens de Commissie
(3 januari 2013)

De Commissie verwijst naar haar antwoord op schriftelijke vragen E-001542/2008 en E-003725/2009 ([4]). Vrijheid van meningsuiting is een van de belangrijkste pijlers van onze democratische samenlevingen en zij is verankerd in het Handvest van de grondrechten van de Europese Unie en het Europees Verdrag voor de rechten van de mens. Volgens artikel 51, lid 1, van het Handvest van de grondrechten van de Europese Unie zijn de bepalingen ervan echter uitsluitend tot de lidstaten gericht wanneer zij het recht van de Unie ten uitvoer brengen. Wanneer lidstaten nationale blasfemiewetten vaststellen of handhaven, geven de betrokken lidstaten geen uitvoering aan EU-wetgeving. Het is dan ook aan deze lidstaten om ervoor te zorgen dat hun verplichtingen met betrekking tot de grondrechten — die voortvloeien uit internationale overeenkomsten en uit hun nationale wetgeving — worden nageleefd.

([1]) http://www.rtbf.be/info/societe/detail_grece-arrete-pour-blaspheme-pour-avoir-caricature-un-moine-sur-facebook?id=7844541.
([2]) http://www.guardian.co.uk/film/2012/may/28/spanish-artist-cook-christ-film.
([3]) De Parlementaire Vergadering van de Raad van Europa stelt dat „met het oog op de grote diversiteit van godsdiensten in Europa en het democratische principe van de scheiding tussen kerk en staat, moeten godslasteringswetten door de lidstaten en parlementen worden herzien" en dat „godslastering, als een belediging van de godsdienst, niet mag worden aanzien als crimineel misdrijf".
([4]) http://www.europarl.europa.eu/plenary/nl/parliamentary-questions.html

Wat betreft het externe beleid van de EU heeft de Raad in zijn conclusies van november 2009 er zijn diepe bezorgdheid over geuit dat landen die een wetgeving over de belastering van godsdiensten hebben, die wetgeving vaak hebben gebruikt om religieuze minderheden slecht te behandelen en de vrijheid van meningsuiting en de vrijheid van godsdienst en overtuiging in te perken. De Raad benadrukte verder dat er geen beperkingen aan die rechten mogen worden gesteld uit religieuze motieve en dat men zich nooit op godsdienst mag beroepen om de beperking of schending van individuele rechten te verantwoorden of te vergoelijken.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-009015/12
do Komisji
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Cornelis de Jong (GUE/NGL) oraz Marietje Schaake (ALDE)
(8 października 2012 r.)

Przedmiot: Przepisy dotyczące bluźnierstwa w Unii Europejskiej

Niedawna fala przemocy w świecie muzułmańskim w następstwie opublikowania w Internecie filmu ukazującego Mahometa sprowokowała licznych przywódców UE do obrony swobody wypowiedzi i opinii przed zarzutami bluźnierstwa. Jednocześnie w UE niektóre państwa członkowskie wciąż mają i stosują przepisy dotyczące bluźnierstwa, o czym świadczy niedawne aresztowanie 27-letniego mężczyzny przez władze greckie ([1]) oraz ściganie pewnego artysty przez władze hiszpańskie za dzieło powstałe przed dziesiątkami lat ([2]).

Komisja wenecka w sprawozdaniu z dnia 23 października 2010 r., a także Zgromadzenie Parlamentarne Rady Europy w zaleceniu 1805 (2007) z dnia 29 czerwca 2007 r. podkreśliły, że przepisy dotyczące bluźnierstwa nadal istnieją w mniejszości państw członkowskich UE (Austria, Dania, Finlandia, Grecja, Włochy, Irlandia i Holandia), gdzie są rzadko stosowane, oraz że przepis podobny do przepisu o bluźnierstwie – „obraza uczuć religijnych" – wciąż stanowi przestępstwo w wielu państwach członkowskich (Cypr, Republika Czeska, Dania, Hiszpania, Finlandia, Niemcy, Grecja, Włochy, Litwa, Holandia, Polska, Portugalia i Słowacja). Zarówno komisja wenecka, jak i Zgromadzenie Parlamentarne, zaleciły depenalizację bluźnierstwa i obrazy uczuć religijnych na mocy art. 10 (swoboda wypowiedzi) oraz art. 9 (swoboda myśli, przekonań i wyznania) Konwencji o ochronie praw człowieka i podstawowych wolności ([3]), które mają swoje odzwierciedlenie także w art. 11 i 10 Karty praw podstawowych UE. Artykuł 20 ust 2 MPPOiP stanowi, że „popieranie w jakikolwiek sposób nienawiści narodowej, rasowej lub religijnej, stanowiące podżeganie do dyskryminacji, wrogości lub gwałtu, powinno być ustawowo zakazane".

1. Czy Komisja uważa przepisy dotyczące bluźnierstwa i obrazy uczuć religijnych za sprzeczne ze swobodą wypowiedzi?

2. Czy Komisja uważa, że aresztowanie i skazywanie obywateli UE za bluźnierstwo jest zgodne z traktatami UE oraz z kartą praw podstawowych?

3. Czy Komisja wzywa w swojej polityce zewnętrznej do abolicji przepisów dotyczących bluźnierstwa?

4. Czy Komisja będzie popierać na szczeblu międzynarodowych organizacji, takich jak ONZ, ogólnoświatowy zakaz przepisów dotyczących bluźnierstwa?

5. Jak Komisja zagwarantuje, że swoboda wypowiedzi nie będzie ograniczana przez przepisy dotyczące bluźnierstwa i obrazy uczuć religijnych, zarówno w UE, jak i poza nią?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(3 stycznia 2013 r.)

Komisja pragnie odwołać się w tym względzie do odpowiedzi udzielonych na pytania wymagające odpowiedzi na piśmie nr E-001542/2008 oraz E-003725/2009 ([4]). Wolność słowa stanowi jeden z fundamentów naszych demokratycznych społeczeństw, zapisanych w Karcie praw podstawowych Unii Europejskiej oraz Europejskiej konwencji o ochronie praw człowieka i podstawowych wolności. Zgodnie z art. 51 ust. 1 Karty praw podstawowych UE, jej postanowienia mają jednak zastosowanie do państw członkowskich wyłącznie w przypadkach, w których stosują one prawo Unii. Wprowadzając lub utrzymując w mocy krajowe przepisy dotyczące bluźnierstwa, zainteresowane państwa członkowskie nie stosują prawa Unii. W tej sprawie zatem obowiązek zapewnienia przestrzegania zobowiązań w zakresie praw podstawowych wynikających z prawa wewnętrznego danego państwa i zawartych porozumień międzynarodowych spoczywa wyłącznie na tych państwach członkowskich.

([1]) http://www.rtbf.be/info/societe/detail_grece-arrete-pour-blaspheme-pour-avoir-caricature-un-moine-sur-facebook?id=7844541.
([2]) http://www.guardian.co.uk/film/2012/may/28/spanish-artist-cook-christ-film.
([3]) ZPRE stwierdziło, że „z myślą o większej różnorodności przekonań religijnych w Europie oraz o demokratycznej zasadzie rozdziału państwa od religii państwa członkowskie i parlamenty powinny dokonać przeglądu przepisów dotyczących bluźnierstwa" oraz że „bluźnierstwo, stanowiące obrazę uczuć religijnych, nie powinno być uważane za przestępstwo kryminalne".
([4]) http://www.europarl.europa.eu/plenary/pl/parliamentary-questions.html

W odniesieniu do polityki zewnętrznej UE, w swoich konkluzjach z listopada 2009 r. Rada wyraziła głębokie zaniepokojenie faktem, że w państwach, w których prawodawstwo zawiera przepisy dotyczące obrazy uczuć religijnych, przepisy te są często wykorzystywane w celu gnębienia mniejszości religijnych, a także ograniczania wolności wypowiedzi oraz wolności religii i przekonań. Rada podkreśliła także, że praw tych nie można ograniczać ze względów religijnych i że religia nie może być nigdy wykorzystywana do uzasadnienia lub usprawiedliwienia przypadków ograniczania lub naruszania praw jednostki.

(English version)

Question for written answer E-009015/12
to the Commission
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Cornelis de Jong (GUE/NGL) and Marietje Schaake (ALDE)
(8 October 2012)

Subject: Blasphemy laws within the European Union

The recent wave of violence in the Muslim world following the online posting of a video depicting Mohammed has led numerous EU leaders to defend freedom of expression and opinion against accusations of blasphemy. At the same time, in the EU, some Member States still have and implement blasphemy laws, as demonstrated by the recent arrest of a 27-year-old man by the Greek authorities ([1]) and the prosecution of an artist by the Spanish authorities for a work he produced decades ago ([2]).

The Venice Commission, in its report of 23 October 2010, and the Parliamentary Assembly of the Council of Europe, in its Recommendation 1805 (2007) of 29 June 2007, pointed out that blasphemy laws are still in place in a minority of EU Member States (Austria, Denmark, Finland, Greece, Italy, Ireland and the Netherlands) and are rarely implemented, and that something similar to blasphemy — 'religious insult' — is still an offence in a large number of Member States (Cyprus, the Czech Republic, Denmark, Spain, Finland, Germany, Greece, Italy, Lithuania, the Netherlands, Poland, Portugal and Slovakia). Both the Venice Commission and the Parliamentary Assembly recommended abolishing the offences of blasphemy and of insult to religious feelings, in view of Articles 10 (freedom of expression) and 9 (freedom of thought, conscience and religion) of the ECHR ([3]), which are also mirrored in Articles 11 and 10 of the EU Charter of Fundamental Rights. Article 20(2) of the ICCPR stipulates that 'any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law'.

1. Does the Commission consider that laws against blasphemy and religious insult are contrary to freedom of expression?

2. Does the Commission consider that the arrest and conviction of EU citizens on charges of blasphemy is compatible with the EU Treaties and the Charter of Fundamental Rights?

3. Does the Commission call for the abolition of blasphemy laws in its external policies?

4. Will the Commission advocate a worldwide ban on blasphemy laws within international organisations such as the UN?

5. How will the Commission ensure that freedom of expression cannot be restricted by laws against blasphemy and religious insult both within and outside the EU?

Answer given by Mrs Reding on behalf of the Commission
(3 January 2013)

The Commission refers to its answer to Written Questions E-001542/2008 and E-003725/2009 ([4]). Freedom of expression constitutes one of the essential foundations of our democratic societies, enshrined in the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights. However, according to Article 51 (1) of the Charter of Fundamental Rights, its provisions are addressed to the Member States only when they are implementing Union law. When enacting or maintaining national blasphemy laws the Member States concerned do not act in the course of implementation of EC law. In that matter it is thus for these Member States alone to ensure that their obligations regarding fundamental rights — as resulting from international agreements and from their internal legislation — are respected.

([1]) http://www.rtbf.be/info/societe/detail_grece-arrete-pour-blaspheme-pour-avoir-caricature-un-moine-sur-facebook?id=7844541.
([2]) http://www.guardian.co.uk/film/2012/may/28/spanish-artist-cook-christ-film.
([3]) The PACE stated that 'in view of the greater diversity of religious beliefs in Europe and the democratic principle of the separation of state and religion, blasphemy laws should be reviewed by member states and parliaments' and that 'blasphemy, as an insult to a religion, should not be deemed a criminal offence'.
([4]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

As regards the EU's external policy, the Council expressed in its November 2009 conclusions its deep concern that in countries that have legislation on defamation of religions, such legislation has often been used to mistreat religious minorities and to limit freedom of expression and freedom of religion or belief. The Council furthermore underlined that no restrictions in the name of religion may be placed on those rights and that religion may never be used to justify or condone the restriction or violation of individual rights.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009017/12
a la Comisión
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Olle Schmidt (ALDE) y Ana Miranda (Verts/ALE)
(8 de octubre de 2012)

Asunto: Ayuda pública, presuntamente ilegal, concedida en Italia a entidades religiosas y organizaciones sin ánimo de lucro

En una carta fechada el 12 de octubre de 2010, la Comisión Europea informaba a Italia de su decisión de iniciar un procedimiento en relación con la ayuda pública, presuntamente ilegal, concedida en Italia a entidades religiosas y organizaciones sin ánimo de lucro, en virtud del artículo 108, apartado 2, del Tratado de Funcionamiento de la Unión Europea. En esta misma carta, la Comisión también informaba a Italia de que ya había iniciado un procedimiento por una ayuda ya existente, relativa a la exención fiscal del 50 %, concedida a diferentes beneficiarios de las categorías ya mencionadas.

1. ¿Podría informar la Comisión sobre el estado de estos procedimientos, ahora que han pasado ya dos años desde la publicación de la carta sobre el artículo 108 del TFUE, teniendo en cuenta además que el artículo 7, apartado 6, del Reglamento (CE) n° 659/1999 afirma que «en la medida de lo posible, la Comisión procurará adoptar una decisión en el plazo de dieciocho meses después de iniciar el procedimiento»?

2. Asimismo, habida cuenta de la reciente introducción del impuesto IMU de bienes inmuebles, que sustituye al antiguo impuesto municipal ICI, y con él a la exención que dio pie a los procedimientos mencionados más arriba, ¿puede aclarar la Comisión si, en caso de considerar que las nuevas normas cumplen con la legislación sobre ayudas estatales, se procederá o no a la recuperación de las ayudas ilegales concedidas mientras estuvo en vigor la exención del ICI?

3. Por último, ¿podría la Comisión ponernos al día sobre el estado de los procedimientos incoados mediante la carta del 12 de octubre de 2010?

Respuesta del Sr. Almunia en nombre de la Comisión
(27 de noviembre de 2012)

Sus Señorías se remiten, correctamente, al plazo de dieciocho meses, tal como se establece en el artículo 7, apartado 6, del Reglamento (CE) n° 659/1999 ([1]), a título indicativo, ya que «se puede ampliar de mutuo acuerdo entre la Comisión y el Estado miembro de que se trate». Esta práctica es habitual en casos más complejos.

En lo que concierne a la investigación iniciada el 12 de octubre de 2010, sobre la exención del impuesto municipal sobre bienes inmuebles (ICI), concedida a entidades no comerciales para fines específicos, las autoridades italianas aprobaron una nueva ley en marzo de 2012 para abordar, entre otras cosas, las cuestiones relacionadas con las ayudas estatales relativas a dicho impuesto. En octubre de 2012, la legislación de aplicación se hallaba aún en fase de adopción.

En principio, cuando se adoptan decisiones no favorables, como es el caso de las ayudas ilegales, la Comisión exige el reembolso de la ayuda, a menos que ello sea contrario a un principio general del Derecho de la UE. Con respecto a la exención del ICI, cualquier posición adoptada por la Comisión, incluido un posible reembolso, dependerá del resultado de la investigación por ella realizada.

Tal y como se indica en la decisión de incoar un procedimiento sobre la exención del ICI ([2]), la Comisión considera que la reducción del impuesto de sociedades, prevista por el artículo 6 del Decreto Presidencial n° 601/73 para entidades específicas ([3]), podría constituir una ayuda estatal, En este contexto, la Comisión indicó que se iba a abrir un procedimiento sobre las ayudas existentes en relación con esta medida del impuesto sobre sociedades. De hecho, en febrero de 2011, se envió a Italia una carta de apertura del procedimiento de cooperación y en mayo de 2011 dicho país presentó sus observaciones. Este procedimiento sigue abierto.

([1]) DO L 83 de 27.3.1999, p. 1.
([2]) Véase el punto 18 de la Decisión de la Comisión de 12 de octubre de 2010 (DO C 348 de 21.12.2010, p. 17). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:348:0017:0025:ES:PDF.
([3]) Véase el punto 1 de la Decisión de la Comisión de 12 de octubre de 2010 (DO C 348,21 de 21.12.2010, p. 17) las entidades interesadas figuran en el artículo 6 del Decreto Presidencial n° 601/73.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-009017/12
aan de Commissie
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Olle Schmidt (ALDE) en Ana Miranda (Verts/ALE)
(8 oktober 2012)

Betreft: Vermeende illegale staatssteun verleend door Italië aan religieuze entiteiten en non-profit organisaties.

De Europese Commissie heeft Italië er in haar brief van 12 oktober 2010, van in kennis gesteld dat zij heeft besloten krachtens artikel 108, lid 2, van het Verdrag betreffende de werking van de Europese Unie een procedure in te leiden met betrekking tot de vermeende illegale staatssteun die door Italië werd verleend aan religieuze entiteiten en non-profit organisaties. In dezelfde brief meldde de Commissie Italië tevens dat zij reeds begonnen was met een procedure betreffende de bestaande steun met betrekking tot de 50 % belastingvrijstelling die werd verleend aan een aantal begunstigden uit de bovengenoemde categorieën.

1. Kan de Commissie meer informatie geven over de status van de bovengenoemde procedures nu er twee jaar zijn verstreken sinds artikel 108, lid 2, van de VWEU van kracht is geworden, rekening houdend met artikel 7, lid 6, van Verordening (EG) nr. 659/1999, dat voorziet dat de Commissie „streeft er zoveel mogelijk naar binnen 18 maanden na de inleiding van de procedure een beschikking aan te nemen"?

2. Zou de Commissie voorts kunnen verduidelijken, rekening houdend met de recente invoering van de nieuwe onroerendgoedbelasting (IMU), die de oude gemeentelijke onroerendgoedbelasting (ICI) vervangt en de hieraan verbonden ICI-vrijstelling die de aanzet gaf tot bovengenoemde procedures, of zij, indien zij van mening is dat de nieuwe regelgeving in overeenstemming is met de wetgeving betreffende staatssteun, de teruggave zal eisen van de illegale staatssteun door middel van de ICI-vrijstelling?

3. Kan de Commissie, ten slotte, de meest recente stand van zaken geven met betrekking tot de bestaande hulpprocedures, die werden gestart op 12 oktober 2010?

Antwoord van de heer Almunia namens de Commissie
(27 november 2012)

De geachte Parlementsleden noemen de periode van 18 maanden, die is vastgelegd in artikel 7, lid 6, van Verordening 659/1999 ([1]), terecht indicatief, aangezien deze „kan worden verlengd in onderlinge overeenstemming tussen de Commissie en de betrokken lidstaat". Dit is in complexere gevallen niet ongebruikelijk.

Wat de procedure betreft die op 12 oktober 2010 is ingeleid ten aanzien van de vrijstelling van de gemeentebelasting op onroerend goed (ICI), welke wordt verleend aan niet-commerciële entiteiten die bepaalde activiteiten verrichten, hebben de Italiaanse autoriteiten in maart 2012 een nieuwe wet aangenomen om onder andere de staatssteunvraagstukken in verband met deze belasting te onderzoeken. In oktober 2012 was de uitvoeringswetgeving nog steeds in behandeling.

In beginsel gelast de Commissie, indien negatieve beschikkingen worden gegeven voor onrechtmatige steun, terugvordering van de steun, tenzij zulks in strijd is met een algemeen beginsel van het recht van de Unie. Wat de vrijstelling van de ICI betreft zal het standpunt dat de Commissie inneemt, ook wanneer dit eventuele terugvordering inhoudt, afhangen van het resultaat van haar onderzoek.

Zoals in het besluit tot inleiding van de procedure ten aanzien van de vrijstelling van de ICI werd aangegeven ([2]), stelde de Commissie dat de vermindering van de vennootschapsbelasting, die in artikel 6 van presidentieel besluit nr. 601/73 voor bepaalde entiteiten is vastgelegd ([3]), staatssteun zou kunnen behelzen. In dat verband gaf de Commissie aan dat zij een procedure voor bestaande steun zou inleiden ten aanzien van deze belastingmaatregel. Een brief ter inleiding van de samenwerkingsprocedure is in februari 2011 aan Italië gezonden en de Italiaanse autoriteiten zonden in mei 2011 hun opmerkingen. Deze procedure is nog steeds gaande.

([1]) PB L 83 van 27.3.1999, blz. 1.
([2]) Zie punt 18 van het besluit van de Commissie van 12 oktober 2010 (PB C 348 van 21.12.2010, blz. 17). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:348:0017:0025:NL:PDF.
([3]) Zie punt 1 van het besluit van de Commissie van 12 oktober 2010 (PB C 34 van 21.12.2010, blz. 17); de entiteiten in kwestie worden opgesomd in artikel 6 van presidentieel besluit nr. 601/73.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-009017/12
do Komisji
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Olle Schmidt (ALDE) oraz Ana Miranda (Verts/ALE)
(8 października 2012 r.)

Przedmiot: Domniemane nielegalne przyznanie przez Włochy pomocy organizacjom religijnym i non-profit

Pismem z dnia 12 października 2010 r. Komisja Europejska powiadomiła Włochy, że podjęła decyzję o wszczęciu postępowań na mocy art. 108 ust. 2 Traktatu o funkcjonowaniu Unii Europejskiej w związku z domniemanym nielegalnym przyznaniem przez Włochy pomocy organizacjom religijnym i non-profit. W tym samym piśmie Komisja poinformowała również, że rozpoczęła postępowanie dotyczące istniejącej pomocy w postaci 50 % zwolnienia z podatku przyznanego pewnej liczbie beneficjentów należących do tych dwóch kategorii.

1. Czy Komisja może udzielić informacji na temat obecnego stanu zaawansowania tych postępowań – dwa lata po zastosowaniu art. 108 ust. 2 TFUE – biorąc również pod uwagę, że art. 7 ust. 6 rozporządzenia (WE) nr 659/1999 stanowi, iż „Komisja podejmuje zależnie od możliwości wysiłki w celu podjęcia decyzji w terminie 18 miesięcy od wszczęcia procedury"?

2. Ponadto, uwzględniając niedawne wprowadzenie podatku IMU, który zastąpił podatek ICI będący podstawą przyznanych zwolnień, które z kolei spowodowały wszczęcie wspomnianych procedur, czy Komisja może wyjaśnić, czy w przypadku uznania nowych zasad za zgodne z przepisami dotyczącymi pomocy państwowej nakaże odzyskanie nielegalnej pomocy przyznanej w postaci zwolnień od podatku ICI?

3. Wreszcie, czy Komisja może podać aktualne informacje na temat stanu prowadzonych postępowań rozpoczętych pismem z dnia 12 października 2010 r.?

Odpowiedź udzielona przez komisarza Joaquína Almunię w imieniu Komisji
(27 listopada 2012 r.)

Szanowni Posłowie słusznie zwracają uwagę na termin 18 miesięcy określony w art. 7 ust. 6 rozporządzenia 659/1999 ([1]), który jest terminem orientacyjnym, ponieważ „może zostać przedłużony na podstawie porozumienia między Komisją a zainteresowanym państwem członkowskim". Nie jest to rzadkie w bardziej złożonych sprawach.

Jeśli chodzi o postępowanie wszczęte dnia 12 października 2010 r. dotyczące zwolnienia z podatku komunalnego od nieruchomości (ICI), udzielonego podmiotom niekomercyjnym prowadzącym określoną działalność, w marcu 2012 r. władze włoskie wydały nowe przepisy, aby rozwiązać m.in. kwestię pomocy państwa związaną z tym podatkiem. W październiku 2012 r. nadal trwał proces przyjmowania przepisów wykonawczych.

Zasadniczo, jeśli zostaje podjęta decyzja uznająca pomoc państwa za niezgodną z prawem, Komisja nakazuje odzyskanie pomocy, chyba że byłoby to sprzeczne z ogólną zasadą prawa unijnego. Jeśli chodzi o zwolnienie z ICI, stanowisko, jakie zajmie Komisja, również w sprawie ewentualnego odzyskania, będzie zależało od wyniku postępowania Komisji.

Jak wskazano w decyzji o wszczęciu postępowania w sprawie zwolnienia z ICI ([2]), Komisja stwierdziła, że zwolnienie z podatku od osób prawnych, przewidziane w art. 6 dekretu prezydenckiego nr 601/73 w odniesieniu do konkretnych podmiotów ([3]), może wiązać się z pomocą państwa W tym kontekście Komisja stwierdziła, że w odniesieniu do tego środka podejmie postępowanie dotyczące istniejącej pomocy. W lutym 2011 r. do Włoch przesłano pismo wszczynające procedurę współpracy, a w maju 2011 r. Włochy przekazały swoje uwagi. Postępowanie nadal się toczy.

([1]) Dz.U. L 83 z 27.3.1999, s. 1.
([2]) Zob. pkt 18 decyzji Komisji z dnia 12 października 2010 r. (Dz.U. C 348 z 21.12.2010, s. 17). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:348:0017:0025:PL:PDF.
([3]) Zob. pkt 1 decyzji Komisji z dnia 12 października 2010 r. (Dz.U. C 348 z 21.12.2010, s. 17); dane podmioty są wymienione w art. 6 dekretu prezydenckiego nr 601/73.

(Svensk version)

Frågor för skriftligt besvarande E-009017/12
till kommissionen
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Olle Schmidt (ALDE) och Ana Miranda (Verts/ALE)
(8 oktober 2012)

Angående: Påstått olagligt statligt stöd till religiösa organisationer och ideella föreningar i Italien

I en skrivelse av den 12 oktober 2010 informerade kommissionen Italien om att den hade beslutat att väcka talan i enlighet med artikel 108.2 i EUF-fördraget angående olagligt statligt stöd som Italien påstås ha gett till religiösa organisationer och ideella föreningar. I samma skrivelse informerade kommissionen också Italien om att den redan hade inlett ett rättegångsförfarande angående befintligt stöd som getts via det femtioprocentiga skatteavdrag som beviljats en rad företrädare för ovannämnda kategorier.

1. Kan kommissionen, två år efter skrivelsen om artikel 108.2 i EUF-fördraget, redogöra för hur det går med den talan som kommissionen hade beslutat väcka, också med beaktande av vad som föreskrivs i artikel 7.6 i förordning (EG) nr 659/1999: "Kommissionen skall i möjligaste mån sträva efter att anta ett beslut inom 18 månader efter det att förfarandet har inletts"?

2. Den nya fastighetsskatten IMU har nyligen ersatt den gamla kommunala ICI-skatten och det därmed förbundna ICI-undantag som var anledningen till att väcka ovannämnda talan. Med beaktande av detta, kan kommissionen – om den bedömer att de nya reglerna är förenliga med lagstiftningen om statligt stöd – klargöra huruvida den kommer att begära återbetalning av det olagliga statliga stöd som getts via ICI-undantaget?

3. Kan kommissionen slutligen också redogöra för läget för det rättegångsförfarande om befintligt stöd som nämndes i skrivelsen av den 12 oktober 2010?

Svar från Joaquín Almunia på kommissionens vägnar
(27 november 2012)

Parlamentsledamöterna hänvisar med rätta till den tidsfrist på 18 månader som avses i artikel 7.6 i förordning (EG) nr 659/1999 ([1]) som vägledande, eftersom den "kan förlängas i samförstånd mellan kommissionen och den berörda medlemsstaten". Detta är inte ovanligt i mer komplexa fall.

Med hänvisning till den undersökning som inleddes den 12 oktober 2010 om undantag från kommunal fastighetsskatt som beviljas icke-kommersiella enheter som bedriver särskild verksamhet antog de italienska myndigheterna i mars 2012 en ny lag som bl.a. behandlar frågor gällande statligt stöd i samband med denna skatt. I oktober 2012 var genomförandelagstiftning fortfarande under antagande.

När negativa beslut fattas angående olagligt stöd ska kommissionen i princip kräva tillbaka stödet, om detta inte står i strid med någon allmän princip i EU:s lagstiftning. När det gäller det aktuella undantaget kommer kommissionens ståndpunkt, inbegripet eventuella återkrav, att bero på resultatet av kommissionens undersökning.

Enligt vad som anges i beslutet om ett inleda ett förfarande beträffande skattebefrielsen ([2]) ansåg kommissionen att den bolagsskatteminskning som fastställs i artikel 6 i presidentdekret nr 601/73 för särskilda enheter ([3]) skulle kunna innefatta statligt stöd. I detta sammanhang har kommissionen angett att ett statligt stödärende skulle inledas med hänvisning till denna bolagsskatteåtgärd. En skrivelse om att inleda samarbetsförfarandet översändes till Italien i februari 2011 och Italien lämnade sina synpunkter i maj 2011. Detta förfarande pågår fortfarande.

([1]) EGT L 83, 27.03.1999, s. 1.
([2]) Se punkt 18 i kommissionens beslut av den 12 oktober 2010 (EUT C 348, 21.12.2010, s. 17). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:348:0017:0025:SV:PDF.
([3]) Se punkt 1 i kommissionens beslut av den 12 oktober 2010 (EUT C 348, 21.12.2010, s. 17). De berörda enheterna förtecknas i artikel 6 i presidentdekret nr 601/73/EG.

(English version)

Question for written answer E-009017/12
to the Commission
Sophia in 't Veld (ALDE), Joanna Senyszyn (S&D), Olle Schmidt (ALDE) and Ana Miranda (Verts/ALE)
(8 October 2012)

Subject: Alleged illegal state aid granted by Italy to religious entities and not-for-profit organisations

By letter dated 12 October 2010, the European Commission informed Italy that it had decided to initiate proceedings pursuant to Article 108(2) of the Treaty on the Functioning of the European Union, in relation to alleged illegal state aid granted by Italy to religious entities and not-for-profit organisations. By the same letter, the Commission also informed Italy that it had started proceedings for existing aid related to the 50% tax exemption granted to a number of beneficiaries of the abovementioned categories.

1. Can the Commission inform on the status of the abovementioned proceedings now that two years have lapsed since the article 108(2) TFEU letter was issued, also taking into account that Article 7(6) of Regulation (EC) No 659/1999 provides that the Commission 'shall as far as possible endeavour to adopt a decision within a period of 18 months from the opening of the procedure'?

2. Furthermore, taking into consideration the recent introduction of the IMU property tax which replaced the old ICI municipal tax and the related ICI exemption which gave rise to the aforementioned proceedings, can the Commission clarify whether, should it deem the new rules compliant with state aid legislation, it will order the recovery of the illegal aid granted through the ICI exemption?

3. Finally, can the Commission provide an update on the status of the existing aid proceedings initiated by the 12 October 2010 letter?

Answer given by Mr Almunia on behalf of the Commission
(27 November 2012)

The Honourable Members rightly refer to the 18-month period, as laid down in Article 7(6) of Regulation 659/1999 ([1]), as indicative, since it 'may be extended by common agreement between the Commission and the Member State concerned'. This is not uncommon in more complex cases.

With reference to the investigation opened on 12 October 2010 on the municipal real estate tax (ICI) exemption, granted to non-commercial entities carrying out specific activities, in March 2012 the Italian authorities passed a new law to address, among others, the state aid issues concerning this tax. In October 2012 the implementing legislation was still in the process of being adopted.

In principle, where negative decisions are taken for unlawful aid, the Commission orders recovery of the aid, unless this would be contrary to a general principle of EC law. As regards the ICI exemption, any position taken by the Commission, including possible recovery, will depend on the outcome of the Commission investigation.

As indicated in the opening decision on the ICI exemption ([2]), the Commission considered that the corporate tax reduction, foreseen by Article 6 of Presidential Decree No 601/73 for specific entities ([3]), could entail state aid. In that context, the Commission indicated that it would open an existing aid procedure with reference to this corporate tax measure. Indeed, a letter initiating the cooperation procedure was sent to Italy in February 2011 and Italy submitted its observations in May 2011. This procedure is still open.

([1]) OJ L 83, 27.03.1999, p. 1.
([2]) See paragraph 18 of Commission decision of 12 October 2010 (OJ C 348, 21.12.2010, p. 17), http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:348:0017:0025:EN:PDF.
([3]) See paragraph 1 of Commission decision of 12 October 2010 (OJ C 348,21.12.2010, p. 17); the entities concerned are listed in Article 6 of Presidential Decree n. 601/73.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009018/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(8 Οκτωβρίου 2012)

Θέμα: Άδειες αλιείας στην περίοδο αναπαραγωγής

Σύμφωνα με άρθρο της εφημερίδας «Δημοκρατία», περιφερειάρχες χορηγούν άδειες αλιείας κατά τη διάρκεια της περιόδου αναπαραγωγής των ψαριών, θέτοντας σε άμεσο κίνδυνο τα αλιευτικά αποθέματα στις ελληνικές θάλασσες.

Η επέκταση της αλιευτικής περιόδου της μηχανότρατας κατά τους θερινούς μήνες βρίσκεται σε ασυμφωνία με τα προτεινόμενα ολοκληρωμένα σχέδια διαχείρισης της αλιείας με μηχανότρατα και οδηγεί σε άνοδο της αλιευτικής θνησιμότητας.

Ερωτάται η Επιτροπή:

— Είναι ενήμερη για αυτές τις καταγγελίες και ποια μέτρα προτίθεται να λάβει για να διαφυλαχτούν τα ιχθυαποθέματα και το μέλλον της αλιείας από τέτοιες ενέργειες;

Απάντηση της κας Δαμανάκη εξ ονόματος της Επιτροπής
(10 Δεκεμβρίου 2012)

Ένα από τα χαρακτηριστικά της αλιείας στη Μεσόγειο είναι ότι αφορά πολλά είδη αλιευμάτων. Οι περίοδοι αναπαραγωγής ποικίλουν μεταξύ των ειδών λόγω διαφορετικών βιολογικών κύκλων. Για την αντιμετώπιση αυτού του πολύπλοκου θέματος, ο κανονισμός για τη Μεσόγειο ([1]) προβλέπει διαφορετικά παράλληλα μέτρα όσον αφορά την επιλεκτικότητα των διχτυών και την προστασία των παράκτιων περιοχών, που αποτελούν περιοχές ωοτοκίας. Τα κράτη μέλη μπορούν να λάβουν πρόσθετα μέτρα με βάση συγκεκριμένες εκτιμήσεις όσον αφορά την αλιεία τους. Αυτό ισχύει για την Ελλάδα, η οποία απαγορεύει την αλιεία με μηχανότρατα κάθε χρόνο από την 1η Ιουνίου έως τις 30 Σεπτεμβρίου. Επιπλέον, η Ελλάδα εφαρμόζει προσωρινή ή οριστική απαγόρευση για τράτες και σκάφη αλιείας με γρίπο σε πολλές παράκτιες περιοχές. Οι άδειες αλιείας που εκδίδονται για τα εν λόγω εργαλεία πρέπει να συμμορφώνονται με αυτούς τους περιορισμούς και έως σήμερα η Επιτροπή δεν έχει λάβει στοιχεία που να αποδεικνύουν ότι οι αρμόδιες ελληνικές αρχές δεν τηρούν τον εν λόγω κανόνα.

([1]) Κανονισμός (ΕΚ) του Συμβουλίου αριθ. 1967/2006 σχετικά με μέτρα διαχείρισης για τη βιώσιμη εκμετάλλευση των αλιευτικών πόρων στη Μεσόγειο Θάλασσα.

(English version)

Question for written answer E-009018/12
to the Commission
Nikolaos Salavrakos (EFD)
(8 October 2012)

Subject: Fishing licences issued during breeding periods

According to the '*Dimokratia*' newspaper, a number of regional authorities are licensing fishing activities during the breeding season, thereby placing Greek fish stocks in direct jeopardy.

As a result, the duration of the summer trawling season is out of step with proposed integrated fisheries management plans in respect of trawling, thereby increasing fish mortality.

In view of this:

— Is the Commission aware of these concerns and what measures will it take to prevent such inadmissible practices and thereby safeguard fisheries stocks and the future of the fisheries sector?

Answer given by Ms Damanaki on behalf of the Commission
(10 December 2012)

One of the characteristics of Mediterranean fisheries is that they are largely multi-species. Breeding seasons vary amongst species due to different biological cycles. To address this complex issue, the Mediterranean Regulation ([1]) establishes different concurrent measures regarding the selectivity of the nets and the protection of coastal areas, which are spawning areas. Member States can take additional measures on the basis of specific considerations regarding their fisheries. This is the case for Greece, who closes the trawling fisheries every year from 1 June to 30 September. In addition, Greece applies temporary or permanent prohibitions for trawlers and purse seiners in a large number of coastal areas. Fishing authorisations issued for these gears have to comply with these limitations, and so far the Commission has not received any evidence that the Greek competent authorities do not respect this rule.

([1]) Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009019/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(8 Οκτωβρίου 2012)

Θέμα: Υψηλές τιμές βασικών προϊόντων

Παρά την πολυετή ύφεση και τη μεγάλη μείωση των εισοδημάτων, οι τιμές δεν υποχωρούν ανάλογα, και η Ελλάδα εξακολουθεί να παραμένει μία από τις ακριβότερες χώρες της ΕΕ σε βασικά είδη, όπως αναγνωρίζει και το υπουργείο Ανάπτυξης της χώρας.

Ενδεικτικά, σύμφωνα με τα στοιχεία της Eurostat του 2011, η Ελλάδα βρίσκεται στην πρώτη θέση της ΕΕ σε ότι αφορά τις τιμές σε γαλακτοκομικά και αβγά, με απόκλιση τιμών 31,5% σε σχέση με τον μέσο όρο της ΕΕ.

Δεδομένης της ύφεσης που υπάρχει στη χώρα, οι υψηλές τιμές σε βασικά είδη δυσχεραίνουν το βιοτικό επίπεδο των πολιτών, ενώ αποτελούν τροχοπέδη στην ανάπτυξη και ανταγωνιστικότητα της χώρας.

Λαμβάνοντας υπόψη ότι η Επιτροπή έχει αποκλειστική αρμοδιότητα στους τομείς του ανταγωνισμού και της ομαλής λειτουργίας της εσωτερικής αγοράς, ερωτάται η Επιτροπή:

1. Προτίθεται να μελετήσει την κατάσταση του ανταγωνισμού στην Ελλάδα και να μας γνωστοποιήσει που αποδίδονται αυτές οι δυσλειτουργίες στην αγορά;

2. Σε περίπτωση που έχει ήδη κάνει κάποια μελέτη επ'αυτού, μπορεί να μας γνωστοποιήσει τα πορίσματά της;

3. Ποια μέτρα προτίθεται να λάβει για την αποκατάσταση των στρεβλώσεων και για την ομαλή λειτουργία της αγοράς στην Ελλάδα;

Απάντηση του κ. Almunia εξ ονόματος της Επιτροπής
(29 Νοεμβρίου 2012)

Η Επιτροπή παρακολουθεί την κατάσταση του ανταγωνισμού στις αγορές τροφίμων στην Ευρώπη, αλλά μοιράζεται την ευθύνη για τον ανταγωνισμό στην ΕΕ με τις εθνικές αρχές ανταγωνισμού (ΕΑΑ). Σύμφωνα με τον κανονισμό 1/2003 ([1]), η Επιτροπή ερευνά, κατά γενικό κανόνα, τις περιπτώσεις εκείνες που μπορεί να επηρεάσουν το εμπόριο μεταξύ κρατών μελών.

Πολλές αγορές τροφίμων είναι εθνικές και η ελληνική ΕΑΑ είναι ο κατάλληλος φορέας για να διεξάγει τις σχετικές έρευνες που αφορούν τον ανταγωνισμό προϊόντων διατροφής που παρέχονται στην Ελλάδα. Όπως προκύπτει από την έκθεση του Ευρωπαϊκού Δικτύου Ανταγωνισμού σχετικά με τις «Δραστηριότητες στον τομέα των τροφίμων» ([2]), η ελληνική ΕΑΑ διεξήγαγε μια σειρά ερευνών, τόσο στον τομέα της παραγωγής τροφίμων όσο και στον τομέα της λιανικής πώλησης. Για παράδειγμα, το 2011 ξεκίνησε τομεακή έρευνα στον τομέα των οπωροκηπευτικών και διεξάγει σήμερα μια σειρά ερευνών σε αυτόν τον τομέα.

Η διαμόρφωση των τιμών στις αγορές τροφίμων εξαρτάται από εξωτερικούς και εσωτερικούς παράγοντες, όπως το κόστος των εισροών, οι διαρθρώσεις της αγοράς και τα κανονιστικά πλαίσια. Η Eurostat συνεχίζει να αναπτύσσει το *Μέσο Παρακολούθησης των Ευρωπαϊκών Τιμών Τροφίμων* ([3]) για να αυξήσει τη διαφάνεια και την προβλεψιμότητα των τιμών με την υποστήριξη του φόρουμ υψηλού επιπέδου για τη βελτίωση της λειτουργίας της αλυσίδας εφοδιασμού τροφίμων στην Ευρώπη. Ωστόσο, η Επιτροπή δεν μελετά άμεσα την ιδιαίτερη κατάσταση των αγορών τροφίμων στην Ελλάδα.

Η Επιτροπή είναι έτοιμη να εξετάσει τα πραγματικά περιστατικά και τα νομικά θέματα που θα της γνωστοποιηθούν σε σχέση με κάθε αντιανταγωνιστική συμπεριφορά εντός της ΕΕ, όπως η εφαρμογή διακρίσεων ως προς τις τιμές ή η κατάτμηση της αγοράς από επιχειρηματίες του τομέα των τροφίμων κατά τον εφοδιασμό τρίτων μερών.

([1]) Κανονισμός (ΕΚ) αριθ. 1/2003 του Συμβουλίου, της 16ης Δεκεμβρίου 2002, για την εφαρμογή των κανόνων ανταγωνισμού που προβλέπονται στα άρθρα 81 και 82 της Συνθήκης, ΕΕ L 1 της 4.1.2003, σ. 1.
([2]) ΕΔΑ Δραστηριότητες στον Τομέα των Τροφίμων (Μάιος 2012).
([3]) http://epp.eurostat.ec.europa.eu/portal/page/portal/hicp/methodology/prices_data_for_market_monitoring.

(English version)

Question for written answer E-009019/12
to the Commission
Nikolaos Salavrakos (EFD)
(8 October 2012)

Subject: High price of consumer staples

Despite the years of recession and the drastic fall in incomes, prices are failing to keep step and Greece remains one of the EU Member States in which the price of consumer staples remains highest, a fact acknowledged by the Greek Ministry for Development.

According to Eurostat data for 2011, the price of dairy products and eggs is higher in Greece than anywhere else in the EU, 31.5% higher than the EU average.

Against the backdrop of recession, the high price of consumer staples is undermining individual living standards and hampering development and competitiveness in Greece.

In view of the fact that the Commission has sole responsibility for competitiveness and the effective working of the internal market:

1. Will it examine the situation regarding competition in Greece and indicate the reasons for these market imbalances?

2. If it has already investigated the situation can it indicate its findings?

3. What measures will it take with a view to remedying distortions and rebalancing the market in Greece?

Answer given by Mr Almunia on behalf of the Commission
(29 November 2012)

The Commission is monitoring the competititive situation of food markets in Europe but it shares responsibility for competition in the EU with the National Competition Authorities (NCAs). According to Regulation 1/2003 ([1]), as a general rule the Commission investigates those cases that may affect trade between Member States.

Many food markets are national and the Greek NCA is well-placed to carry out the relevant investigations concerning competition in food products supplied in Greece. As shown in the European Competition Network (ECN) Report on 'Activities in the Food sector' ([2]), the Greek NCA has undertaken a series of investigations, both in food production and in the retail sector. For example it launched in 2011 a sector inquiry in the fruit and vegetables sector, and has a series of ongoing investigations in the sector.

Price formation in food markets depends on external and internal factors, such as the cost of inputs, market structures and regulatory frameworks. Eurostat is continuing to develop the *Food Price Monitoring Tool* ([3]) to increase price transparency and predictability with the support of the High Level Forum for a Better Functioning Food Supply Chain. However the Commission is not directly studying the particular situation of food markets in Greece.

The Commission stands ready to carefully look into factual and legal issues brought to its attention with respect to any anti-competitive behaviour such as intra-EU price discrimination or market segmentation by food sector operators in supplying third parties.

([1]) Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, OJ L 1, 04.01.2003, p. 1.
([2]) ECN Activities in the Food Sector" (May 2012).
([3]) http://epp.eurostat.ec.europa.eu/portal/page/portal/hicp/methodology/prices_data_for_market_monitoring.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009020/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(8 Οκτωβρίου 2012)

Θέμα: Άνοια και Αλτσχάιμερ

Η άνοια, και συγκεκριμένα το Αλτσχάιμερ, αποτελούν τις κυριότερες αιτίες εξαφάνισης ηλικιωμένων σύμφωνα με στοιχεία της υπηρεσίας Silver Alert, της ειδοποίησης για την εξαφάνιση ηλικιωμένων που αναμεταδίδεται μέσω ΜΜΕ.

Εκτιμάται ότι 10 εκατομμύρια Ευρωπαίοι πάσχουν από άνοια, και η συντριπτική πλειονότητα των περιπτώσεων πάσχουν από Αλτσχάιμερ.

Ερωτάται η Επιτροπή:

1. Ποιες ενέργειες έχει κάνει ή προτίθεται να κάνει για την έγκαιρη διάγνωση και την πρόληψη της ασθένειας, την έρευνα και τη δημιουργία κατάλληλων υπηρεσιών υγείας, καθώς και για την ενίσχυση των οικογενειών των πασχόντων;

2. Ποια χρηματοδοτικά μέσα παρέχονται στα κράτη μέλη για την αντιμετώπιση της νόσου, καθώς και για τη δημιουργία υπηρεσιών για την υποστήριξη των πασχόντων και των οικογενειών τους;

Απάντηση του κ. Šefčovič εξ ονόματος της Επιτροπής
(26 Νοεμβρίου 2012)

Η ανακοίνωση της Επιτροπής του 2009 σχετικά με την ευρωπαϊκή πρωτοβουλία για τη νόσο του Αλτσχάιμερ και άλλες μορφές άνοιας ([1]) καθορίζει την προσέγγιση της Επιτροπής στο εν λόγω πεδίο. Οι βασικοί στόχοι της πρωτοβουλίας αυτής είναι η εξασφάλιση της έγκαιρης διάγνωσης της άνοιας, η προαγωγή της καλής διαβίωσης σε μεγάλη ηλικία, η βελτίωση των επιδημιολογικών στοιχείων και ο συντονισμός της έρευνας, καθώς και η υποστήριξη της ανταλλαγής βέλτιστων πρακτικών για τη φροντίδα των ατόμων που πάσχουν από άνοια.

Βασική δραστηριότητα για την εφαρμογή της στρατηγικής αυτής συνιστά η κοινή δράση «ALzheimer COoperative Valuation in Europe», η οποία εντοπίζει τις ήδη υπάρχουσες και τις υπό σχεδιασμό ορθές πρακτικές σχετικά με τη θεραπεία, την έγκαιρη διάγνωση και τη φροντίδα των ατόμων που πάσχουν από τη νόσο Αλτσχάιμερ και από άλλες μορφές άνοιας, καθώς και βελτιώνει τη διάδοση και την εφαρμογή τέτοιων πρακτικών.

Η Επιτροπή έχει επενδύσει περισσότερα από 1,7 δισεκατομμύρια ευρώ από το 7ο Πρόγραμμα Πλαίσιο στην έρευνα των εγκεφαλικών διαταραχών, συμπεριλαμβανομένης και της άνοιας. Επιπλέον, η Ευρωπαϊκή Επιτροπή συμβάλλει στην πρωτοβουλία κοινού προγραμματισμού για τη νόσο του Αλτσχάιμερ και τις νευροεκφυλιστικές νόσους, βάσει της οποίας τα κράτη μέλη συντονίζουν τις ερευνητικές δραστηριότητές τους σε αυτό το πεδίο, χρηματοδοτώντας την εν λόγω πρωτοβουλία με σχεδόν 2 εκατομμύρια ευρώ.

([1]) COM (2009)380.

(English version)

Question for written answer E-009020/12
to the Commission
Nikolaos Salavrakos (EFD)
(8 October 2012)

Subject: Dementia and Alzheimer's disease

According to Silver Alert, a media notification system to broadcast information about missing elderly persons, the principle reason for elderly persons going missing is dementia, in particular Alzheimer's disease.

It is estimated that around ten million Europeans suffer from dementia, which in the overwhelming majority of cases takes the form of Alzheimer's disease.

In view of this:

1. What measures has the Commission taken or will it take to ensure the prompt diagnosis and prevention of the disease, promote research, provide suitable care and offer support services to the families of dementia sufferers?

2. What funding is being allocated to Member States to deal with the problem and provide support services for dementia sufferers and their families?

Answer given by Mr Šefčovič on behalf of the Commission
(26 November 2012)

The 2009 Commission Communication on a European initiative on Alzheimer's disease and other dementias ([1]) established the Commission's approach in this field. The main objectives are to help ensure early diagnoses of dementia, to promote well-being with age, to improve epidemiological knowledge and coordination of research and to support the sharing of best practices for care of people suffering from dementia.

The key activity to implement this strategy is the Joint Action 'ALzheimer COoperative Valuation in Europe', which maps existing and emerging good practices related to treatment, early detection and care for persons suffering from Alzheimer's disease and other forms of dementia, and improves the dissemination and application of such practices.

The Commission has invested more than EUR 1.7 billion from the 7th Framework Programme in research into brain disorders, including dementia. In addition, the European Commission contributes close to EUR 2 million to the Joint Programming Initiative on Alzheimer's disease and neurodegenerative diseases, under which Member States coordinate their research activities in this field.

([1]) COM(2009)380.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009021/12
a la Comisión
Francisco Sosa Wagner (NI)
(8 de octubre de 2012)

Asunto: Discriminación lingüística en las licitaciones públicas

La Diputación foral de Guipúzcoa es una Administración local española que tiene la condición de «poder adjudicador» según la Directiva 2004/18/CE del Parlamento Europeo y del Consejo, de 31 de marzo de 2004, que regula la coordinación de los procedimientos de adjudicación de los contratos públicos de obras, de suministro y de servicios. Recientemente, los órganos de dicha Diputación han acordado que será requisito indispensable para concurrir a los concursos públicos convocados para la adjudicación de contratos acreditar en la documentación que se presente junto a la oferta de la empresa que los directivos conozcan perfectamente el idioma vascuence. En concreto, hace unos días, la portavoz de dicha Diputación anunció que una empresa ya había sido excluida de la licitación de la convocatoria del contrato de servicio de asistencia a la dirección de las obras de la variante de la GI-632, que conecta los municipios de Beasain y Bergara, cuya cuantía supera los dos millones de euros. La empresa no había acreditado que «dos personas de la dirección de la obra [disponían] del título EGA u otro equivalente», que acredita un conocimiento suficiente del vascuence.

Es sabido que el artículo 2 de la citada Directiva impone como principios de la adjudicación de los contratos «un tratamiento igualitario y no discriminatorio y [que los poderes adjudicadores obren] con transparencia».

Teniendo en cuenta que en el ámbito territorial de esa Administración local los idiomas oficiales son el castellano y el vascuence y que, además, resulta cada vez más frecuente por parte de las empresas presentar la documentación en otras lenguas europeas:

1. ¿No considera la Comisión Europea que la Diputación foral de Guipúzcoa infringe el Derecho de la Unión Europea al discriminar a las empresas por motivos lingüísticos?

2. ¿No cree la Comisión Europea que tales medidas impiden la unidad de mercado, el mercado común europeo, al levantar barreras discriminatorias entre los empresarios?

3. ¿Abrirá la Comisión Europea una investigación? ¿Adoptará alguna medida para que se cumpla la normativa europea?

Respuesta del Sr. Barnier en nombre de la Comisión
(30 de noviembre de 2012)

De acuerdo con lo dispuesto en el artículo 2 de la Directiva 2004/18/CE del Parlamento Europeo y del Consejo, de 31 de marzo de 2004, sobre coordinación de los procedimientos de adjudicación de los contratos públicos de obras, de suministro y de servicios, los poderes adjudicadores deben dar a los operadores económicos un tratamiento igualitario y no discriminatorio y obrar con transparencia.

Esta obligación garantiza la libre circulación de bienes y servicios y la apertura de la contratación pública a una competencia leal en los Estados miembros.

En términos generales, la Comisión Europea ha declarado, en repetidas ocasiones, que las lenguas deben ser un factor de integración en vez de exclusión, y que los requisitos que limitan la libertad de circulación o el acceso a los mercados por razones de competencias lingüísticas deben justificarse debidamente.

En este caso concreto, la Comisión desea informar a Su Señoría de que no dispone de información suficiente sobre los hechos aludidos en la pregunta escrita, por lo que no está en condiciones de presentar a Su Señoría un análisis jurídico oficial de esta cuestión.

En caso de facilitar Su Señoría datos más concretos sobre este asunto, los servicios de la Comisión procederán a un análisis detenido y decidirán sobre medidas adecuadas al respecto.

(English version)

Question for written answer E-009021/12
to the Commission
Francisco Sosa Wagner (NI)
(8 October 2012)

Subject: Linguistic discrimination in public procurement procedures

The Diputación Foral de Guipúzcoa is a Spanish local administration which acts as a 'contracting authority' under the terms of Directive 2004/18/EC of the European Parliament and of the Council, of 31 March 2004, regulating the coordination of procedures for the award of public works contracts, public supply contracts and public services contracts The offices of this administration recently decided that it should be a basic requirement in all public procurement procedures for the documents supporting the bid for tender to include proof that the persons directing the project have a perfect knowledge of the Basque language. A few days ago, the spokesperson for the Diputación announced that one firm had already been excluded from tendering for the contract to provide support services to the project management of the GI-632 relief road connecting the municipalities of Beasain and Bergara, worth more than two million euros. The firm had failed to provide evidence that 'two people on the project management team [held] the EGA or other equivalent diploma' testifying to their proficiency in the Basque language.

It is common knowledge that Article 2 of the abovementioned Directive requires contracting authorities to 'treat economic operators equally and non-discriminatorily' and 'act in a transparent way'.

Bearing in mind that the official languages in the territory covered by this local administration are Spanish and Basque and that it is increasingly common practice for companies to present documentation in other European languages:

1. Does the Commission not consider the regional government of Guipúzcoa to be infringing EC law by discriminating against firms on linguistic grounds?

2. Does the Commission not believe that these measures prevent market unity and the European common market by raising discriminatory barriers between companies?

3. Will the Commission launch an investigation? Will it take steps to ensure European law is complied with?

Answer given by Mr Barnier on behalf of the Commission
(30 November 2012)

According to Article 2 of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts 'contracting authorities shall treat economic operators equally and non-discriminatorily and shall act in a transparent way'.

This obligation ensures the free movement of goods and services and the opening-up of public procurement to undistorted competition in Member States.

As a general rule, the European Commission has repeatedly stated that languages should be a factor of integration, rather than of exclusion, and that conditions limiting the freedom of circulation or the access to markets on the basis of language competences should be duly justified.

As regards the specific case at hand, the Commission would like to inform the Honourable Member that it does not possess sufficient information concerning the facts presented in the written question and is therefore not in a position to provide the Honourable Member with a formal legal analysis in relation to this matter.

Should the Honourable Member submit more precise information regarding the case at stake, the Commission services will duly analyse them and decide about the appropriate follow-up.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-009022/12
adresată Comisiei
Daciana Octavia Sârbu (S&D)
(8 octombrie 2012)

Subiect: Consumul de alcool

Deși consumul de alcool a scăzut în Uniunea Europeană, proporția tinerilor care consumă alcool a crescut, 10% din mortalitatea în rândul femeilor tinere și 25 % din decesele din rândul bărbaților tineri se datorează consumului excesiv de alcool. Este nevoie de măsuri coerente atât de prevenție, cât și de tratare a dependenței de alcool.

Având în vedere faptul că Strategia Uniunii Europene privind consumul de alcool se încheie în anul 2012, consideră Comisia oportune următoarele măsuri:

1. Finanțarea de campanii în școli și facultăți pentru prevenirea sau limitarea consumului de alcool în rândul elevilor și studenților, în următoarea perioadă bugetară?

2. Cofinanțarea din bugetul Uniunii a clinicilor de dezalcoolizare care vor fi stabilite în statele membre în următorul cadru financiar?

Răspuns dat de dl Šefčovič în numele Comisiei
(19 noiembrie 2012)

Deși statele membre au principala responsabilitate pentru informarea și educarea persoanelor cu privire la efectele nocive ale alcoolului, Comisia a cofinanțat, atât în cadrul Programului în domeniul sănătății, cât și al Programului-cadru de cercetare, o serie de proiecte în vederea dezvoltării și a diseminării bunelor practici în ceea ce privește educația privind consumul de alcool și prevenirea efectelor nocive ale acestuia în rândul tinerilor, precum și pentru a evalua eficacitatea acțiunilor de prevenire orientate către tineri.

Organizarea și furnizarea serviciilor de sănătate și de îngrijire medicală este responsabilitatea statelor membre. În cadrul sferei sale de competență limitate, Comisia oferă un sprijin suplimentar privind depistarea, intervențiile și tratamentul în ceea ce privește afecțiunile cauzate de alcool prin cofinanțarea schimbului de bune practici și a proiectelor de cercetare.

(English version)

Question for written answer E-009022/12
to the Commission
Daciana Octavia Sârbu (S&D)
(8 October 2012)

Subject: Alcohol consumption

Even though alcohol consumption has fallen in the European Union, the proportion of young people who consume alcohol has risen. Excessive consumption of alcohol is responsible for 10% of deaths among young women and 25% of deaths among young men. There is a need for coherent measures geared to both prevention and treatment of alcohol dependence.

Bearing in mind that the EU alcohol strategy will come to an end in 2012, does the Commission believe that the following measures are advisable:

1. Funding campaigns in schools and universities, in the forthcoming budgetary period, aimed at preventing or limiting alcohol consumption among pupils and students?

2. Co-financing clinics set up to provide alcoholism treatment in the Member States from the EU budget, in the forthcoming financial framework?

Answer given by Mr Šefčovič on behalf of the Commission
(19 November 2012)

While Member States have the main responsibility for informing and educating people on alcohol related harm, the Commission has been co-financing, both under the Health Programme and the Research Framework Programme, a range of projects to develop and disseminate good practice in alcohol education and harm prevention among young people, and to assess the effectiveness of prevention approaches targeted to the young.

Organising and delivering health and medical care is Member States' responsibility. Within its limited competence, the Commission is supporting further development of screening, interventions and treatment for alcohol related disorders through the co-financing of good practice exchange and research projects.

(English version)

Question for written answer E-009025/12
to the Commission
Catherine Stihler (S&D)
(8 October 2012)

Subject: Library access to eBooks

At present in Scotland there are significant disagreements about ensuring authors are properly recompensed for their work on eBooks, and disagreements between publishers and libraries to find a fair way forward.

Does the Commission intend to bring forward legislation to regulate the market relationship between publishers, libraries and authors, especially given the difference eBooks can make for visually impaired people in enabling them to access texts that would otherwise not be available to them?

Answer given by Mr Barnier on behalf of the Commission
(12 December 2012)

The European Commission seeks to improve the access of visually impaired and print-disabled persons to books, *inter alia*, by supporting the future treaty that is currently being negotiated in the World Intellectual Property Organisation (WIPO) to this end. The Commission is conscious of the outstanding role e-books play in improving blind people's access to education and culture and it also recognises the key role libraries play in this respect.

The Commission believes that the future WIPO treaty can deliver a solution to the problems of visually impaired and print-disabled persons with a balanced and targeted intervention and without proposing new legislation at European level that could unnecessarily restrict the contractual freedom enjoyed by rights holders and libraries.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-009026/12
komissiolle
Liisa Jaakonsaari (S&D)
(8. lokakuuta 2012)

Aihe: Veroparatiisit EU:n alueella

EU:n jäsenvaltioiden kamppaillessa talousvaikeuksissa huomattava osa yrityksistä, joiden olisi maksettava kyseisille maille veroa, välttää verot käyttämällä veroparatiiseja paikkana toimintansa harjoittamiseen. Hallitukset kaikkialla maailmassa menettävät arviolta 250 miljardia Yhdysvaltain dollaria veroja pelkästään sen seurauksena, että varakkaat henkilöt säilyttävät varojaan ulkomailla. Yritysverojen kiertämisestä johtuvat verotulojen menetykset ovat paljon suurempia. Yritysten veronkierto haittaa myös EU:n sisämarkkinoita ja toimii huomattavana oikeudenmukaisen kilpailun esteenä. Esimerkiksi noin 100 000 yritystä on rekisteröity Yhdistyneelle kuningaskunnalle kuuluville Caymansaarille, ja niiden lukumäärä kasvaa vuosittain 8 000:lla. Poliittiset päätöksentekijät EU:ssa sanovat, että he haluavat saada veronkierron loppumaan, mutta sallivat sen edelleen tapahtuvan edustamiensa maiden alueella.

Veroparatiisit saavat aikaan mikrotaloudellisia häiriöitä, jotka haittaavat markkinakilpailua, ja niiden avoimuuden puute nostaa riskipreemioita. Ne tarjoavat ihmisille tai yrityksille mahdollisuuden kiertää muiden valtioiden oikeusjärjestelmien mukaisia sääntöjä, lakeja ja asetuksia hyödyntämällä salaisuutta tärkeimpänä välineenään.

1. Ottaen huomioon EU:n jäsenvaltioiden vuosittain menettämän verotulojen määrän voisiko komissio ilmoittaa, mitä se aikoo tehdä ratkaistakseen tämän kysymyksen nopeasti?

2. Mihin toimenpiteisiin komissio aikoo ryhtyä varmistaakseen täydellisten tietojen julkaisemisen trustien, yhtiöiden, säätiöiden ja vastaavien oikeudellisten yhteisöjen todellisista omistajista?

3. Miten komissio aikoo varmistaa, että EU:n jäsenvaltioiden alueella sijaitsevat veroparatiisit ovat tulevaisuudessa avoimia eikä niitä käytetä enää rikollisjärjestöjen rahoittamisen salaamiseen? Mihin toimenpiteisiin se aikoo ryhtyä määritelläkseen veronkierron korruptioksi?

Algirdas Šemetan komission puolesta antama vastaus
(13. joulukuuta 2012)

1. Komissio hyväksyi 6. joulukuuta 2012 veropetosten ja veronkierron torjunnan tehostamiseksi toimintasuunnitelman ([1]) ja antoi asiaa koskevia suosituksia ([2]). Suosituksia antamalla pyritään muun muassa kehittämään kaikille jäsenvaltioille yhteinen yleinen lähestymistapa ja kannustamaan kolmansia maita positiivisten ja negatiivisten toimenpiteiden avulla soveltamaan hyvän hallintotavan vähimmäisvaatimuksia verotusalalla. Lähestymistavassa on otettu erityisesti huomioon ns. veroparatiisit. Tältä osin on tärkeää huomata, että Caymansaaret on assosioitu Euroopan unioniin merentakaisena maana ja alueena (SEUT-sopimuksen 198 artikla), jolla ei muutoin sovelleta unionin lainsäädäntöä, minkä vuoksi ne olisi katsottava tässä yhteydessä kolmanneksi maaksi ([3]).

2. Edellä mainituissa suosituksissa ehdotetaan toimenpiteitä, joita jäsenvaltiot voivat toteuttaa kolmansien maiden suhteen. Tavoitteena on parantaa niiden toimien tehokkuutta, joita jäsenvaltiot toteuttavat suojatakseen verojärjestelmiään kohtuuttomalta veropohjan heikkenemiseltä avoimuuden, tietojenvaihdon ja oikeudenmukaisen verokilpailun vakiintuneita periaatteita noudattaen.

Rahanpesun torjunnasta annettua direktiiviä olisi tarkasteltava uudelleen uusien veropetosten ja veronkierron torjuntaa koskevien suositusten perusteella. Suositelluissa rahanpesun torjuntaa koskevissa toimenpiteissä on uusia säännöksiä oikeushenkilön tai oikeudellisen järjestelyn todellisia omistajia koskevien tietojen saataville asettamisesta. Tätä varten toteutetaan toimenpiteitä, joilla pyritään lisäämään selkeyttä ja saatavuutta, ja otetaan käyttöön kansainvälistä yhteistyötä koskevat erityisvaatimukset ([4]).

3. Veronkierron osalta komissio viittaa 27. kesäkuuta 2012 antamaansa tiedonantoon, jossa analysoidaan nykytilannetta ja ehdotetaan konkreettisia etenemistapoja, joita esitellään yksityiskohtaisemmin toimintasuunnitelmassa ([5]).

([1]) KOM(2012) 722 lopullinen.
([2]) C(2012) 8806 lopullinen, C(2012) 8805 lopullinen.
([3]) Ks. myös kysymys E-008428/2012.
([4]) Ks. myös kysymys E-007684/2012.
([5]) Ks. myös kysymys E-008428/2012: http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-009026/12
to the Commission
Liisa Jaakonsaari (S&D)
(8 October 2012)

Subject: Tax havens on EU territory

While EU Member States are struggling financially, a large proportion of the companies that should pay tax to those countries are avoiding doing so by using tax havens as their place of operation. An estimated USD 250 billion is lost in taxes by governments worldwide solely as a result of wealthy individuals holding their assets offshore. The revenue losses from corporate tax avoidance are much greater. Tax evasion by companies also distorts the EU's internal market and acts as a significant obstacle to fair competition. For example, some 100 000 companies are registered in the Cayman Islands, which belong to the UK, and their numbers are increasing by some 8 000 every year. Political decision-makers in the EU say that they want to put an end to tax evasion, but still allow it to happen on the territory of the countries they represent.

Tax havens create microeconomic distortions which harm market competition, and their lack of transparency raises risk premiums. They also provide facilities for people or entities to get round the rules, laws and regulations of other jurisdictions, using secrecy as their prime tool.

1. Given the amount lost in tax revenues every year by EU Member States thanks to tax havens, could the Commission explain what it intends to do in order to resolve this issue swiftly?

2. What actions will the Commission take to ensure full public disclosure in respect of beneficial ownership of trusts, companies, foundations and similar legal entities?

3. How will the Commission ensure that tax havens located within the territory of EU Member States practise transparency in future and are no longer used to conceal the financing of criminal organisations? What steps will it take to define tax evasion as a corrupt activity?

Answer given by Mr Šemeta on behalf of the Commission
(13 December 2012)

1. On 6 December the Commission adopted an Action Plan ([1]) to strengthen the fight against tax fraud and tax evasion together with recommendations ([2]). One aspect of those recommendations consists in the development of a general approach common to all Member States and intended to promote, through positive and negative measures, compliance by third countries with minimum standards of good governance in tax matters. This approach includes in particular so-called 'tax havens'. In this regard, it is important to note that the Cayman Islands are associated with the EU as overseas countries and territories (Article 198 TFUE), but are otherwise not covered by Union law and should therefore be considered as third countries in this context ([3]).

2. The aforementioned recommendations propose measures to be implemented by Member States in regard to third countries. The intention is to improve the effectiveness of Member States' actions to protect their tax systems against unfair tax base erosion, in line with established principles of transparency, information exchange and fair tax competition.

The new FATF Recommendations, in the light of which Anti-Money Laundering Directive should be reviewed, in the context of anti-money laundering measures contain new provisions on making information available on the beneficial ownership of a legal person or legal arrangement by imposing measures aimed at providing clarity and accessibility and including specific requirements for international cooperation ([4]).

3. As regards the fight against tax evasion, the Commission refers to its communication of 27 June 2012 which analyses the existing situation and proposes concrete ways forward which are further detailed in the action plan ([5]).

([1]) COM(2012) 722 final.
([2]) C (2012) 8806 final, C (2012) 8805 final.
([3]) In addition, please refer to E-008428/2012.
([4]) In addition, please refer to E-007684/2012.
([5]) In addition, please refer to E-008428/2012; http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-009027/12
lill-Kummissjoni
Edward Scicluna (S&D)
(8 ta' Ottubru 2012)

Suġġett: Il-fondi tal-politika ta' koeżjoni — is-sitwazzjoni attwali

Fir-risposta tal-Kummissjoni għal mistoqsija tal-5 ta' Lulju 2011 dwar il-fondi tal-politika ta' koeżjoni għal Malta skont il-programm 2007-2013, il-Kummissarju Hahn qal li, fil-mument, il-Kummissjoni "ma kellha l-ebda preokkupazzjoni dwar Malta" u "tinsab konvinta li [Malta] fil-fatt se tilħaq il-miri ta' nfiq miftiehma tagħha".

Fid-dawl tal-evalwazzjoni ta' nofs il-perjodu mwettqa mill-Kummissjoni fl-2011:

1. Il-Kummissjoni għandha xi preokkupazzjonijiet f'dak li għandu x'jaqsam mal-livelli tan-nefqa rigward fondi ddikjarati u ċċertifikati fl-2012?

2. X'persentaġġ tal-fondi allokati għall-2009 (li għandhom jiġu impenjati mill-ġdid sal-2012) ġew iċċertifikati u kellhom id-dikjarazzjoni tan-nefqa tagħhom ippreżentata lill-Kummissjoni?

3. Malta se jkollha tuża parti mill-pagament bil-quddiem ipprovdut mill-UE biex tkopri l-allokazzjoni tal-2009?

4. Il-Kummissjoni tista' tispjega s-sitwazzjoni attwali fir-rigward tal-ammont totali ta' fondi allokati lil Malta li ġew iċċertifikati u ddikjarati lilha għall-programm 2007-2013?

5. X'inhuma l-fatturi ewlenin li qed ixekklu lil Malta milli żżomm aġġornata d-dikjarazzjoni tan-nefqa tagħha lill-Kummissjoni?

Tweġiba mogħtija f'isem il-Kummissjoni
(6 ta' Diċembru 2012)

Malta turi prestazzjoni tajba fl-implimentazzjoni tal-politika ta' koeżjoni, bi 80 % tal-fondi disponibbli allokati għal proġetti speċifiċi. Il-ftit dewmien tagħha fl-assorbiment finanzjarju tal-fondi meta mqabbel mal-medja tal-UE huwa primarjament minħabba l-implimentazzjoni aktar bil-mod ta' proġetti attwali.

Mill-31 ta' Ottubru 2012, is-sitwazzjoni ta' assorbiment fir-rigward tal-Fond Ewropew għall-Iżvilupp Reġjonali (FEŻR), il-Fond ta' Koeżjoni (FK) u l-Fond Soċjali Ewropew (FSE) hija kif ġej:

FK: EUR 103 miljun (36,4 %) tħallsu minn allokazzjoni totali ta' EUR 284 miljun. Dan jinkludi pagament bil-quddiem ta' EUR 30 miljun. L-impenji kollha tal-FK sal-2009 diġà tħallsu (86 % mingħajr pagamenti bil-quddiem).

FEŻR: EUR 144 miljun (32,5 %) tħallsu minn allokazzjoni totali ta' EUR 444 miljun, dan jinkludi pagament bil-quddiem ta' EUR 40 miljun. Disgħin fil-mija tal-impenji totali tal-FEŻR sal-2009 diġà tħallsu (65 % mingħajr pagamenti bil-quddiem).

FSE: EUR 31 miljun (28 %) tħallsu minn allokazzjoni totali ta' EUR 112-il miljun, dan jinkludi pagament bil-quddiem ta' EUR 10 miljun. L-impenji kollha tal-FSE sal-2009 diġà tħallsu (87 % mingħajr pagamenti bil-quddiem).

(English version)

Question for written answer E-009027/12
to the Commission
Edward Scicluna (S&D)
(8 October 2012)

Subject: Cohesion policy funds — state of play

In the Commission's answer to a question of 5 July 2011 concerning cohesion policy funds for Malta under the 2007-2013 programme, Commissioner Hahn said that, at that point in time, the Commission 'had no concerns about Malta' and 'was convinced that [Malta] was actually going to achieve its agreed spending targets'.

In view of the mid-term evaluation carried out by the Commission in 2011:

1. Does the Commission have any concerns relating to the levels of expenditure as regards funds declared and certified in 2012?

2. What percentage of the funds allocated for 2009 (to be recommitted by 2012) have been certified and had their declaration of expenditure submitted to the Commission?

3. Will Malta have to use part of the advance payment provided by the EU in order to cover the 2009 allocation?

4. Can the Commission explain the current state of play with regard to the total amount of funds allocated to Malta which have been certified and declared to it for the 2007-2013 programme?

5. What are the main factors hindering Malta from keeping up to date with its declaration of expenditure to the Commission?

Answer given by Mr Hahn on behalf of the Commission
(6 December 2012)

Malta shows a good performance in the implementation of cohesion policy, with 80% of available funds allocated to specific projects. Its slight delay in the financial absorption of funds compared to the EU average is primarily due to slower implementation of selected projects on the ground.

As of 31 October 2012, the absorption situation with regard to the European Regional Development Fund (ERDF), the Cohesion Fund (CF) and the European Social Fund (ESF) looks as follows:

CF: EUR 103 million (36.4%) has been paid out of a total allocation of EUR 284 million. This includes an advance payment of EUR 30 million. All CF commitments up to 2009 have already been paid (86% without the advance payment)..

ERDF: EUR 144 million (32.5%) has been paid out of a total allocation of EUR 444 million, including an advance payment of EUR 40 million. 90% of the total ERDF commitments up to 2009 have already been paid (65% without the advance payment).

ESF: EUR 31 million (28%) has been paid out of a total allocation of EUR 112 million, including an advance payment of EUR 10 million. All ESF commitments up to 2009 have already been paid (87% without the advance payment).

(English version)

Question for written answer E-009028/12
to the Commission
Ian Hudghton (Verts/ALE)
(8 October 2012)

Subject: Timeshare selling in perpetuity and the consequences for descendants of original purchasers

A constituent has recently informed me of the situation that he and other timeshare owners are currently experiencing, whereby he has inherited a timeshare contract following the death of a parent and is, due to the terms of the contract, bequeathed the legal responsibility and obliged to continue various payments as agreed in the original contract, such as maintenance payments. Given the weakness of the timeshare property market that makes selling the timeshare nearly impossible, and the binding nature of the perpetuity agreement that ties my constituent to a contract to which he never originally consented, it appears that the descendants of original timeshare contract holders are forced to accept consequences of contracts into which they had no original input.

In the light of this:

1. Has the Commission a view on the situation regarding timeshare selling 'in perpetuity' and any adverse consequences for descendents of original purchasers?

2. Does the Commission consider that measures allowing descendants to extricate themselves from timeshare contracts could be justified?

Answer given by Mrs Reding on behalf of the Commission
(27 November 2012)

EU rules in the area of timeshare were revised with the adoption, on 14 January 2009, of Directive 2008/122/EC, which became applicable on 23 February 2011 and replaced the previous Directive 94/47/EC. The new Directive has considerably enhanced consumer rights in this area, particularly through stronger rules related to the information the trader has to provide to the consumer and regarding the consumer's right of withdrawal. Member States have transposed this directive into their national law and are in charge of its application.

However, the Timeshare Directive only deals with certain aspects of timeshare contracts, particularly in relation to consumer rights when entering the contract, whilst the issues outside its scope of regulation, such as termination of timeshare contracts or inheritance of timeshare rights and obligations, remain regulated by national laws of the Member States. In addition to the Timeshare Directive, there are EU rules on unfair contract terms in consumer contracts (Directive 93/13/EEC) and on unfair commercial practices (Directive 2005/29/EC), which may be relevant in assessing a concrete timeshare contract by the competent national authorities and courts.

*The Times*hare Directive requires the Commission to review its application and report to the European Parliament and the Council in 2014. As part of the review the Commission will look into the various problems faced by consumers regarding timeshare contracts.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009029/12
alla Commissione
Giancarlo Scottà (EFD)
(8 ottobre 2012)

Oggetto: Contraffazione delle produzioni enoiche «made in Italy» — vino in polvere commercializzato nel Regno Unito

L'esistenza di «wine-kit» prodotti in Gran Bretagna e contenenti polveri solubili in acqua per produrre vini quali «Barolo, Chianti, Valpolicella, Montepulciano e Nero d'Avola» costituisce un gravissimo danno economico e di immagine alla produzione enoica «made in Italy».

Questi prodotti sono vini DOC o DOCG che dovrebbero essere tutelati, considerando soprattutto il fatto che la Gran Bretagna è membro dell'Unione europea.

Inoltre, queste contraffazioni inducono il consumatore straniero a considerare il falso prodotto «made in Italy», prodotto in realtà all'estero, come vino nazionale di qualità, rischiando così di minare la fiducia dei consumatori.

A questo punto si chiede: come intende agire la Commissione per contrastare la questione della contraffazione in riferimento ai prodotti DOC e DOCG sul territorio dell'Unione europea e cosa ha intenzione di fare in questo caso particolare?

Risposta di Dacian Cioloş a nome della Commissione
(15 novembre 2012)

La Commissione è stata informata delle pratiche commerciali a cui si fa riferimento nell'interrogazione e, durante l'ultima riunione del Comitato di gestione dell'OCM unica (10 ottobre 2012), ha provveduto ad informare le delegazioni degli Stati membri che tali pratiche violano le norme in materia di etichettatura nel settore vitivinicolo stabilite dalla legislazione europea.

La Commissione ha precisato che i prodotti in questione non possono essere commercializzati utilizzando una denominazione di origine protetta (DOP) o un'indicazione geografica protetta (IGP), nemmeno attraverso una semplice evocazione del nome.

Gli Stati membri devono adottare tutti i provvedimenti necessari a prevenire l'uso illecito del nome di una DOP o di un'IGP ritirando dal mercato tali prodotti. In particolare, in questo caso sono stati presi contatti con le autorità italiane e britanniche al fine di vietare la commercializzazione dei prodotti in questione.

(English version)

Question for written answer E-009029/12
to the Commission
Giancarlo Scottà (EFD)
(8 October 2012)

Subject: Counterfeit 'Italian-made' products: powdered wine on sale in the United Kingdom

The existence of 'wine kits' produced in the UK containing a powder that can be dissolved in water to obtain 'wine' that purports to be Barolo, Chianti, Valpolicella, Montepulciano or Nero d'Avola is seriously damaging, in economic and reputational terms, to wines produced in Italy.

The DOC or DOCG wines in question should be protected, particularly in view of the fact that the UK is a member of the European Union.

Moreover, counterfeit products masquerading as Italian, but actually produced elsewhere, mislead foreign consumers into assuming that they are purchasing high-quality national wines, thereby undermining consumers' confidence.

What action does the Commission intend to take to tackle the problem of counterfeit DOC and DOCG products in the European Union, and what does it intend to do in this particular instance?

Answer given by Mr Cioloş on behalf of the Commission
(15 November 2012)

The Commission was informed of the commercial practices referred to in the question and informed the delegations of the Member States, during the last meeting of the management committee of the single CMO (10 October 2012), that these practices were in infringement with the rules of labelling laid down in the wine sector by the European legislation.

The Commission specified that the products concerned cannot be marketed by using a protected designation of origin (PDO) or a protected geographical indication (PGI), even by simple evocation of that name.

Member States must take the necessary measures to prevent the illicit use of the name of a PDO or a PGI by withdrawing from the market these products. In this situation in particular contacts were established with the Italian and United Kingdom's authorities in order to prohibit the marketing of the products concerned.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-009030/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(8 Οκτωβρίου 2012)

Θέμα: Στοιχεία εκκαθάρισης λογαριασμών ΕΓΤΕ/ΕΓΤΑΑ

Η Επιτροπή επιδιώκει την εξασφάλιση της νομιμότητας και κανονικότητας των δαπανών των ΕΓΤΕ και ΕΓΤΑΑ, μέσω της διαδικασίας «εκκαθάρισης λογαριασμών». Σε περίπτωση δε, ελλιπών ελέγχων και μη εφαρμογής της κοινοτικής νομοθεσίας, η Επιτροπή επιβάλλει στα κράτη μέλη δημοσιονομικές διορθώσεις.

Μπορεί η Επιτροπή να με ενημερώσει σχετικά με τα συνολικά ποσά δημοσιονομικών διορθώσεων/παρακρατήσεων που έγιναν για κάθε κράτος μέλος, από το 2007 έως σήμερα;

Όσον αφορά στην Ελλάδα, μπορεί να μας ενημερώσει για το ύψος των ποινών που έχουν βεβαιωθεί ανά καθεστώς ενίσχυσης, το έτος στο οποίο η κάθε ποινή αναφέρεται και τους λόγους επιβολής της; Βρίσκονται κάποιες από τις ποινές σε στάδιο διαβούλευσης της ελληνικής κυβέρνησης με την επιτροπή των γεωργικών ταμείων, σύμφωνα με τη δυνατότητα που παρέχεται στο άρθρο 11 παρ. 4 του 885/2006/ΕΚ, όπως τροποποιήθηκε από τον Εκτελεστικό Κανονισμό ΕΕ αριθ. 375/2012; Ποιες είναι αυτές;

Απάντηση του κ. Ciolos εξ ονόματος της Επιτροπής
(19 Νοεμβρίου 2012)

Η δημοσιονομική επίπτωση των διορθώσεων που επιβάλλει η Επιτροπή σε όλα τα κράτη μέλη στο πλαίσιο της συμμόρφωσης προς την απόφαση εκκαθάρισης από το 2007 συνοψίζεται στο παράρτημα 1 ([1]). Η επιμερισμένη ανάλυση ανά ταμείο και απόφαση για την Ελλάδα περιλαμβάνεται στο παράρτημα 2. Οι λόγοι για τις δημοσιονομικές διορθώσεις είναι πολυάριθμοι και αναφέρονται στα παραρτήματα των αποφάσεων. Για το εν λόγω θέμα γίνεται αναφορά στις επίσημες εφημερίδες, στις οποίες έχουν δημοσιευθεί.

Όσον αφορά την αναβολή της εκτέλεσης των δημοσιονομικών διορθώσεων, που προβλέπεται στο άρθρο 11 παράγραφος 4 του κανονισμού της Επιτροπής (ΕΚ) αριθ. 885/2006 ([2]), όπως τροποποιήθηκε τελευταία με τον εκτελεστικό κανονισμό (ΕΕ) αριθ. 375/2012 ([3]), η Ελλάδα ζήτησε την εφαρμογή της διαδικασίας αναβολής τον Μάιο του 2012. Με την απόφαση της Επιτροπής C(2012)4293 της 28/06/2012 αναβάλλεται, έως τις 31/12/2013, η εκτέλεση της δημοσιονομικής διόρθωσης που επιβλήθηκε στην Ελλάδα. Μέχρι σήμερα η αναβολή αφορά τα ακόλουθα ποσά: 104 εκατ. ευρώ που περιλαμβάνονται στην απόφαση 38, 0,02 εκατ. ευρώ από την απόφαση 39 και 287 εκατ. ευρώ για δημοσιονομικές διορθώσεις από τις αποφάσεις 34 και 35 που είχαν προγραμματιστεί για το 2012 και το 2013 βάσει προηγουμένων αποφάσεων που προέβλεπαν την επιστροφή των δημοσιονομικών διορθώσεων σε δόσεις. Στο τέλος του 2013, κατά συνέπεια, θα προκύψουν συνολικά 392 εκατ. ευρώ από αναβληθείσες δημοσιονομικές διορθώσεις (μη συμπεριλαμβανομένων των τυχόν πρόσθετων διορθώσεων οι οποίες θα περιληφθούν σε άλλες αποφάσεις συμμόρφωσης που θα εκδοθούν ενδιάμεσα).

([1]) Τα παραρτήματα αποστέλλονται απευθείας στο Αξιότιμο Μέλος και τη Γραμματεία του Κοινοβουλίου.
([2]) ΕΕ L 171 της 23.6.2006, σ. 90-110.
([3]) ΕΕ L 118 της 3.5.2012, σ. 4-5.

(English version)

Question for written answer E-009030/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(8 October 2012)

Subject: Clearance of EAGGF and EAFRD accounts

In order to ensure the legality and regularity of EAGGF and EAFRD expenditure, the Commission applies the clearance of accounts procedure, imposing financial corrections on Member States for inadequate controls and failure to apply EU legislation.

Can the Commission indicate the amounts accordingly deducted or withheld in this manner from each Member State since 2007?

With regard to Greece, can the Commission indicate the amount of such penalties with regard to each funding scheme, giving the year and the reasons for this? Are any of these penalties currently being discussed by the Greek Parliament with the Committee on the Agricultural Funds, as provided for in Article 11(4) of Commission Regulation (EC) No 885/2006, amended by Commission Implementing Regulation (EU) No 375/2012? What is the nature thereof?

Answer given by Mr Cioloş on behalf of the Commission
(19 November 2012)

The financial impact of the corrections imposed by the Commission on all Member States in the framework of the conformity clearance decision since 2007 is presented in Annex a ([1]). The split per Fund and per Decision for Greece is included in Annex a. The reasons for financial corrections are numerous and can be found in the annexes of the decisions. In this respect the references to the Official Journals, in which they are published, have been quoted.

As regards the deferral of the execution of the financial corrections, as provided for in the article 11(4) of Commission Regulation (EC) No 885/2006 ([2]) as amended by Commission Implementing Regulation (EU) No 375/2012 ([3]), Greece requested the application of the deferral procedure in May 2012. Commission Decision C(2012)4293 of 28/06/2012 defers, until 31/12/2013, the execution of the financial correction imposed on Greece. Until now the following amounts have been covered by the deferral: 104 m EUR included in Decision 38, 0.02 m EUR from Decision 39 and 287 m EUR in financial corrections from Decisions 34 and 35 which had been scheduled to be executed in 2012 and 2013 under previous decisions granting the reimbursement of financial corrections in instalments. At the end of 2013, therefore, there will be a total of 392 m EUR in deferred financial corrections (not including any additional corrections which will be included in other conformity decisions which will be adopted in the meantime).

([1]) Annexes are sent directly to the Honourable Member and to the Secretariat of Parliament.
([2]) OJ L 171, 23.6.2006, p. 90-110.
([3]) OJ L 118, 3.5.2012, p. 4-5.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009032/12
an die Kommission
Hans-Peter Mayer (PPE)
(8. Oktober 2012)

Betrifft: Strategie für die Allgemeine Luftfahrt

Am 18. September 2012 sprach der Verwaltungsrat der EASA seine Unterstützung für die neue Strategie für die Allgemeine Luftfahrt (European General Aviation Safety Strategy) aus. Die neue Strategie betrifft die nichtkommerzielle Luftfahrt, die zum großen Teil in Luftsportvereinen organisiert ist.

Die Strategie greift die Mitteilung der Kommission auf: „Agenda für eine nachhaltige Zukunft der allgemeinen Luftfahrt und der Geschäftsreiseluftfahrt" (KOM(2007)0869), die angemessene Regeln für diesen Teilbereich der Luftfahrt fordert und im Europäischen Parlament breite Unterstützung findet (Entschließung 2008/2134(INI) vom 3. Februar 2009).

Die Strategie schlägt eine grundlegende Überarbeitung des europäischen Regelwerkes für die nichtkommerzielle Luftfahrt vor. Das neue Regelwerk soll die Besonderheiten der „kleinen" Luftfahrt berücksichtigen und insbesondere davon Abstand nehmen, die rigiden und nicht angemessenen Regeln der kommerziellen Luftfahrt anzuwenden. Dabei soll u. a. auf Ebene der Luftsportverbände die Sicherheitskultur gefördert werden.

Etwa fünf Jahre nachdem die Kommission ihre Mitteilung (KOM(2007)0869) veröffentlicht hat, bietet sich nun also die Gelegenheit, die lang etablierten Prinzipien umzusetzen.

1. Wie wird die Kommission die konkrete Umsetzung der Strategie organisieren und dabei eine Einbindung der betroffenen Luftsportorganisationen garantieren?

2. Erwägt die Kommission eine Neuregelung der bereits bestehenden Durchführungsverordnungen, z. B. im Bereich der Wartung und des Lizenzwesens?

3. Inwieweit und wann muss die sogenannte Basisverordnung (EG) Nr. 216/2008 einer Novellierung unterzogen werden?

4. Wann wird die Kommission dem Parlament über die Umsetzung der Mitteilung (KOM(2007)0869) berichten, wie es das Parlament in seiner Entschließung bis spätestens Ende 2009 gefordert hat?

Antwort von Herrn Kallas im Namen der Kommission
(4. Dezember 2012)

Es sei darauf hingewiesen, dass die Kommission bereits einen risikobasierten Ansatz bei der Ausarbeitung und Annahme von Durchführungsvorschriften in Bezug auf die allgemeine Luftfahrt verfolgt.

Die vor kurzem angenommenen Vorschriften in den Bereichen Pilotenlizenzen ([1]) und Lufttüchtigkeit ([2]) sind gute Beispiele dafür.

Auf der Grundlage der vor kurzem vom EASA-Verwaltungsrat angenommenen europäischen Strategie für die Sicherheit der allgemeinen Luftfahrt wird die Kommission einen Fahrplan für die nächsten Schritte unter Zugrundelegung des Inputs von Mitgliedstaaten und beteiligten Kreisen ausarbeiten.

In diesem Zusammenhang sollte dann geprüft werden, ob eine Änderung der geltenden Durchführungs-vorschriften oder der Basisverordnung erforderlich ist.

([1]) Verordnung (EU) Nr. 290/2012 der Kommission vom 30. Juli 2012.
([2]) Verordnung (EU) Nr. 748/2012 der Kommission vom 5. August 2012.

(English version)

Question for written answer E-009032/12
to the Commission
Hans-Peter Mayer (PPE)
(8 October 2012)

Subject: General aviation safety strategy

On 18 September 2012 the Management Board of the European Aviation Safety Agency gave its backing to the new 'European General Aviation Safety Strategy'. The new strategy covers non-commercial aviation, much of which is organised in aeroclubs.

The strategy takes up the Commission communication entitled 'An Agenda for Sustainable Future in General and Business Aviation' (COM(2007)0869), which calls for appropriate rules for this section of aviation and has wide supported in Parliament (resolution of 3 February 2009 (2008/2134(INI)).

The strategy proposes a fundamental overhaul of European rules on non-commercial aviation. The new regulatory framework should take account of the specific features of small-scale aviation and dispense with the inflexible and inappropriate rules which govern commercial aviation. In the process, a safety culture is to be promoted, *inter alia*, within aeroclub associations.

Now, some five years after the Commission issued its communication COM(2007)0869, the opportunity is there to put long-established principles into practice.

1. How will the Commission put the strategy into practice and ensure that the relevant aeroclub organisations are involved in the process?

2. Is the Commission considering revising existing implementing regulations, e.g. in the area of maintenance and licensing?

3. To what extent, and when, must the basic regulation ((EC) No 216/2008) be amended?

4. When will the Commission report to Parliament on implementation of communication COM(2007)0869, given that Parliament, in its resolution, called for this to be done by the end of 2009 at the latest?

Answer given by Mr Kallas on behalf of the Commission
(4 December 2012)

It has to be noted that the Commission is already taking a risk-based approach when designing and adopting implementing rules related to General Aviation.

Recently adopted rules in the field of pilot licensing ([1]) and airworthiness ([2]) are a good example.

On the basis of the 'European General Aviation Safety Strategy' recently adopted by the Management Board of EASA, the Commission will prepare a roadmap, in view of elaborating steps forward, on the basis of input by Member States and stakeholders.

In this context, the possible necessity to amend existing implementig rules or the Basic Regulation should be assessed.

([1]) COMReg. No 290/2012 of 30 July.
([2]) COMReg. No 748/2012 of 5 August.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-009033/12
aan de Commissie
Philip Claeys (NI)
(8 oktober 2012)

Betreft: Grenscontrole met verplichting tot betaling tol, niet-erkenning verzekering voertuigen op Cyprus

In principe werd het ganse grondgebied van Cyprus erkend als onderdeel van de EU, beschikken ook de Turkse inwoners van Noord-Cyprus over door de EU erkende identiteitsdocumenten en kunnen zij ook genieten van het vrij verkeer van personen.

Het omgekeerde geldt echter niet. Een EU-onderdaan die Noord-Cyprus wil bezoeken moet aan een soort „grenspost" een bedrag betalen, al dan niet in samenhang met het feit dat indien men een personenwagen wil gebruiken een verzekering afgesloten in Zuid-Cyprus blijkbaar niet erkend wordt in het noorden.

Graag deze vragen:

1. Is het aanvaardbaar dat op Cyprus EU-onderdanen die het noorden willen bezoeken een bedrag moeten betalen? Is dit geen vorm van tol- of belastingheffing die onverenigbaar is met het feit dat gans Cyprus erkend werd als onderdeel van de EU?

2. Is het aanvaardbaar dat een rechtsgeldig in Zuid-Cyprus afgesloten verzekering voor een auto in het noorden niet erkend wordt, en dat een soort „afkoopsom" daarvoor geëist wordt? Is dit verenigbaar met het vrije verkeer van goederen en diensten?

3. Via welke kanalen spreekt de EU met het gezag in Noord-Cyprus? Zal de EU bij haar gesprekspartners in het noorden eisen dat deze zaken onmiddellijk beëindigd worden?

4. Indien men niet bereid is hiermee te stoppen, welke gevolgen verbindt de EU daaraan? Is het aanvaardbaar dat EU-geld naar het noorden van Cyprus stroomt zolang deze zaken doorgaan? Is het aanvaardbaar dat EU-geld naar kandidaat-lidstaat Turkije stroomt zolang deze zaken doorgaan?

Antwoord van de heer Füle namens de Commissie
(5 december 2012)

Uit juridisch oogpunt is het noordelijk deel van Cyprus een gebied van de Republiek Cyprus waar de regering van de Republiek Cyprus geen feitelijk gezag uitoefent. Op grond van Protocol nr. 10 over Cyprus bij de Toetredingsakte van 2003 is in dit gebied de toepassing van het EU-acquis tijdelijk geschorst, totdat een allesomvattende regeling wordt bereikt voor het probleem in Cyprus. Daarom is het geen inbreuk op het vrije verkeer van goederen of het vrij verrichten van diensten wanneer het noordelijk deel van Cyprus buiten de dekking van een autoverzekering valt.

De Commissie wijst het geachte Parlementslid erop dat om diezelfde reden Turks-Cyprioten ook verplicht zijn om een aanvullende autoverzekering te kopen wanneer zij de Groene Lijn oversteken naar de gebieden waar de regering het gezag uitoefent.

De problemen die het geachte Parlementslid noemt, benadrukken nogmaals dat een snelle allesomvattende regeling in Cyprus noodzakelijk is. De Commissie heeft in haar recente mededeling over de uitbreidingsstrategie en de belangrijkste uitdagingen 2012-2013 ([1]) herhaald dat de onderhandelingen nieuw leven moet worden ingeblazen en dat zij snel zouden moeten worden voltooid, waarbij wordt voortgebouwd op de vooruitgang tot nu toe.

([1]) COM(2012) 600 final.

(English version)

Question for written answer E-009033/12
to the Commission
Philip Claeys (NI)
(8 October 2012)

Subject: Border controls accompanied by a requirement to pay a toll; non-recognition of vehicle insurance in Cyprus

In principle, the whole territory of Cyprus is recognised as part of the EU, and Turkish residents of Northern Cyprus also hold identity documents recognised by the EU and enjoy the right to free movement of persons.

However, the converse is not true. An EU citizen wishing to visit Northern Cyprus must pay a sum of money at a kind of border control post, whether or not in connection with the fact that, if one wishes to use a private car, an insurance policy concluded in Southern Cyprus is evidently not recognised in the North.

1. Is it acceptable that in Cyprus EU citizens who wish to visit the North are compelled to pay a sum of money? Is this not a form of toll or taxation which is incompatible with the fact that the whole of Cyprus is recognised as forming part of the EU?

2. Is it acceptable that a car insurance policy which has been taken out in a legally valid manner in Southern Cyprus should not be recognised in Northern Cyprus, and that a kind of ransom should be demanded instead? Is this compatible with the free movement of goods and services?

3. Through what channels does the EU communicate with the authorities in Northern Cyprus? Will the EU demand that its dialogue partners in the North to put an immediate end to such practices?

4. If they are not prepared to put an end to these practices, what action will the EU take in response? Is it acceptable for EU funding to be channelled to Northern Cyprus while such practices continue? Is it acceptable for EU funds to be channelled to Turkey, a candidate for accession to the EU, while such practices continue?

Answer given by Mr Füle on behalf of the Commission
(5 December 2012)

Legally, the northern part of Cyprus is an area of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control. Pursuant to Protocol 10 on Cyprus to the Act of Accession 2003 the application of the EU *acquis* is temporarily suspended in this area, until a comprehensive settlement of the Cyprus problem is reached. Therefore, the exclusion of the northern part of Cyprus from the coverage of car insurances does not constitute an infringement on the free movement of goods or the freedom to provide services.

The Commission would like to draw the attention of the Honourable Member to the fact that, for the same reasons, Turkish Cypriots are also obliged to buy additional car insurance, when crossing the Green Line into the government-controlled areas.

The issues raised by the Honourable Member once again underline the need for a rapid comprehensive settlement in Cyprus. In its recently presented Communication on the Enlargement Strategy and Main Challenges 2012-2013 ([1]), the Commission underlined the necessity to re-launch the negotiations with the aim of reaching a swift conclusion of the talks, building on the progress achieved to date.

([1]) COM(2012) 600 final.

(English version)

Question for written answer E-009034/12
to the Commission
Nessa Childers (S&D)
(8 October 2012)

Subject: High-Level Group of Independent Stakeholders

What is the Commission's position on the concerns about the High-Level Group of Independent Stakeholders as regards the reduction of administrative burdens and its proposed new mandate as expressed by the consumer, environmental and trade union organisations who nominated members for appointment to the Group, and what steps if any will the Commission take to address those concerns?

Answer given by Mr Barroso on behalf of the Commission
(27 November 2012)

The High Level Group on Administrative Burdens has provided advice on possible ways to reduce administrative burdens. Its work included the preparation of a report on best practice in Member States to implement EU legislation in the least burdensome way ([1]), to which consumer, environmental and trade union organisations contributed.

The Commission is now finalising the new mandate for the period January 2013 to October 2014. Consideration is being given to a mandate for the Group to continue to advise on improving the overall competitiveness of the EU by reducing unnecessary regulatory burden resulting from EU legislation and on how to make public administration in Europe more efficient and responsive to the needs of stakeholders, in particular for SMEs and micro companies. This mandate could include following up with Member States on the effective implementation of the measures adopted under the EU Administrative Burden Reduction Programme as part of a wider approach to smart regulation, drawing on the Best Practice report.

Group membership reflects a variety of different professional and organisational backgrounds. The Commission will continue to ensure that the interests of businesses, in particular SMEs and micro companies, social partners, consumer and environmental organisations, including non-governmental organisations, are adequately represented. The Group respects the Commission policy on expert groups ([2]).

([1]) http://ec.europa.eu/dgs/secretariat_general/admin_burden/best_practice_report/best_practice_report_en.htm
([2]) Communication from the President to the Commission of 10 November 2010 — Framework for Commission expert groups: horizontal rules and public register — C(2010)7649.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009035/12
alla Commissione
Fiorello Provera (EFD)
(9 ottobre 2012)

Oggetto: Comunità ebraica francese e belga in stato di allerta

Secondo quanto riportato da diversi mezzi di comunicazione, il 6 ottobre 2012 nel sobborgo parigino di Argenteuil un gruppo di uomini ha attaccato una sinagoga sparando proiettili a salve nel corso di una funzione religiosa. Fortunatamente non ci sono stati feriti, ma le funzioni sono state cancellate. L'attacco ha avuto luogo a seguito di una serie di blitz effettuati dalla polizia in tutta la Francia alla ricerca di una presunta cellula terroristica organizzata da giovani francesi convertiti all'Islam. Tra gli islamisti radicali sospettati si annovera anche Jeremy Louis-Sidney, ritenuto responsabile di aver gettato una bomba incendiaria in un negozio di generi alimentari kasher di Parigi lo scorso settembre, ucciso durante il blitz in uno scontro a fuoco con la polizia. Altre undici persone sono state arrestate. I capi della comunità ebraica francese hanno riferito un drastico aumento di episodi antisemitici a seguito dell'attacco avvenuto a Tolosa a marzo, dove sono rimasti uccisi tre bambini ebrei. Il presidente francese François Hollande ha dichiarato che saranno prese misure per contrastare la «minaccia terroristica».

Il 4 ottobre 2012, una sinagoga della cittadina di Forest nei pressi di Bruxelles è stata imbrattata di scritte antisemite come «morte agli ebrei». Non è stato finora fermato nessun sospettato. Nel 2009, la stessa zona è stata testimone di un altro attacco antisemita durante il quale è stata lanciata una bomba molotov.

Può la Commissione dire:

1. quali azioni intraprende all'ora attuale, alla luce degli attacchi alle sinagoghe di Argenteuil e Bruxelles, al fine di combattere gli attacchi antisemiti;

2. se ha un piano di azione per individuare le fonti della propaganda antisemita alla base dell'aumento di attacchi dell'ultimo anno;

3. quali misure esso adotta per contrastare l'antisemitismo nell'UE?

Risposta di Viviane Reding a nome della Commissione
(6 dicembre 2012)

La Commissione europea condanna con vigore qualsiasi forma o manifestazione di antisemitismo, razzismo e xenofobia, che si impegna a combattere con tutti i poteri che le conferiscono i trattati.

Per quanto riguarda la lotta contro l'antisemitismo nell'Unione europea, la Commissione rimanda l'onorevole deputato alle risposte alle interrogazioni scritte E-5192/12 ed E-943/11 ([1]) in cui figurano anche informazioni sulla decisione quadro 2008/913/GAI ([2]) che vieta l'incitamento all'odio e punisce i reati di stampo antisemita.

La Commissione non ha i mezzi per individuare sistematicamente tutte le fonti di propaganda antisemita, ma sostiene le attività dell'Agenzia dell'Unione europea per i diritti fondamentali finalizzate alla raccolta di dati sugli incidenti e sui casi di antisemitismo, contribuendo così a comprendere meglio l'entità di questo inaccettabile fenomeno e le ragioni su cui si incardina ([3]).

Infine, la Commissione sottolinea con forza la necessità di prevenire il terrorismo combattendo tutte le forme di estremismo e radicalizzazione violenta, indipendentemente dalle motivazioni e dal *modus operandi*, che è una delle priorità di sicurezza interna. A tal fine la Commissione ha istituito la rete dell'UE per la sensibilizzazione in materia di radicalizzazione, che collegherà le principali parti impegnate nella lotta all'estremismo e alla radicalizzazione violenta. Tra le questioni importanti che la rete dovrà esaminare rientra indubbiamente il ruolo strumentale di Internet nel processo di radicalizzazione. Informazioni dettagliate sulla rete e su precedenti iniziative della Commissione figurano nelle risposte alle interrogazioni scritte E-8264/11 ed E-4510/10 ([4]).

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:0058:it:PDF.
([3]) Per ulteriori informazioni, cfr. http://fra.europa.eu/en/theme/racism-related-intolerances.
([4]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-009035/12
to the Commission
Fiorello Provera (EFD)
(9 October 2012)

Subject: French and Belgian Jews on high alert

According to various media reports, on 6 October 2012 a synagogue in the Paris suburb of Argenteuil was attacked by men firing blank bullets while people were attending a service. Luckily no one was hurt, but services were cancelled. The attack was made after French police had carried out raids across France targeting a suspected jihadist cell organised by young Frenchmen who had converted to Islam. One of the suspected radical Islamists included Jeremy Louis-Sidney, held responsible for throwing a grenade into a kosher grocery in Paris in September, who was killed during the raid in a police shoot-out. Eleven other people were arrested. Jewish leaders in France had reported a sharp increase in anti-Semitic incidents following an attack in Toulouse in March when three Jewish school children were shot dead. French President François Hollande said that steps would be taken to combat the 'terrorist threats'.

On 4 October 2012, a synagogue in the Brussels municipality of Forest was daubed with graffiti expressing sentiments such as 'death to the Jews'. No suspects have been apprehended. In 2009, the same area was a witness to another anti-Semitic attack when a Molotov cocktail was thrown.

1. In light of the attack on the synagogues in Argenteuil and in Brussels, what is the Commission currently doing to combat anti-Semitic attacks?

2. Does the Commission have any plan to track down the sources of the anti-Semitic propaganda that lies behind the rise of attacks over the past year?

3. What steps is the Commission is taking to tackle anti-Semitism in the EU?

Answer given by Mrs Reding on behalf of the Commission
(6 December 2012)

The European Commission strongly condemns all forms and manifestations of antisemitism, racism and xenophobia and is committed to fighting against them by making use of all powers available under the Treaties.

As for combating antisemitism in the EU, the Commission would like to refer the Honourable Member to its replies to written questions E-5192/12 and E-943/11 ([1]), including information for instance on Framework Decision 2008/913/JHA ([2]) which prohibits also antisemitic hate speech and crime.

The Commission does not have means at its disposal to systematically track down the sources of antisemitic propaganda. However, it supports the work of the EU Agency for Fundamental Rights to collect data on incidents and experiences of antisemitism, which will contribute to gaining a better understanding of the scope of and the reasons underlying this unacceptable phenomenon ([3]).

Finally, the Commission has strongly emphasised the need to prevent terrorism by addressing all forms of radicalisation and violent extremism regardless of their motivation and modus operandi as one of the priorities for the internal security. To this end, the Commission has launched the EU Radicalisation Awareness Network (RAN) which will connect key stakeholder groups involved in countering violent radicalisation and extremism. The use of the Internet in the process of radicalisation will certainly be one of the important issues to be examined by the Network. Details on the RAN and past initiatives from the Commission have been given in its answers to written questions E-8264/11 and E-4510/10 ([4]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/framework-decision/index_en.htm
([3]) For further information, please see http://fra.europa.eu/en/theme/racism-related-intolerances.
([4]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009036/12
alla Commissione
Lorenzo Fontana (EFD)
(9 ottobre 2012)

Oggetto: Rischi derivanti dai sistemi di trading automatico ad alta frequenza

Il sistema di trading automatico ad alta frequenza (di seguito, HFT), evoluzione del classico sistema del trading on-line, consente l'esecuzione, automatizzata e istantanea, mediante algoritmi matematici, di milioni di ordini di compravendita, in contemporanea, sui diversi mercati finanziari.

Tale tecnologia, basata sul «vantaggio dei trenta millisecondi», permette al software-trader di inserirsi nel sistema subito dopo l'emissione di un ordine di compravendita da parte di un trader «umano», intercettandolo ed analizzandolo prima che lo stesso sia reso pubblico. Acquisita l'informazione, il software compra tutti i lotti disponibili di titoli che il trader «umano» era intenzionato ad acquistare, al prezzo visualizzato dallo stesso, rimuovendo la possibilità per l'investitore di trovare titoli al prezzo che aveva precedentemente osservato come quotato. Venderà, in seguito, i titoli a un investitore che abbia emesso un ordine di acquisto a un prezzo superiore, realizzando grandi profitti con una sola operazione. Tali operazioni, considerata la loro velocità, non sono rintracciabili dalle Autorità di vigilanza.

Solo un numero esiguo di operatori possiede attualmente l'HFT, tecnologia che, dalla sua introduzione nel 2005, è stata criticata dagli esperti del settore finanziario, in quanto sospettata di consentire una vera e propria manipolazione dei mercati da parte dei possessori della stessa a scapito dei concorrenti e della maggioranza degli investitori.

Considerando che attualmente l'HFT controllerebbe, dove permesso, la metà delle transazioni finanziarie, che un cattivo utilizzo o una violazione della sicurezza di un sistema HFT potrebbe avere gravi ripercussioni sui mercati finanziari, già compromessi dalla crisi economica attuale e che un recente episodio (caso Sergey Aleynikov), riguardante la violazione del sistema HFT del gruppo bancario Goldman Sachs, avrebbe provocato la richiesta di intervento della Securities and Exchange Commission da parte del Congresso degli Stati Uniti, pena la presentazione di un disegno di legge volto a vietare l'uso del sistema HFT, si chiede alla Commissione, relativamente al caso sopra esposto, se non ritenga urgente intervenire per chiarire i rischi del sistema e il ruolo dell'HFT nella crisi economica attuale e per valutare un eventuale divieto dell'uso di tale sistema all'interno della zona Euro.

Risposta di Michel Barnier a nome della Commissione
(21 novembre 2012)

Uno degli obiettivi delle proposte della Commissione che modificano la direttiva relativa ai mercati degli strumenti finanziari (riesame della MiFID) ([1]) è di affrontare i cambiamenti tecnologici e avvalersi degli insegnamenti tratti dalla crisi finanziaria. Tra gli sviluppi più significativi del mercato negli ultimi decenni c'è la tendenza sempre maggiore ad utilizzare il trading automatico detto trading algoritmico, incluse le negoziazioni ad alta frequenza (HFT).

Il riesame della MiFID contiene una serie di disposizioni volte ad affrontare i rischi associati al trading algoritmico. Tali disposizioni introducono una serie di garanzie relative agli operatori del mercato che utilizzano algoritmi nell'ambito delle loro strategie di trading e alle sedi delle negoziazioni algoritmiche e ad alta frequenza.

Al contempo la Commissione ha adottato le proposte di revisione della direttiva sugli abusi di mercato ([2]), intese a chiarire in che modo le disposizioni in materia di abuso di mercato vadano applicate a determinate forme di trading algoritmico. Tali proposte sono attualmente in fase di negoziato presso il Parlamento europeo e il Consiglio secondo la procedura legislativa ordinaria.

([1]) Proposta di regolamento del Parlamento europeo e del Consiglio sui mercati degli strumenti finanziari e che modifica il regolamento [EMIR] sugli strumenti derivati OTC, le controparti centrali e i repertori di dati sulle negoziazioni (COM(2011)652) e Proposta di direttiva del Parlamento europeo e del Consiglio relativa ai mercati degli strumenti finanziari che abroga la direttiva 2004/39/CE del Parlamento europeo e del Consiglio (COM(2011)656). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0656:FIN:IT:PDF.

([2]) Proposta di regolamento del Parlamento europeo e del Consiglio relativo all'abuso di informazioni privilegiate e alla manipolazione del mercato (abusi di mercato) (COM/2011/0651) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0651:FIN:IT:HTML.

(English version)

Question for written answer E-009036/12
to the Commission
Lorenzo Fontana (EFD)
(9 October 2012)

Subject: Risks posed by high-frequency trading systems

High-frequency trading (hereinafter HFT), a development of the conventional online trading system, employs mathematical algorithms to execute millions of orders automatically and instantaneously on several financial markets at once.

This technology, based on the '30 millisecond advantage' enables the 'trading' software to penetrate the system immediately after an order has been issued by a 'human' trader, and to intercept and analyse the order before it is made public. Having obtained the information, and 'peeked' at the price, it buys up all available parcels of the shares which the human trader intended to buy; as a result, investors cannot find any shares at the quoted price that they previously saw. The software will then sell the shares to an investor who had issued an order to purchase at a higher price, and thus make a substantial profit on a single transaction. Because of their speed, operations of this type are impossible for supervisory authorities to trace.

Only a handful of traders currently have HFT, a technology which, since it was introduced in 2005, has been criticised by financial sector experts, who suspect it of opening the way to out-and-out market manipulation by its users at the expense of rivals and most investors.

In the places where it is allowed, HFT is thought at present to control half of all financial transactions. Improper use of an HFT system or a security breach could have serious repercussions on the financial markets, already undermined by the current economic crisis. Responding to a recent instance of HFT abuse by the Goldman Sachs banking group (the Sergey Aleynikov case), the US Congress apparently called on the Securities and Exchange Commission to intervene and, failing that, threatened to table a bill banning the use of HFT. In the light of this case, and of the above facts, does not the Commission see an urgent need to determine the risks posed by HFT and its role in the current economic crisis and to consider whether its use might be prohibited within the euro area?

Answer given by Mr Barnier on behalf of the Commission
(21 November 2012)

One of the objectives of the Commission proposals amending the directive on Markets in Financial Instruments (the MiFID review) ([1]) is to address technological changes and to incorporate lessons learned from the financial crisis. One of the most significant market developments over the past few decades has been the increasing trend towards the use of automated electronic trading known as algorithmic trading which includes high frequency trading (HFT).

The MiFID review contains a number of provisions to address the risks associated with algorithmic trading. These provisions introduce a series of safeguards both on market participants who use algorithms as part of their trading strategies, as well as on trading venues where algorithmic and high-frequency trading takes place.

At the same time, the Commission adopted its proposals to review the Market Abuse Directive ([2]). These proposals clarify how the market abuse provisions apply to certain forms of algorithmic trading. All these proposals are currently under negotiation in the European Parliament and the Council under the ordinary legislative procedure.

([1]) Proposal for a regulation of the European Parliament and of the Council on Markets in financial instruments and amending Regulation [EMIR] on OTC derivatives, central counterparties and trade repositories (COM(2011)652) and Proposal for a directive of the European Parliament and of the Council on markets in financial instruments repealing Directive 2004/39/EC of the European Parliament and of the Council (COM(2011)656). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0656:FIN:EN:PDF.

([2]) Proposal for a regulation of the European Parliament and of the Council on insider dealing and market manipulation (market abuse) (COM/2011/0651) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0651:FIN:EN:HTML.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009038/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de octubre de 2012)

Asunto: Modificación de la Directiva 84/500/CEE referente a los nuevos límites de cesión de metales a los productos alimenticios por materiales y objetos cerámicos

En referencia a la voluntad de la Dirección General de Salud y Consumidores de la CE de modificar la Directiva 84/500/CEE. Esta modificación supondría reducir los niveles de cesión de cadmio y plomo de la cerámica en 400 veces los niveles actuales, es decir un 99,75 % el límite vigente. El Reglamento (CE) n° 1881/2006 de la Comisión de 19 de diciembre de 2006 fija el contenido máximo de cadmio y plomo en los productos alimenticios y permite que el alimento contenga cantidades importantes de dichos metales ([1]). Por este motivo la «Associació de Terrissaires i Ceramistes de les Comarques Gironines» ([2]) considera que es innecesario dedicar esfuerzos a conseguir un contenido extremadamente bajo de dicho metales en la cerámica que contienen alimentos, puesto que la cantidad de cadmio y plomo que puede ceder al alimento será irrelevante considerando los niveles permitidos en los propios alimentos. Si se aplicara este cambio en la normativa, las empresas centenarias catalanas estarían obligadas a desaparecer y supondría la pérdida de 26 000 puestos de trabajo en todo el territorio español.

¿En qué se basa la propuesta de disminuir tan drásticamente los límites de cesión de cadmio y plomo en los productos de cerámica comparándolos con el agua? ¿Y por qué en alimentos de consumo común se permite de 10 a 150 veces más de contenido de cadmio y plomo respecto a dicha propuesta?¿Cómo se puede entender que la cesión de cadmio y plomo propuesta en casos extremos de uso (solo cuando se utilice el envase cerámico con ácidos como vinagre, limón,…) sea de 10 a 150 veces inferior al contenido de cadmio y plomo permitido en alimentos de uso común cuando estos serán ingeridos al 100 % y la cerámica será por cesión (en un 99 % de los casos no se utiliza la cerámica con ácidos, siendo la liberación de cadmio y plomo del 0 %)?

¿Cuántos casos de intoxicación por plomo o cadmio se han registrado en la Unión Europea como consecuencia del uso de cerámica para uso alimentario elaborada en la CE?

¿Qué medidas tomará la Comisión para controlar los materiales cerámicos procedentes de otros continentes y que al parecer no cumplen los requisitos de la CE?

Respuesta del Sr. Šefčovič en nombre de la Comisión
(28 de noviembre de 2012)

La cesión de plomo y cadmio de los objetos de cerámica destinados a entrar en contacto con los alimentos (MCA) está regulada por la Directiva 84/500/CEE del Consejo ([3]). Los límites actuales son 4 mg/l para el plomo y 0,3 mg/l para el cadmio.

Los nuevos datos científicos (dictamen de la EFSA de 2010 sobre el plomo ([4]) y dictamen de la EFSA de 2009 sobre el cadmio ([5])), los nuevos supuestos relativos a las normas de gestión de riegos para los MCA y las consideraciones para determinar las cantidades cedidas, indican que, para proteger la salud, puede ser necesaria una reducción del límite actual en un factor de 400 para el plomo y en un factor de 60 para el cadmio.

Algunos alimentos contienen estos metales como contaminación ubicua. Por consiguiente, se aplican supuestos diversos que resultan en límites diferentes. Estos deben distinguirse del uso intencionado en los MCA de cerámica.

Con objeto de determinar la acción futura, la Comisión lleva a cabo una consulta con los Estados miembros y la industria sobre posibles soluciones, entre otras, nuevas pruebas de laboratorio que reflejen los usos que hacen los consumidores de los MCA de cerámica y la necesidad de adoptar medidas con respecto a las importaciones procedentes de terceros países.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:364:0005:0024:ES:PDF.
([2]) http://www.foeg.cat/associats.php?lng=ca&idgr=65&subarea=gremsec&id_sub=13&id_seccion=3575.
([3]) DO L 277 de 20.10.1984.
([4]) EFSA Journal 2010; 8(4):1570.
([5]) EFSA Journal 2009:980.

La Comisión es consciente de los casos de envenenamiento que se han producido en Suecia debido a los MCA de cerámica procedentes de Grecia ([6]), pero desea señalar que los límites se basan en el riesgo para la salud y no el envenenamiento agudo.

([6]) Int Arch Occup Environ Health (2006) 79: 165-168.

(English version)

Question for written answer E-009038/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 October 2012)

Subject: Amendment to Directive 84/500/EEC regarding new limits for the migration of metals contained in ceramic articles to foodstuffs

The European Commission's Directorate-General for Health and Consumers is seeking to amend Directive 84/500/EEC. This amendment would mean that migration levels of cadmium and lead from ceramic articles would have to be reduced by 400 times from current levels; that is to say, a reduction of 99.75% from the present limit. Commission Regulation (EC) No 1881/2006 of 19 December 2006 specifies the maximum permitted levels of cadmium and lead in foodstuffs and allows for food to contain substantial quantities of these metals. ([1]) For this reason, the Association of Potters of the Region of Girona (Associació de Terrissaires i Ceramistes de les Comarques Gironines) ([2]) believes that it is unnecessary to strive to achieve extremely low levels of these metals in ceramic articles that come into contact with foodstuffs since, considering the levels of metals that are permitted in the food itself, the quantities of cadmium and lead that might be transferred to the food would be irrelevant. If the above amendment is made, centuries-old Catalan companies will be forced to close down, resulting in the loss of 26 000 jobs across Spain.

What is the basis for the proposal to reduce the migration limits of cadmium and lead from ceramic articles so drastically in comparison with water? Furthermore, why are staple foods allowed to contain 10 to 150 times more cadmium and lead in comparison to the above proposal? How is one to understand that the quantities of cadmium and lead transferred from ceramic objects in extreme cases (namely when ceramic containers are used to store acids such as vinegar or lemon juice) are still 10 to 150 times lower than the cadmium and lead content permitted in staple foods, despite the fact that 100% of the metals present in food are ingested whereas ceramic articles only transfer some of these metals (in 99% of cases, ceramic objects are not used for acidic products, meaning that the migration of cadmium and lead is 0%)?

How many cases of lead or cadmium poisoning resulting from the contact of foodstuffs with EU-made ceramic articles have been recorded in the European Union?

What measures will the Commission take to monitor ceramic objects made outside the EU, which currently do not seem to comply with EU standards?

Answer given by Mr Šefčovič on behalf of the Commission
(28 November 2012)

Lead and cadmium release from ceramic Food Contact Materials (FCM) is currently regulated by Council Directive 84/500/EEC ([3]). The current limits are 4 mg/l for lead and 0.3 mg/l for cadmium.

New scientific information (2010 EFSA opinion ([4]) on lead, 2009 EFSA opinion on cadmium ([5])), standard risk management assumptions for FCM and considerations on the determination of the released quantities, indicate that to safeguard health a reduction of the current limit for lead by a factor 400 and for cadmium by a factor 60 may need to be envisaged.

Some foods contain these metals as ubiquitous contamination. Hence different assumptions are applied that result in different limits. These have to be differentiated from the intentional use in ceramic FCM.

To determine further action the Commission is consulting with Member States and industry on potential solutions, amongst others new laboratory tests which better reflect the way ceramic FCM are used by consumers and the necessity of measures regarding imports from third countries.

The Commission is aware of poisoning cases from Greek made ceramic FCM in Sweden ([6]), but notes the basis for the limits is health risk and not acute poisoning.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:364:0005:0024:EN:PDF.
([2]) http://www.foeg.cat/associats.php?lng=ca&idgr=65&subarea=gremsec&id_sub=13&id_seccion=3575.
([3]) OJ L 277, 20.10.1984.
([4]) EFSA Journal 2010; 8(4):1570.
([5]) EFSA Journal 2009:980,.
([6]) Int Arch Occup Environ Health (2006) 79: 165-168.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009039/12
an die Kommission
Rebecca Harms (Verts/ALE)
(9. Oktober 2012)

Betrifft: Finanzielle Unregelmäßigkeiten bei der Vorbereitung großer Sportveranstaltungen

Artikel 165 Absatz 3 des Vertrags über die Arbeitsweise der Europäischen Union (AEUV) lautet: „Die Union und die Mitgliedstaaten fördern die Zusammenarbeit mit dritten Ländern und den für den Bildungsbereich und den Sport zuständigen internationalen Organisationen, insbesondere dem Europarat".

Das Referat Sport der Kommission erklärt, dass Korruptionsprobleme mit einer europäischen Dimension auf europäischer Ebene bekämpft werden müssen.

Die Union hat ein allgemeines Recht, in dem im AEUV festgelegten Rahmen Antikorruptionsmaßnahmen zu ergreifen. Nach Artikel 67 AEUV ist die Union dazu verpflichtet, ein hohes Maß an Sicherheit zu gewährleisten, unter anderem durch Kriminalitätsverhütung und -bekämpfung sowie durch eine Angleichung der strafrechtlichen Rechtsvorschriften. Gemäß Artikel 83 AEUV ist Korruption ein Bereich besonders schwerer Kriminalität mit grenzüberschreitender Dimension.

Bei den Vorbereitungen für die UEFA Euro 2012 wurden mehrere Fälle von finanziellen Unregelmäßigkeiten festgestellt.

In diesem Zusammenhang wird die Kommission um die Beantwortung folgender Fragen gebeten:

1. Welche Maßnahmen hat die Kommission ergriffen, um bei großen Sportveranstaltungen die Bauvorbereitungen zu überwachen und finanzielle Unregelmäßigkeiten zu verhindern?

2. Hat die Kommission die UEFA um einen Bericht über die zuvor genannten finanziellen Unregelmäßigkeiten während der Vorbereitungen für die Euro 2012 gebeten? Wenn ja, wird sie eine kurze Zusammenfassung der Ergebnisse zur Verfügung stellen?

3. Hat die Kommission Informationen über die Vorgehensweise im Hinblick auf Instrumente zur Überwachung von Sportveranstaltungen erhalten, die im erweiterten Teilabkommen über Sport (EPAS) vorgesehen sind? Welche Maßnahmen wurden im Allgemeinen von der Kommission ergriffen, um Korruption bei der Vorbereitung von Sportveranstaltungen zu verhindern? Welche Maßnahmen wurden von der Kommission im Hinblick auf die Euro 2012 ergriffen?

4. Plant die Kommission, bei zukünftigen Sportveranstaltungen mehr Transparenz bei deren Vorbereitung zu fordern? Welche Maßnahmen sind vorgesehen oder geplant?

Antwort von Frau Vassiliou im Namen der Kommission
(14. Dezember 2012)

Im Rahmen des im Juni 2011 eingerichteten Berichterstattungsmechanismus verfolgt die Kommission die Korruptionsbekämpfungsmaßnahmen in allen Mitgliedstaaten. Der erste EU-Korruptionsbekämpfungsbericht, der sowohl bereichsübergreifende als auch länderspezifische Empfehlungen enthält, wird im Jahr 2013 veröffentlicht.

Bei der Korruptionsbekämpfung im Sport konzentriert sich die Kommission schwerpunktmäßig auf die Bekämpfung von Spielabsprachen und die Förderung von Good Governance im Sport.

Im Zusammenhang mit der Organisation der Fußballeuropameisterschaft EURO 2012 mussten alle Infrastrukturprojekte der polnischen Behörden den Vorschriften für die Vergabe öffentlicher Aufträge, den Umweltschutzvorschriften und den Vorschriften für staatliche Beihilfen entsprechen, was von den zuständigen nationalen Prüfbehörden kontrolliert wurde. Der Kommission sind in diesem Zusammenhang weder Betrugs- oder Korruptionsfälle bekannt noch wurden in den Kontakten zur UEFA mutmaßliche finanzielle Unregelmäßigkeiten thematisiert.

Das erweiterte Teilabkommen über Sport (EPAS) ist ein Instrument des Europarats. Die Kommission arbeitet derzeit an einer Konvention gegen die Manipulation von Sportergebnissen mit dem Schwerpunkt illegale Wetten.

Die Expertengruppe „Good Governance“, die im Zuge der Umsetzung des Arbeitsplans für den Sport vom Rat eingesetzt wurde, beschäftigt sich derzeit mit der Entwicklung von Transparenzgrundsätzen für Good Governance in Sportorganisationen, die dem Rat im Jahr 2013 vorgelegt werden sollen.

Ferner möchte die Kommission auf ihre Antwort auf die schriftliche Anfrage E-008249/2012 von Herrn David Martin zu Geldwäsche verweisen.

(English version)

Question for written answer E-009039/12
to the Commission
Rebecca Harms (Verts/ALE)
(9 October 2012)

Subject: Financial irregularities during the preparation of big sports events

Article 165(3) of the Treaty on the Functioning of the European Union (TFEU) states that 'the Union and the Member States shall foster cooperation with third countries and the competent international organisations in the field of education and sport, in particular the Council of Europe'.

The Commssion's Sport Unit states that 'corruption problems which have a European dimension need to be combated at European level'.

The Union has a general right to act in the field of anti-corruption policies within the limits established by the TFEU. Article 67 of the TFEU stipulates the Union's obligation to ensure a high level of security, including through prevention and combating of crime and approximation of criminal laws. Article 83 of the TFEU lists corruption as one of the particularly serious crimes with a cross-border dimension.

Several cases of financial irregularities during preparations for UEFA Euro 2012 have been detected.

In view of the above, the Commission is asked to answer the following:

1. What measures has the Commission taken to monitor construction preparations and prevent financial irregularities during major sports events?

2. Did the Commission ask UEFA for an account of the aforementioned financial irregularities during the Euro 2012 preparations? If so, will it provide a short summary of the outcome?

3. Has the Commission received any information about the procedure regarding the instruments for monitoring sport events provided for in the Enlarged Partial Agreement on Sport (EPAS)? What measures has it taken to prevent corruption during the preparation of sport events in general? What measures has it taken regarding Euro 2012?

4. Is the Commission planning on asking for enhanced transparency in the preparation of sport events in the future? What measures have been envisioned or planned?

Answer given by Ms Vassiliou on behalf of the Commission
(14 December 2012)

The Commission follows the implementation of anti-corruption policies in all Member States within the framework of the EU anti-corruption reporting mechanism ([1]) set up in June 2011. The first EU Anti-Corruption Report comprising both cross-cutting and country-specific recommendations will be published in 2013.

Concerning the fight against corruption in sport, the Commission has prioritised the fight against match-fixing and the promotion of good governance in sport.

Regarding the organisation of EURO 2012, all infrastructural projects undertaken by the Polish authorities had to respect the laws concerning public procurement, the environment and state aids and were under the control of the relevant national audit authorities. The Commission is not aware of any findings of fraud or corruption in this respect. Nor has it discussed any allegations of financial irregularity in its contacts with UEFA.

The Enlarged Partial Agreement on Sport (EPAS) is an instrument of the Council of Europe. The Commission is following the steps to set up a convention on the manipulation of sport results, focusing on illegal betting.

An expert group on good governance set up in the framework of the implementation of the Work Plan for Sport of the Council is currently working on the development of transparency principles concerning good governance in sport organisations. They will be submitted to the Council in 2013.

([1]) Commission decision of 6 June 2011 establishing an EU Anti-corruption reporting mechanism for periodic assessment ('EU Anti-corruption Report') — C(2011) 3673 final.

Furthermore, the Commission would like to refer to the answer to the Written Question E-008249/2012, by Mr David Martin on money laundering ([2]).

([2]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html#sidesForm.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-009040/12
aan de Commissie
Auke Zijlstra (NI)
(9 oktober 2012)

Betreft: Effecten en gevolgen van uitzonderingsbepalingen („opt out")

De *Sunday Times* schrijft dat David Cameron binnenkort zal aankondigen dat de Britse overheid meer dan honderd misdaad- en politiewetten gaat invoeren.

Diverse protocols bij het Verdrag van Lissabon, voorzien in vrijstellingen en rechten voor verschillende lidstaten (bijvoorbeeld Protocol nr. 21 betreffende de positie van het Verenigd Koninkrijk en Ierland inzake vrijheid, veiligheid en justitie).

1. Is de Commissie op de hoogte van dit artikel en de opzet van de heer Cameron?

2. Hoe kan het solidariteitsprincipe tussen de lidstaten de overhand hebben als het VK volledige vrijstelling geniet wat betreft de uitvoering van het Europees beleid, waarop het toch een sterke invloed uitoefent — zoals in het geval van het migratiebeleid?

3. Deelt de Commissie de mening dat, als resultaat van deze vrijstellingen, de lidstaten die volledig deelnemen aan de uitvoering van het Europese beleid, op bepaalde gebieden onderworpen zijn aan meer verplichtingen en dus minder vrijheid genieten dan de lidstaten die vallen onder de uitzonderingsbepalingen?

4. Beseft de Commissie dat lidstaten deze uitzonderingen op de Europese wetgeving vragen omdat zij de wettelijke bepalingen onredelijk vinden, en beladen met onnodige regels? Denkt de Commissie op die manier bepaalde doelstellingen te bereiken?

Antwoord van de heer Barroso namens de Commissie
(30 november 2012)

1. De Commissie is op de hoogte van de verklaring die de minister van Binnenlandse Zaken op 15 oktober 2012 in het Lagerhuis heeft afgelegd en verwijst naar het Protocol 36 bij het Verdrag van Lissabon.

2. Solidariteit is een van de waarden waarop de Europese Unie berust, zoals in artikel 2 van het VEU wordt vermeld. De Commissie is niet van mening dat de opting-outclausules voor bepaalde in het Verdrag opgenomen beleidsterreinen tegen dit principe indruisen.

3. In het algemeen is de Commissie van mening dat de lidstaten erbij gebaat zijn om deel te nemen aan alle EU-beleidsterreinen. Op die manier zijn de lidstaten volledig betrokken bij de besluitvorming en kunnen zij gebruik maken van de voordelen die hiermee gepaard gaan. Dit heeft ook tot gevolg dat zij gebonden zijn aan de hieruit voortvloeiende verplichtingen.

4. Opting-outclausules voor lidstaten zijn uitzonderlijk en houden verband met bijzondere omstandigheden. De reikwijdte van de opting-outclausules en de omstandigheden waarop zij betrekking hebben, worden in de verdragen duidelijk gedefinieerd en omschreven.

(English version)

Question for written answer E-009040/12
to the Commission
Auke Zijlstra (NI)
(9 October 2012)

Subject: Effects and consequences of opt-outs

The *Sunday Times* reports that David Cameron will soon announce that the UK Government will repatriate some 100+ crime and policing laws ([1]).

There are several protocols to the Lisbon Treaty that provide various exemptions and rights to particular Member States (for example Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice).

1. Is the Commission familiar with this article and with the intention of Mr Cameron?

2. How can the principle of solidarity between the Member States prevail if the UK enjoys full exemption in the implementation of EU policies, where it often — as in the case of immigration policy — wields a strong influence?

3. Does the Commission agree that, as a result of these exemptions, Member States that participate fully in the implementation of EU policies are, in certain areas, subject to more obligations, and enjoy less freedom, than those Member States that have the opt-outs?

4. Does the Commission realise that Member States demand exemptions from EU regulation because they find the legal obligations unreasonable and often encumbered by unnecessary rules? Does the Commission think that the goals set in certain areas are achieved in this way?

Answer given by Mr Barroso on behalf of the Commission
(30 November 2012)

1. The Commission is aware of the statement made in the House of Commons by the Home Secretary on 15th October 2012 and referring to the Protocol 36 of the Lisbon Treaty.

2. Solidarity is one of the values upon which the European Union is based, as mentioned in Article 2 of the TEU. The Commission does not consider that the arrangements for opt-outs in specific areas under the Treaty are inconsistent with this principle.

3. In general, the Commission considers that it is in the Member States' interests to participate in all EU policies. This allows Member States to be fully associated to the decision making and enjoy their benefits. This also implies being bound by corresponding obligations.

4. Member State opt-outs are exceptional and related to particular circumstances. The scope of opt-outs and the circumstances to which they relate are clearly defined and circumscribed by the Treaties.

([1]) http://www.openeurope.org.uk/Article?id=9326.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-009041/12
adresată Comisiei
Vasilica Viorica Dăncilă (S&D)
(9 octombrie 2012)

Subiect: Bugetul UE: un mod de a încuraja creșterea și ocuparea forței de muncă

Pentru combaterea crizei este nevoie să se investească mai mult în cercetare, IMM-uri și inovare, ceea ce demonstrează că bugetul Uniunii Europene ar trebui gândit ca un buget pentru investiții. Fondurile la nivel european au un succes mult mai mare decât cele de la nivel național, de exemplu, în știință și cercetare, un euro investit din bugetul UE aduce un câștig de 14 euro. Nu se poate crește nivelul ocupării forței de muncă fără să sprijine cercetarea și inovarea, iar investițiile sunt esențiale pentru încurajarea creșterii și ocupării forței de muncă.

În acest context, cum apreciază Comisia că Uniunea își va îndeplini obiectivele propuse în conformitate cu Strategia UE 2020, în condițiile în care bugetul destinat cercetării și inovării se va reduce?

Răspuns dat de dna Geoghegan-Quinn în numele Comisiei
(29 noiembrie 2012)

Programul-cadru al UE pentru cercetare și inovare, Orizont 2020, constituie un instrument esențial pentru îndeplinirea obiectivelor Strategiei Europa 2020 și ale inițiativei emblematice „O Uniune a inovării" din cadrul acesteia ([1]). Programul canalizează acordarea de sprijin către cazurile în care acțiunile UE sunt mai eficiente decât cele întreprinse individual de către statele membre și va genera produse, întreprinderi și piețe noi, care vor stimula creșterea și ocuparea forței de muncă. Din acest motiv, în cadrul propunerii Comisiei privind cadrul financiar multianual 2014-2020 a fost alocată o cotă importantă pentru cercetare și inovare. Comisia speră ca Parlamentul și Consiliul să sprijine alocarea bugetară asociată propunerii privind Orizont 2020.

Pe lângă Orizont 2020, Comisia mai prevede și o creștere considerabilă a utilizării fondurilor de coeziune, în special pentru investiții în cercetare și inovare. Pentru a se asigura că toate fondurile se consolidează și se completează reciproc, Comisia propune măsuri îmbunătățite de punere în aplicare, care să faciliteze combinarea surselor de finanțare și să stimuleze cooperarea interregională. Având în vedere finanțarea suplimentară ce va fi alocată pentru infrastructuri și consolidarea capacităților, precum și introducerea specializării inteligente, ca o condiție *ex ante*, Comisia preconizează că regiunile mai puțin dezvoltate și cele aflate în tranziție vor deține o poziție mult mai puternică pentru a se implica în viitorul program de cercetare și pentru a contribui în mod semnificativ la strategia Europa 2020.

([1]) http://ec.europa.eu/research/innovation-union/index_en.cfm.

(English version)

Question for written answer E-009041/12
to the Commission
Vasilica Viorica Dăncilă (S&D)
(9 October 2012)

Subject: The EU budget as a means of stimulating growth and employment

Since there is a need to invest more in research, SMEs and innovation in order to tackle the crisis, the EU budget should be conceived as an investment budget. European-level funding has been far more successful than national-level funding, for example, in the fields of science and research, where one euro invested from the EU budget has yielded a 14 euro return. The employment rate will not increase unless support is provided for research and innovation, and investment is essential for stimulating growth and employment.

In the light of this, can the Commission state how it considers the EU will meet the objectives it set itself in the EU 2020 strategy when the budget for research and innovation is to decrease?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(29 November 2012)

Horizon 2020, the EU Framework Programme for Research and Innovation constitutes a key tool to achieve the objectives of the Europe 2020 strategy and of its 'Innovation Union' flagship initiative ([1]). It focuses support where EU actions are more effective than Member States acting alone, and will generate new products, start-ups and markets, helping to boost growth and employment. This is why in the Commission's proposal for the Multiannual Financial Framework 2014-2020, an important share is allocated to Research and Innovation. The Commission hopes that the Parliament and the Council will support the budgetary allocation associated to its Horizon 2020 proposal.

In addition to Horizon 2020, the Commission also foresees a considerable increase in the use of cohesion funds to be used specifically for the purpose of investment in research and innovation. To ensure that all funds are mutually reinforcing and complementary, the Commission is proposing improved implementing measures to facilitate combining funding sources and to enhance better interregional cooperation. With increased funding to be dedicated towards infrastructures and capacity building, as well as through the introduction of smart specialisation as an *ex ante* conditionality, the Commission expects that less developed and transitional regions will be in a much stronger position to engage in the future research programme and to contribute significantly towards the Europe 2020 strategy.

([1]) http://ec.europa.eu/research/innovation-union/index_en.cfm.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009042/12
an die Kommission
Norbert Neuser (S&D)
(9. Oktober 2012)

Betrifft: EU-Sanktionen gegen Rebellen im Osten der Demokratischen Republik Kongo

Auf die gegenwärtige Krise im Osten der Demokratischen Republik Kongo, wo eine nunmehr sechs Monate andauernde Rebellion Hunderttausende Menschen zur Flucht aus ihrer Heimat gezwungen hat, muss die Europäische Union unverzüglich reagieren. Laut einem unabhängigen Bericht der Vereinten Nationen ist die Rebellengruppe „M23", die angeblich von ausländischen Staaten unterstützt wird, die treibende Kraft hinter der Rebellion.

In früheren Erklärungen hat die Kommission angemerkt, dass die Europäische Union gemäß der Verordnung (EG) Nr. 1183/2005 des Rates Sanktionen gegen Personen oder Organisationen verhängt hat, die illegale bewaffnete Gruppen im Osten der Demokratischen Republik Kongo unterstützen, teilweise finanziert durch illegalen Handel mit natürlichen Ressourcen.

Welche Maßnahmen ergreift die Kommission, um für die Verhängung von Sanktionen gegen alle Personen oder Organisationen zu sorgen, die die M23-Rebellion unterstützen?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(21. Dezember 2012)

Nach der Veröffentlichung des Berichts der UN-Expertengruppe brachte der Sicherheitsrat der Vereinten Nationen seine Absicht zum Ausdruck, gegen die Führung von M23 und Personen, die gegen die Sanktionsregelung und das Waffenembargo verstoßen, gezielte Sanktionen zu verhängen. Darüber hinaus forderte er alle Mitgliedstaaten auf, dem Sanktionsausschuss dringend Vorschläge mit den Namen weiterer Personen und/oder Organisationen zu unterbreiten, die auf die Sanktionsliste gesetzt werden könnten.

Am 28. November wurden diese Vorschläge im Rahmen einer Debatte im UN-Sicherheitsrat zur Lage im Osten der DRK erörtert. Auf der Grundlage früherer Resolutionen des UN-Sicherheitsrats hat die EU in der Vergangenheit Sanktionen gegen Einzelpersonen oder Einrichtungen verhängt, die illegale bewaffnete Gruppe im Osten der DRK u. a. durch Finanzierung aus dem illegalen Handel mit natürlichen Ressourcen unterstützen.

Die EU ist bereit, die Änderungen, die durch die neue Resolution oder durch weitere Einträge in die Sanktionsliste bewirkt werden, so schnell wie möglich anzunehmen. Die Annahme der Änderungen erfolgt durch den Rat auf der Grundlage des Beschlusses 2010/788/GASP über restriktive Maßnahmen gegen die DRK, während die Umsetzung von Aspekten des EU-Rechts nach der Verordnung (EG) Nr. 1183/2005 des Rates geschieht.

(English version)

Question for written answer E-009042/12
to the Commission
Norbert Neuser (S&D)
(9 October 2012)

Subject: EU sanctions against rebels in eastern Democratic Republic of Congo

The current crisis in eastern Democratic Republic of Congo (DRC), where a six-month rebellion has forced hundreds of thousands of people to flee their homes, must be met with immediate action by the EU. According to an independent United Nations report, the M23 rebel group is the driving force behind the rebellion, allegedly with the support of foreign states.

In previous statements, the Commission has noted that the EU has imposed, under Council Regulation (EC) No 1183/2005, sanctions against individuals or entities providing support — financed in part through illicit trade of natural resources — to illegal armed groups in the eastern part of the DRC.

What steps is the Commission taking to ensure that sanctions are imposed against all individuals or entities found to be supporting the M23 rebellion?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(21 December 2012)

Following the release of the report of the UN group of experts, the UNSC expressed its intention to apply targeted sanctions against the leadership of the M23 and those acting in violation of the sanctions regime and the arms embargo. It also called on all Member States to submit, as a matter of urgency, proposals with names and/or organisations that could be added to the sanctions list to the 1533 Committee.

A debate of the UNSC on the situation in Eastern DRC took place on 28 November to examine such proposals. On the basis of previous UNSC Resolutions, the EU has, in the past, imposed sanctions against individuals or entities providing support, including funding through illicit trade of natural resources for the benefit of illegal armed groups in the eastern part of the DRC.

The EU is ready to move to adopt the changes brought about by the new Resolution and any further listings introduced by the Sanctions Committee as quickly as possible. They will be adopted by the Council under Decision 2010/788/CFSP concerning restrictive measures against the DRC and aspects of EC law will be implemented under Council Regulation (EC) No 1183/2005.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009043/12
a la Comisión
Willy Meyer (GUE/NGL)
(9 de octubre de 2012)

Asunto: Imposibilidad de identificar a los agentes de la policía en las concentraciones y manifestaciones: impunidad ante los abusos y las violaciones de la ley

Por la dramática situación económica, política y social que padecen millones de ciudadanos y ciudadanas europeas, principalmente como consecuencia de las políticas neoliberales que se están aplicando en muchos Estados miembros de la UE y que se basan en los recortes en los servicios públicos, las privatizaciones y la supresión de derechos, el malestar ciudadano ha aumentando incrementándose con éste los actos legítimos de protesta y de lucha democrática como manifestaciones, huelgas y concentraciones.

En concreto, en España la lucha y la movilización social contra la aplicación de esas políticas neoliberales, movilización basada en derechos humanos de primera generación y libertades políticas, como el derecho de reunión o la libertad de expresión, está siendo violentada por la criminalización y el hostigamiento contra los ciudadanos y ciudadanas que deciden hacer uso del mismo.

Entre otras ilegalidades e irregularidades, viene siendo una práctica habitual que durante las manifestaciones los agentes de las fuerzas y seguridad del Estado, desplegados supuestamente en estos actos de protesta para asegurar el orden público y garantizar el derecho de los ciudadanos a manifestarse pacíficamente, oculten su identificación, hecho que les otorga una impunidad en la práctica blindándose de posibles denuncias por violaciones de la ley como actuaciones violentas desproporcionadas, agresiones, daños y/o amenazas. Así, tal y como han denunciando en multitud de ocasiones miles de ciudadanos, organizaciones en defensa de los derechos humanos y asociaciones, la no identificación de los policías imposibilita que se pueda reclamar y llevar ante la justicia los posibles abusos cometidos por los agentes en el ejercicio de sus funciones, quedando estos sin ningún tipo de consecuencia judicial al no poder individualizarse las agresiones por no poderse identificar al infractor.

Recientemente, la Comisión Europea inició la elaboración de un Libro Verde de buenas prácticas de los cuerpos y fuerzas de seguridad en todos los Estados miembros, ¿piensa la Comisión Europea incluir la necesidad de que los agentes de seguridad vayan visiblemente identificados, sobre todo, cuando de esta identificación, como es el caso de las manifestaciones y concentraciones, dependa la garantía y el cumplimiento de los derechos humanos?

Respuesta de la Señora Malmström en nombre de la Comisión
(10 de diciembre de 2012)

La Comisión Europea no tiene competencias para intervenir en las medidas policiales ni en la organización de las fuerzas nacionales de policía. El artículo 72 del Tratado de Funcionamiento de la Unión Europea establece claramente que los propios Estados miembros son responsables del mantenimiento del orden público y de la seguridad interior en su territorio.

Dentro de sus competencias, la Comisión siempre se ha comprometido con firmeza para garantizar que la libertad de expresión y de reunión fuera respetada de manera estricta, ya que constituyen los cimientos de una sociedad libre, democrática y plural. No obstante, las atribuciones de la Comisión en lo que respecta a los actos y omisiones de los Estados miembros se limitan a la supervisión de la aplicación del Derecho comunitario, bajo el control del Tribunal de Justicia de la Unión Europea. Cuando los Estados miembros actúan fuera del ámbito de aplicación de la legislación de la Unión, son las autoridades nacionales las que deben garantizar que cumplen con sus obligaciones relativas a los derechos fundamentales, derivadas de los acuerdos internacionales y de la legislación interna. Los Estados miembros están obligados a aplicar el Convenio Europeo para la Protección de los Derechos Humanos y de las Libertades Fundamentales.

(English version)

Question for written answer E-009043/12
to the Commission
Willy Meyer (GUE/NGL)
(9 October 2012)

Subject: The impossibility of identifying police officers during rallies and demonstrations: impunity for abuses and violations of the law

Owing to the dire economic, political and social situation that millions of European citizens currently find themselves in — mainly as a result of the neo-liberal policies based on cutting public services, privatisation and curtailing rights that many EU Member States are busy implementing — social uneasiness is spreading, accompanied by growing numbers of legitimate acts of protest and democratic struggle, such as demonstrations, strikes and rallies.

In Spain, the protest movement fighting against the implementation of these neo-liberal policies — a protest movement based on first-generation human rights and political freedoms, such as the right of assembly and freedom of expression — is being attacked through the criminalisation and harassment of citizens who wish to exercise these rights.

In addition to other illegalities and irregularities, it is becoming common practice during demonstrations for state security forces — who are supposedly dispersed throughout these protests to maintain public order and safeguard the right of citizens to demonstrate peacefully — to conceal their identification details. In practice, this gives officers impunity and protects them from being reported for possible violations of the law, such as the disproportionate use of violence, assault, inflicting injury and/or making threats. Consequently, as thousands of citizens, human rights organisations and other associations have already stated on many occasions, the non-identification of police officers means that it is impossible to make a complaint and bring officers who have committed possible abuses whilst carrying out their duties to justice. This means that officers do not face any sort of judicial follow-up as the assaults cannot be traced back to an individual since it is impossible to identify the offender.

Recently, the Commission started work on a Green Paper on best practices in the state security forces of the EU Member States; does the Commission plan to include a stipulation that all security officers should be clearly identified, especially when respect for human rights is dependent on it, as is the case during demonstrations and rallies?

Answer given by Ms Malmström on behalf of the Commission
(10 December 2012)

The European Commission has no competence to intervene in policing measures and the organisation of national police forces. Article 72 of the Treaty on Functioning of the European Union makes clear that Member States themselves are responsible for the maintenance of law and order and the safeguarding of internal security in their country.

Within its competences, the Commission has always been strongly committed to ensuring that freedom of expression and freedom of assembly are strictly respected since they lie at the very base of a free, democratic and pluralist society. However, the Commission's powers regarding acts and omissions by Member States are limited to overseeing the application of Union law, under the control of the Court of Justice of the European Union. Where Member States act outside the implementation of Union law, it is for the national authorities to ensure that their obligations regarding fundamental rights — as resulting from international agreements and from internal legislation — are respected. Member States are bound to respect the European Convention for the Protection of Human Rights and Fundamental Freedoms.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009044/12
an die Kommission
Jutta Steinruck (S&D)
(9. Oktober 2012)

Betrifft: Kontaminierte Kabinenluft in Flugzeugen

Ende 2010 entging ein Airbus der Fluggesellschaft Germanwings nur knapp einer Katastrophe. Giftstoffe waren in das Cockpit des Airbus 319 gelangt. Nur mit Mühe gelang es den Piloten, die 149 Passagiere wieder sicher zu landen. Bei einer Anhörung im Tourismusausschuss am 21. September 2011 im Deutschen Bundestag haben Experten nachdrücklich auf die Gefahren aus giftigen Bestandteilen in der Kabinenluft infolge von technischen Mängeln im Zapfluftsystem hingewiesen.

Die Kommission hat auf die schriftliche Anfrage E-009668/2011 der Verfasserin mitgeteilt, dass im Rahmen der Verordnung (EU) Nr. 996/2010 keine Meldepflicht für Ereignisse im Zusammenhang mit der Kabinenluft besteht, wohl aber aufgrund der Richtlinie über die Meldung von Ereignissen in der Zivilluftfahrt. Die Mitgliedstaaten sind dafür verantwortlich, dass die Beteiligten dieser Richtlinie nachkommen. Dem deutschen Bundesverkehrsministerium wurde bereits im November 2010 in einem Schreiben des Luftfahrt-Bundesamtes mitgeteilt worden, dass meldepflichtige Störungen den zuständigen Behörden durch deutsche Fluglinien oftmals nicht angezeigt werden.

1. Ist die Kommission schon zu einem Ergebnis gekommen, nachdem sie in ihrer Antwort auf die vorherige Anfrage (E-011143/2011) ankündigte, die geltenden Vorschriften über die Meldung von Ereignissen zu aktualisieren und zu verbessern?

2. Was wird die Kommission unternehmen, um die Einhaltung der RL 2003/42/EG in Deutschland und in anderen Mitgliedstaaten zu gewährleisten?

3. Wird die Kommission den deutschen Bundesverkehrsminister in die Pflicht nehmen, damit dieser endlich die Einhaltung der Meldepflicht und die Gewährleistung der Flugsicherheit in Deutschland verlässlich garantiert?

4. Wird die Europäische Kommission eine Untersuchung einleiten, um eine mögliche Desinformation seitens Germanwings und damit einen Verstoß gegen die RL 2003/42/EG zu untersuchen?

5. Welche Meinung vertritt die Kommission im Zusammenhang mit der Ankündigung des deutschen Bundesverkehrsministers, die Angelegenheit europäisch zu regeln?

6. Gab es bisher diesbezügliche Anfragen des deutschen Verkehrsministers?

7. Das Bundesverkehrsministerium teilte mit, dass das Thema kontaminierter Kabinenluft auf europäischer Ebene verhandelt würde. Welche Erkenntnisse hat die Kommission über diese „Verhandlungen"?

Antwort von Herrn Kallas im Namen der Kommission
(30. November 2012)

Wenn es um die Gefahr einer Kontamination der Kabinenluft geht, ist der Schutz der Sicherheit und Gesundheit von Passagieren und Besatzung ein Hauptanliegen der Kommission.

Die Kommission wird bei ihren Bemühungen von der EASA (Europäische Agentur für Flugsicherheit) unterstützt, die sich bei ihren Empfehlungen auf Studien und weltweite Erfahrungen stützt. Auf der Grundlage der vorliegenden Studien und Berichte sowie der Analyse von Informationen, die im Rahmen einer öffentlichen Aufforderung zur Informations-übermittlung im Jahre 2009 gesammelt wurden, kam die EASA im Januar 2012 zu dem Schluss, dass kein Sicherheitsproblem mit unmittelbarem Handlungsbedarf vorliegt, und dass ein kausaler Zusammenhang zwischen Gesundheitssymptomen und einer Kontamination der Kabinenluft nicht nachgewiesen werden konnte.

Die Kommission und die EASA werden die laufenden Forschungen und Bewertungen verschiedener Stellen aufmerksam verfolgen, um im Rahmen ihrer Zuständigkeiten rasch und zielführend handeln zu können, falls dies erforderlich werden sollte. Die Untersuchung von Störungen ist allerdings Sache der Mitgliedstaaten.

Um eine bessere Sensibilisierung für dieses Problem zu erreichen, wurden die Mitgliedstaaten auf der Ratstagung Verkehr vom 29. Oktober 2012 daran erinnert, dass Fälle von Kontaminationen der Kabinenluft über Ereignismeldesysteme mitgeteilt werden sollten. Die Kommission bereitet derzeit eine Revision der Richtlinie (EG) Nr. 42/2003 ([1]) vor.

([1]) Richtlinie 2003/42/EG des Europäischen Parlaments und des Rates vom 13. Juni 2003 über die Meldung von Ereignissen in der Zivilluftfahrt, ABl. L 167 vom 4.7.2003, S. 23.

(English version)

Question for written answer E-009044/12
to the Commission
Jutta Steinruck (S&D)
(9 October 2012)

Subject: Contaminated aircraft cabin air

In late 2010 an Airbus 319 operated by the airline *Germanwings* only narrowly avoided disaster. Poisonous fumes found their way into the cockpit and only with great difficulty was the pilot able to bring the plane and its 149 passengers to a safe landing. At a hearing held by the Tourism Committee of the German Bundestag on 21 September 2011 experts issued clear warnings about the dangers posed by poisonous fumes which become mixed with cabin air following technical problems affecting a plane's air bleed system.

In its answer to my Written Question E-011143/2011 the Commission stated that there is no requirement to report cabin fume events under Regulation (EU) No 996/2010, but that they should be reported under Directive 2003/42/EC on occurrence reporting in civil aviation. The Member States are responsible for ensuring that stakeholders comply with this directive. As long ago as in November 2010 the German Ministry of Transport received a letter from the German Federal Civil Aviation Authority stating that German airlines often fail to inform the competent authorities of incidents covered by the reporting requirement.

1. In the light of its answer to my previous question (E-011143/2011), has the Commission identified ways of modernising and strengthening the current rules on occurrence reporting?

2. What steps will the Commission take in order to guarantee compliance with Directive 2003/42/EC in Germany and other Member States?

3. Will the Commission remind the German Minister of Transport of his responsibilities so that he finally takes proper steps to guarantee compliance with the reporting requirement and, hence, aviation safety in Germany?

4. Will the Commission open an investigation with a view to determining whether *Germanwings* deliberately released false information and thus breached Directive 2003/42/EC?

5. What view does the Commission take of the statement by the German Minister of Transport that this matter should be dealt with at European level?

6. Has the German Minister of Transport raised this matter in the past?

7. The German Ministry of Transport has claimed that the issue of contaminated cabin air is the subject of negotiations at EU level. What can the Commission tell me about these 'negotiations'?

Answer given by Mr Kallas on behalf of the Commission
(30 November 2012)

With regard to the risk of contamination of cabin air, the Commission's concern is to protect the safety and health of passengers and crew members.

The Commission is assisted by the European Aviation Safety Agency (EASA) which bases its recommendations on studies and worldwide experience. According to the existing study reports and after the analysis of the information collected by a public call for information launched in 2009, EASA concluded in January 2012 that there was no safety case that would recommend an immediate action and that a causal relationship between health symptoms and cabin air contamination could not been established.

The Commission and EASA continue to follow carefully ongoing research and assessment done by different bodies in this area in order to ensure timely and appropriate actions under its remit which could be necessary. The incident investigation is however of the responsibility of the Member States.

With a view to allowing a better awareness of this issue, Member States were reminded during the Transport Council of 29 October 2012 that events of cabin air contamination should be reported through occurrence reporting systems. The Commission is currently preparing a revision of Directive (EC) No 42/2003 ([1]).

([1]) Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation, OJ L 167, 4.7.2003, p. 23-36.

(Magyar változat)

Írásbeli választ igénylő kérdés E-009045/12
a Bizottság számára
Gáll-Pelcz Ildikó (PPE)
(2012. október 9.)

Tárgy: A nyilvánosság tájékoztatása a totalitárius diktatúrák által elkövetett bűncselekményekről

Az Európai Unió bel- és igazságügy-miniszterei által 2011 júniusában elfogadott felterjesztés értelmében augusztus 23-át a totalitárius diktatúrák áldozatainak európai emléknapjává nyilvánították. Mind a nemzeti szocialista, mind pedig a kommunista rendszer semmibe vette az emberi életet és méltóságot, erélyesen tiporta az alapvető emberi jogokat, a szabadságot, a demokráciát és a jogállamiságot, ami nélkül ma a közös Európa elképzelhetetlen lenne. A diktatúrák tehát üldözték és megvetették az Európai Unió alapjait jelentő közös értékeket. Augusztus 23. a közös európai emlékezet fenntartására hivatott; arra, hogy az önkényuralmi rendszerek által elkövetett bűncselekményeket mindannyian megőrizzük kollektív emlékezetünkben. Nagy szükség van az emlékezésre a történelmi megbékélés és a békés egymás mellett élés érdekében, de talán még ennél is fontosabb, hogy ez segíthet megakadályozni a múlt borzalmainak megismétlődését. A tanácsi következtetés kiemeli az Unió érdemi szerepét Európa múltjának megismertetésében, és a totalitárius rendszerek által elkövetett bűnök tudatosításában, és megosztásában. A következtetés emellett kihangsúlyozza, hogy az Uniónak a közös értékei által folyamatos lendületet és bátorítást kell adni a múlt szenvedéseinek feldolgozására törekvő államok számára. Az Unió számára fent meghatározott célok előmozdítása érdekében a Bizottság számos feladat címzettje.

Mindezek alapján a következő kérdéseket szeretném feltenni a Bizottságnak:

A tanácsi következtetésben foglaltaknak megfelelően a Bizottság milyen kezdeményezéseket indított el vagy támogatott annak érdekében, hogy a nyilvánosságot megismertesse Európa múltjának totalitárius időszakaival? A Bizottság mennyiben lépett előre a jövőre vonatkozó finanszírozási keretek meghatározásában, amellyel az érdekeltek/tagállamok ilyen irányú kezdeményezéseit, projektjeit támogathatja? Történtek-e Eurobarometer-felmérések, melyekben az uniós polgárokat a totalitárius rendszerekről való ismereteikről kérdezték?

Viviane Reding válasza a Bizottság nevében
(2012. december 3.)

A Bizottság az „Európa a polgárokért” elnevezésű program (2007-2013) és különösen az „Aktív európai emlékezés” című 4. fellépés révén támogatja Európa múltjának megismertetését és a totalitárius rendszerek által elkövetett bűnök tudatosítását. Ezen fellépés célja, hogy megőrizze a nemzetiszocializmus és a sztálinizmus áldozatainak emlékét, egyrészt a múlt lezárásaként, másrészt azért, hogy az emlékeket továbbörökítse a fiatal európai generációkra. A program célkitűzéseivel összhangban a konkrét fellépés célja kettős: „támogatni az európai polgársággal és a demokráciával, a közös értékekkel, történelemmel és kultúrával kapcsolatos megmozdulásokat, eszmecseréket és gondolatokat” és „közelebb hozni Európát a polgárokhoz, az európai értékek és vívmányok népszerűsítése által, miközben a múlt emlékei sem merülnek feledésbe”.

A 4. fellépés keretében minden évben mintegy 50 projekt részesül finanszírozásban. Az eddig támogatásban részesített kezdeményezések közé tartoznak többek között a következők: a Mauthausen Bizottság Ausztriában, a Totalitárius Rendszerek Tanulmányozására Alapított Intézet Csehországban, a Magyar Tudományos Akadémia Szociológiai Intézete, a *Mémorial de la Shoah* (Holokauszt Emlékház) Franciaországban, a Terezini Kezdeményezés Intézet, a Roma Sajtóközpont Szövetség, a *Comité International de Dachau* (Nemzetközi Dachau Bizottság), a Lidicei Tragédia Emlékműve, az írországi Holokausztoktatási Alap és az Auschwitz-Birkenau Állami Múzeum.

A 4. fellépés költségvetése 2011-ben 1,7 millió EUR volt, 2012-ben pedig – a tervezett kismértékű növekedés eredményeként – 2,4 millió EUR.

A program új generációjára (2014-2020) vonatkozóan a Bizottság arra tett javaslatot, hogy a program költségvetésének a megemlékezést, az emlékeket és az EU alapvető értékeit célzó kezdeményezésekre és projektekre fordítható részarányát 4%-ról emeljék 20%-ra.

Eddig nem készült olyan Eurobarométer felmérés, amely a totalitárius rendszerekre vonatkozó ismereteket vizsgálta volna.

Ezenkívül a Bizottság nyilatkozatokat tett közzé 2012. augusztus 23-án.

(English version)

Question for written answer E-009045/12
to the Commission
Ildikó Gáll-Pelcz (PPE)
(9 October 2012)

Subject: Public information on crimes committed by totalitarian regimes

Pursuant to the recommendation which was adopted in June 2011 by the Justice and Home Affairs Ministers of the European Union, 23 August has been declared European Day of Remembrance for the Victims of Totalitarian Regimes. The National Socialist and Communist systems both disregarded human life and dignity and ruthlessly trampled on fundamental human rights, freedom, democracy and the rule of law, without which a unified Europe would be inconceivable. Dictatorships persecuted and held in contempt the common values which form the cornerstone of the European Union. 23 August has been designated as a day for Europe jointly to remember, and for us all to preserve in our collective memory the crimes committed by despotic regimes. Remembering is vital for the process of historical reconciliation and peaceful coexistence, but — perhaps more importantly — it may help prevent a repetition of past horrors. The Council conclusions stress the EU's active role in raising awareness of Europe's past and the crimes committed by totalitarian regimes. It also underlines the fact that the EU must, through its shared values, give continuous impetus and encouragement to countries endeavouring to come to terms with past traumas. The Commission has a number of tasks in promoting the EU objectives set out above.

In the light of the Council conclusions, what initiatives has the Commission introduced or supported in order to make people aware of the totalitarian regimes from Europe's past? What progress has the Commission made in establishing the future financial frameworks which interested parties/the Member States might use to fund such initiatives and projects? Have there been any Eurobarometer surveys asking EU citizens about their knowledge of totalitarian regimes?

Answer given by Mrs Reding on behalf of the Commission
(3 December 2012)

The Commission supports awareness raising of Europe's past and the crimes committed by totalitarian regimes through the Europe for Citizens Programme (2007-2013), in particular Action 4 'Active European Remembrance'. This Action is intended to commemorate the victims of Nazism and Stalinism, both as a means of moving beyond the past and to pass the memory on to the young generation of Europeans. The aims of this specific Action, in line with the objectives of the Programme as a whole, are twofold: 'fostering action, debate and reflection related to European citizenship and democracy, shared values, common history and culture' and 'bringing Europe closer to its citizens by promoting Europe's values and achievements, while preserving the memory of its past'.

Around 50 projects are financed by Action 4 every year. Supported initiatives so far include the Mauthausen Committee Austria, the Czech Institute for the Study of Totalitarian Regimes, the Institute of Sociology of the Hungarian Academy of Sciences, Mémorial de la Shoah France, the Terezin Initiative Institute, the Roma Press Centre Association, the Comité International de Dachau, the Lidiče Memorial, the Irish Holocaust Education Trust, and the Auschwitz-Birkenau State Museum, among many others.

The budget for Action 4 was EUR 1.7 million in 2011 and a slight increase is planned for 2012, to EUR 2.4 million.

For the next generation of the programme (2014-2020), the Commission has proposed increasing from 4% to 20% the programme budget for initiatives and projects dedicated to remembrance, memory and the founding values of the EU.

No Eurobarometer survey has so far been carried out on knowledge of totalitarian regimes.

The Commission has also issued statements on 23 August 2012.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009046/12
a la Comisión
Andres Perello Rodriguez (S&D)
(9 de octubre de 2012)

Asunto: Reconocimiento de los títulos de los médicos europeos con especialidad realizada fuera de la Unión Europea

La comunidad de médicos que han cursado su especialidad fuera del territorio de la Unión Europea ha denunciado los problemas con los que se encuentran en España a la hora de ver homologados sus títulos según la interpretación que las autoridades españolas han dado de la Directiva 2005/36/CE del Parlamento Europeo y del Consejo del 7 de Septiembre de 2005 relativa al reconocimiento de las cualificaciones profesionales.

La Directiva y el Real Decreto 1837/2008 por la que se incorpora al ordenamiento jurídico español la Directiva, establecen criterios compensatorios que tienen en cuenta la formación complementaria (Master, doctorado, investigaciones, ciclos de capacitación, etc.) y la experiencia laboral para el cómputo del número de años requeridos para ver homologado el título.

Sin embargo, el Real Decreto 459/2010 que regula en particular el reconocimiento profesional de títulos extracomunitarios de médicos especialistas y la aplicación del mismo que están efectuando las autoridades españolas, no recogen estos criterios compensatorios y establecen la estricta exigencia de que el número de años del periodo formativo de la especialidad coincida exactamente con los años de formación estipulados en la Directiva.

Como consecuencia de esta interpretación que las autoridades españolas hacen del texto de la Directiva, alrededor de 5 000 profesionales se encuentran en una situación precaria, al no reconocer las autoridades españolas la homologación de sus títulos de especialistas.

¿Tiene constancia la Comisión de los problemas con los que se está encontrando la comunidad de médicos que ha realizado su especialización fuera del territorio de la Unión para ver homologados sus títulos en España?

¿Qué medidas tiene previsto adoptar la Comisión para facilitar el reconocimiento de los títulos de médicos especialistas?

Respuesta del Sr. Barnier en nombre de la Comisión
(21 de noviembre de 2012)

El reconocimiento de las cualificaciones profesionales permite al beneficiario acceder a una determinada profesión en el Estado miembro de acogida y ejercerla con los mismos derechos que los nacionales de dicho Estado miembro.

El ámbito de aplicación de la Directiva 2005/36/CE ([1]) («la Directiva») se limita a los nacionales del EEE que posean alguno de los títulos de formación de uno de los Estados miembros del EEE. La única disposición que afecta a terceros países es el artículo 3, apartado 3, de la Directiva, según la cual queda equiparado a un título de formación, con arreglo a la Directiva, cualquier título de formación expedido en un tercer país, siempre que su titular tenga, en la profesión de que se trate, una experiencia profesional de tres años en el territorio del Estado miembro que haya reconocido inicialmente dicho título de formación.

Los Estados miembros deciden acerca de la admisión de nacionales de terceros países y del reconocimiento inicial de los títulos de terceros países, de acuerdo con sus propias normas. Sin embargo, las cualificaciones que pueden ser reconocidas deben cumplir, en cualquier caso, determinadas condiciones mínimas de formación armonizadas aplicables a los médicos especialistas.

Por consiguiente, siempre que se cumplan los requisitos mínimos de formación en el reconocimiento inicial, corresponde a los Estados miembros decidir acerca de los criterios aplicables al reconocimiento de las especialidades médicas de terceros países.

([1]) Directiva 2005/36/CE del Parlamento Europeo y del Consejo, de 7 de septiembre de 2005, relativa al reconocimiento de cualificaciones profesionales, DO L 255 de 30.9.2005.

(English version)

Question for written answer E-009046/12
to the Commission
Andres Perello Rodriguez (S&D)
(9 October 2012)

Subject: Recognition of professional qualifications of European doctors who have specialised outside the European Union

Doctors who have completed specialist training outside the European Union have reported the problems which they face in Spain when having their qualifications compared and approved because of the way the Spanish authorities have interpreted Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

The directive and Royal Decree 1837/2008, by means of which the directive has been transposed into Spanish law, establish compensatory criteria which take into consideration further training (master's degrees, doctorates, research, training courses, etc.) and work experience in order to calculate the number of years required for the qualification to be approved.

However, Royal Decree 459/2010, which governs the recognition of specialist doctors' non-EU professional qualifications, and the way in which this law is being applied by the Spanish authorities do not take into account these compensatory criteria. Instead, they lay down the strict requirement that the duration of the specialist training period must be exactly the same as the number of years the directive stipulates for training.

As a consequence of the Spanish authorities' interpretation of the directive, around 5 000 professionals find themselves in an uncertain situation as the Spanish authorities do not recognise their specialist qualifications.

Is the Commission aware of the problems faced by doctors who have completed specialist training outside the European Union when having their qualifications compared and approved in Spain?

What measures does the Commission plan to adopt to facilitate the recognition of specialist doctors' qualifications?

Answer given by Mr Barnier on behalf of the Commission
(21 November 2012)

The recognition of professional qualifications allows the beneficiary to gain access to a given profession in the host Member State and to pursue it under the same conditions as a national of that Member State.

The scope of Directive 2005/36/EC ([1]) ('the directive') is limited to EEA nationals holding qualifications from one of the Member States of the EEA. The only provision concerning third countries is Article 3 (3) of the directive. This provision provides that evidence of formal qualifications, obtained by EEA nationals, but issued by a third country shall be regarded as evidence of formal qualifications under the directive, if the holder has three years' professional experience in the profession concerned on the territory of the Member State which had initially recognised that evidence of formal qualification.

Member States decide on the admission of third-country nationals and the initial recognition of a third-country qualification according to their national rules. However, the qualification which may be recognised must in any case respect the harmonised minimum training conditions for medical specialists.

Therefore, as long as the minimum training requirements are respected during the initial recognition, it is up to the Member States to decide on the criteria of the recognition of third-country medical specialisations.

([1]) Directive 2005/36/EC of Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255, 30.9.2005.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009047/12
a la Comisión
Andres Perello Rodriguez (S&D)
(9 de octubre de 2012)

Asunto: Reacciones adversas de la vacuna contra el virus del papiloma humano (VHP)

En el año 2007, el Ministerio de Sanidad de España aprobó la inclusión de la vacuna del virus del papiloma humano (VHP) en el sistema sanitario público, recomendando su administración y participando en su financiación a fin de que esta fuera ofrecida de manera gratuita a toda menor de 14 años de edad.

La aparición de numerosas reacciones adversas producidas tras la administración de la vacuna ya se había observado en otros países que habían iniciado las vacunaciones y buena parte de la comunidad sanitaria cuestionó tal decisión, expresando sus dudas sobre la seguridad, capacidad, eficacia y elevado precio de la vacuna. A pesar de ello, las autoridades sanitarias españolas han llevado a cabo una campaña de vacunación sistemática, omitiendo cualquier riesgo relacionado con la administración de la vacuna. Estas mismas autoridades han venido insistiendo en la seguridad de la vacuna de forma rotunda pese a tratarse de un fármaco nuevo en el mercado; sin informar en los prospectos ni en la campañas informativas de las posibles reacciones adversas ya conocidas, como el riesgo para los pacientes predispuestos por intoxicación por metales. Tampoco se ha informado a las menores ni a sus padres de la existencia de alternativas a la vacunación, la incidencia real del virus y su relación con el cáncer.

En España hay notificados más de 750 efectos adversos, algunos muy graves y dramáticos como el reciente fallecimiento de una niña de 13 años en Gijón, por una crisis asmática asociada a la administración de la vacuna.

¿Tiene conocimiento la Comisión de las reacciones adversas notificadas por la administración de la vacuna contra el virus del papiloma humano?

¿Ha realizado la Comisión alguna investigación sobre las causas de dichas reacciones adversas?

¿Le consta a la Comisión que los gobiernos nacionales informan adecuadamente a las ciudadanas de la Unión de los posibles efectos adversos?

¿Conociendo el número de notificaciones adversas, puede la Comisión explicar las causas y consecuencias de dichas reacciones adversas?

Respuesta del Sr. Šefčovič en nombre de la Comisión
(29 de noviembre de 2012)

La Comisión conoce los casos a que se refiere Su Señoría. La autoridad competente española los comunicó a través de la base de datos Eudravigilance, de la Agencia Europea de Medicamentos (EMA).

En el contexto de la red reguladora de la UE para la autorización de los medicamentos, los titulares de autorizaciones de comercialización, la EMA y las autoridades nacionales competentes controlan continuamente los datos disponibles para determinar si existen riesgos nuevos, qué riesgos han cambiado y si estos tienen un impacto en la relación beneficio-riesgo general.

La información sobre el medicamento autorizado (resumen de las características del producto y prospecto) detalla adecuadamente el perfil de seguridad y el uso seguro y eficaz de las dos vacunas contra el virus del papiloma humano (VPH), incluidas las posibles reacciones adversas, sobre la base de la información científica actualmente disponible. El Centro Europeo para la Prevención y el Control de las Enfermedades ha actualizado recientemente sus directrices sobre la introducción de vacunas contra el VPH en los países de la Unión Europea ([1]), que incluyen las últimas pruebas sobre la seguridad y la eficacia de estas vacunas.

El balance beneficio-riesgo de las vacunas contra el VPH autorizadas ha sido reevaluado durante los respectivos procedimientos de renovación de la autorización de comercialización de estos productos, y el Comité Científico de la EMA ha concluido que el perfil de beneficio-riesgo de ambas vacunas sigue siendo favorable. La Comisión, en cooperación con la EME, va a seguir supervisando estrechamente cualquier posible reacción adversa de las vacunas contra el VPH en la Unión Europea.

([1]) http://ecdc.europa.eu/en/publications/Publications/20120905_GUI_HPV_vaccine_update.pdf

(English version)

Question for written answer E-009047/12
to the Commission
Andres Perello Rodriguez (S&D)
(9 October 2012)

Subject: Adverse reactions to the vaccine against human papillomavirus (HPV)

In 2007, the Spanish Ministry of Health approved the vaccine against human papillomavirus (HPV) for inclusion in the public health system. It recommended that it be administered, and it contributed to the funding of the vaccine so that it could be offered free of charge to all 14-year-old girls.

Many adverse reactions experienced after receiving the vaccine had already been seen in other countries which had previously begun administering it. A large section of the health community questioned the decision, while expressing doubts in relation to capacity and effectiveness, as well as the high price of the vaccine. Despite this, the Spanish health authorities have carried out a systematic vaccination campaign, failing to mention any risk related to administering the vaccine. The health authorities have been strongly insisting that the vaccine is safe, despite it being new to the market; neither the patient information leaflet nor the information campaigns mention the possible adverse reactions, such as the risk for patients who are prone to metal poisoning. They have also not informed the girls or their parents about alternatives to this vaccine, the prevalence of the virus, or its link to cancer.

In Spain there have been 750 reported cases of adverse reactions to the vaccine, some of which were very serious, such as the recent death of a 13-year-old girl in Gijón from an asthma attack related to the vaccine.

Is the Commission aware of the reported cases of adverse reactions to the vaccine against human papillomavirus?

Has the Commission carried out any research into the causes of these adverse reactions?

Is the Commission certain that national governments are providing adequate information to European Union citizens about the possible adverse reactions to the vaccine?

Considering the number of cases reported, can the Commission explain the causes and effects of these adverse reactions?

Answer given by Mr Šefčovič on behalf of the Commission
(29 November 2012)

The Commission is aware of the cases mentioned by the Honorable Member. The Spanish competent authority has reported these cases through the Eudravigilance database hosted by the European Medicines Agency (EMA).

Within the context of the operation of the EU regulatory network for authorisation of medicinal products, the marketing authorisation holders, EMA and national competent authorities continously monitor the data available to determine whether there are new risks, whether risks have changed and whether those risks have an impact on the overall benefit-risk balance.

The authorised product information (Summary of Product Characteristics and Patient Information Leaflet) provides adequate information on the safety profile and on the safe and effective use of the two HPV vaccines, including possible adverse reactions based on the current scientifc information available. The European Centre for Disease Prevention and Control has recently updated it's guidance on the introduction of HPV vaccines in European Union countries ([1]), including the latest evidence on the safety and efficacy of these vaccines.

The benefit risk balance of the authorised HPV vaccines has been re-evaluated during the respective renewal procedures for the marketing authorisations of these products and EMA's scientific committee has concluded that the benefit risk profiles of both vaccines continue to be favourable. The Commission, in cooperation with EMA, will continue to closely monitor any possible adverse reactions of HPV vaccines in the European Union.

([1]) http://ecdc.europa.eu/en/publications/Publications/20120905_GUI_HPV_vaccine_update.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-009048/12
an die Kommission
Bernd Posselt (PPE)
(9. Oktober 2012)

Betrifft: Rechtsstaatswidriger Prozess in Serbien

Der Distriktsgerichtshof in Belgrad, ein Spezialgericht für Kriegsverbrechen, hat am 19. September 2012 elf ethnische Albaner (Agush Memishi, Samet Hajdari, Nazif Hasani, Ahmet Nasani, Burim Fazliu, Selimon Sadiku, Faton Hajdari, Ferat Hajdari, Kamber Sahiti, Sadik Aliu, Shefqet Musliu) aus den südserbischen Gemeinden Preševo und Bujanovac zu insgesamt 116 Jahren Gefängnis verurteilt. Gegen den Prozess gibt es erhebliche rechtsstaatliche Zweifel, und nach den Dokumenten von EULEX war der Hauptbelastungszeuge im Jahr 1999, als die Verurteilten angeblich im Kosovo Kriegsverbrechen gegen Serben begangen haben, überhaupt nicht dort.

Nun geht der Fall zum Appellationsgericht, das schon ein erstes solches Urteil als unfair annulliert hat.

Wie beurteilt die Kommission dieses Verfahren in einem Kandidatenland mit Blick auf die rechtsstaatlichen Maßstäbe der EU, und wäre es nicht Sache von EULEX, über angebliche Verbrechen zu urteilen, die sich auf dem Boden des Kosovo zugetragen haben sollen?

Antwort von Herrn Füle im Namen der Kommission
(16. November 2012)

Die Europäische Kommission achtet die Unabhängigkeit einzelstaatlicher Gerichte und kann daher nicht in Einzelfällen eingreifen, für die die serbische Verwaltung oder Justiz zuständig ist. Darüber hinaus äußert sich die EU nicht zu laufenden Gerichtsverfahren. EULEX arbeitet im Justizbereich mit den entsprechenden Behörden in Belgrad eng zusammen. Fragen zur Rechtsprechung werden im Rahmen der internationalen Rechtshilfe geklärt. Auf Informationen über derartige Fälle stützt sich die Kommission bei ihrer Beurteilung der derzeitigen Fortschritte Serbiens im Hinblick auf die Rechtsstaatlichkeit und die Justiz.

Die Achtung der Rechtsstaatlichkeit ist eine wesentliche Voraussetzung für Serbiens Weg in die EU, und so betont die Kommission regelmäßig deren Bedeutung. Im Fortschrittsbericht 2012 über Serbien wurde festgehalten, dass das Land im Bereich Rechtsstaatlichkeit und insbesondere im Justizwesen nur geringe Fortschritte erzielt hat. Die Europäische Kommission wird daher auch weiterhin die Achtung der Rechtsstaatlichkeit in Serbien genau überwachen und mit den serbischen Behörden in Kontakt bleiben, um auf diesem Gebiet zu greifbaren Ergebnissen zu kommen.

Darüber hinaus wird im jüngsten Strategiepapier der Europäischen Kommission zur Erweiterung betont, dass „die Stärkung der Rechtsstaatlichkeit und der öffentlichen Verwaltung (…) für die Annäherung der Erweiterungsländer an die EU und letztlich (für) die vollständige Erfüllung der mit der Mitgliedschaft verbundenen Verpflichtungen von entscheidender Bedeutung (ist)“.

(English version)

Question for written answer P-009048/12
to the Commission
Bernd Posselt (PPE)
(9 October 2012)

Subject: Trial contrary to the rule of law in Serbia

On 19 September 2012 the Belgrade District Court, a special court for war crimes, sentenced 11 ethnic Albanians (Agush Memishi, Samet Hajdari, Nazif Hasani, Ahmet Nasani, Burim Fazliu, Selimon Sadiku, Faton Hajdari, Ferat Hajdari, Kamber Sahiti, Sadik Aliu and Shefqet Musliu) from the south Serbian municipalities of Preševo and Bujanovac to a total of 116 years in prison. There are serious doubts about the trial's compatibility with the rule of law, and according to the documents held by Eulex the main witness for the prosecution was not even present when the defendants allegedly committed war crimes against Serbians in Kosovo in 1999.

The case is now going to the Court of Appeal, which has already overturned one such judgment as unfair.

What is the Commission's view of these proceedings in a candidate country given that the rule of law is one of the EU's governing principles, and ought it not to be for Eulex to rule on criminal offences allegedly committed on Kosovo soil?

Answer given by Mr Füle on behalf of the Commission
(16 November 2012)

The European Commission respects the independence of national courts and therefore cannot interfere in individual cases which fall within the scope of the Serbian administration or judiciary. Further, the EU does not comment on pending judicial proceedings. EULEX has a standing judicial cooperation with the relevant authorities in Belgrade. Issues of jurisdiction are solved within the context of international legal assistance. Information received about such cases informs the Commission's assessment as to how the rule of law and judiciary are actually progressing in Serbia.

The respect for the rule of law is a crucial element on Serbia's way towards the EU and the Commission regularly underlines its importance. The 2012 Progress Report on Serbia assessed that the country has made only little progress in the area of rule of law and notably the judiciary. The European Commission will continue to monitor the respect for the rule of law in Serbia closely and stay in contact with the Serbian authorities in order to allow for tangible results on the ground.

In addition, the latest European Commission Strategy Paper underlines that 'strengthening the rule of law and public administration is essential for enlargement countries to come closer to the EU and eventually to fully assume the obligations of membership'.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009049/12
alla Commissione
Cristiana Muscardini (PPE)
(9 ottobre 2012)

Oggetto: Sistema di etichettatura per i prodotti cosmetici

La direttiva 76/768/CEE del Consiglio vieta l'immissione sul mercato, a partire dall'11 marzo 2013, di prodotti cosmetici testati su animali o contenenti ingredienti testati su animali.

Da questa data in avanti, i prodotti delle aziende che operano esclusivamente all'interno dell'UE non potranno in alcun caso essere testati su animali, mentre alcune multinazionali del settore cosmetico potranno decidere di sottoporre i prodotti destinati ad altri mercati a sperimentazione animale al di fuori dell'UE.

Può la Commissione dire:

1. se intende introdurre un sistema di etichettatura per i prodotti cosmetici che consenta alle aziende che non ricorrono, direttamente o indirettamente, alla sperimentazione animale, ovunque nel mondo, di distinguersi dalle aziende che continueranno a testare ingredienti e prodotti cosmetici su animali al di fuori dell'UE dopo l'introduzione della scadenza del 2013;

2. come intende la Commissione monitorare l'introduzione di prodotti e ingredienti cosmetici utilizzati per la prima volta nell'UE dopo l'11 marzo 2013, così da garantire che non siano stati testati su animali al di fuori dell'UE dopo la scadenza del 2013?

Risposta di Maroš Šefčovič a nome della Commissione
(14 novembre 2012)

1. L'articolo 6, paragrafo 3, della direttiva Cosmetici ([1]) prevede la possibilità di rivendicare su un prodotto cosmetico che quest'ultimo è stato sviluppato senza fare ricorso alla sperimentazione animale. Tale disposizione non fa distinzione tra i test condotti all'interno o all'esterno dell'UE ed è stata mantenuta nell'articolo 20 del regolamento sui cosmetici ([2]). La Commissione ha emanato linee guida sull'uso delle indicazioni facenti riferimento all'assenza di prove su animali ([3]). La Commissione non ritiene pertanto necessario introdurre requisiti addizionali in tema di etichettatura per quanto concerne la sperimentazione animale.

2. Conformemente all'articolo 22 del regolamento sui cosmetici la sorveglianza del mercato incombe agli Stati membri che sono tenuti a dotare le autorità preposte alla sorveglianza del mercato dei poteri, delle risorse e delle conoscenze necessarie per espletare adeguatamente i loro compiti. Lo strumento principale per verificare se un prodotto cosmetico o i suoi ingredienti siano stati oggetto o meno di sperimentazione animale onde accertare se soddisfi i requisiti sui cosmetici è costituito dalla documentazione informativa sul prodotto.

La cooperazione tra gli Stati membri in tema di sorveglianza del mercato è in generale promossa dalla Commissione per il tramite della Piattaforma delle autorità preposte alla sorveglianza del mercato dei prodotti cosmetici (PEMSAC).

([1]) Direttiva del Consiglio del 27 luglio 1976 concernente il ravvicinamento delle legislazioni degli Stati membri relative ai prodotti cosmetici, GU L 262 del 27.9.1976, pag. 169.

([2]) Regolamento (CE) n. 1223/2009 del Parlamento europeo e del Consiglio, del 30 novembre 2009, sui prodotti cosmetici, GU L 342 del 22.12.2009, pagg. 59-209.

([3]) Raccomandazione della Commissione del 7 giugno 2006 che stabilisce linee guida sull'uso di dichiarazioni relative all'assenza di sperimentazioni animali, ai sensi della direttiva 76/768/CEE del Consiglio, (2006/406/CE).

(English version)

Question for written answer E-009049/12
to the Commission
Cristiana Muscardini (PPE)
(9 October 2012)

Subject: Labelling system for cosmetic products

Council Directive 76/768/EEC prohibits the marketing of animal-tested cosmetic products as well as cosmetic products containing such ingredients from 11 March 2013.

After that date, products of companies operating solely within the EU will be entirely free of animal testing, whereas some multinational cosmetics companies may opt to test on animals outside the EU for other markets.

1. Will the Commission introduce a system of labelling for cosmetic products that allows companies operating without carrying out or commissioning any animal testing, anywhere in the world, to distinguish themselves from companies that will continue to test cosmetic ingredients and products outside the EU after the introduction of the 2013 deadline?

2. How will the Commission monitor the introduction of cosmetic products and ingredients used for the first time in the EU after 11 March 2013 in order to ensure that they will not have been tested on animals outside the EU after the 2013 deadline?

Answer given by Mr Šefčovič on behalf of the Commission
(14 November 2012)

1. Article 6 (3) of the Cosmetics Directive ([1]) provides for the possibility to claim on a cosmetic product that no animal testing was carried out in relation to its development. This provision does not differentiate between testing inside or outside the EU and has been retained in Article 20 of the Cosmetics Regulation ([2]). The Commission has issued guidelines on the use of such claims referring to the absence of tests on animals ([3]). The Commission does therefore not see any need to introduce any additional labelling in relation to animal testing.

2. Market surveillance is in accordance with Article 22 of the Cosmetics Regulation the responsibility of Member States, who are obliged to entrust to market surveillance authorities the necessary powers, resources and knowledge in order to properly perform their tasks. The main means of verifying whether or not a cosmetic product, or its ingredients, have been subject to animal testing in order to meet the requirements of the Cosmetics Regulation is via the product information file.

Cooperation between Member States on market surveillance is generally supported by the Commission through the Platform of European Market Surveillance Authorities (PEMSAC).

([1]) Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products, OJ L 262, 27.9.1976, p. 169.

([2]) Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products, OJ L 342, 22.12.2009, p. 59-2009.

([3]) Commission Recommendation of 7 June 2006 Establishing guidelines on the use of claims referring to the absence of tests on animals pursuant to Council Directive 76/768/EEC, (2006/406/EC).

(Versión española)

Pregunta con solicitud de respuesta escrita E-009050/12
a la Comisión
Michael Cashman (S&D), Ulrike Lunacek (Verts/ALE), Sophia in 't Veld (ALDE), Raül Romeva i Rueda (Verts/ALE), Sirpa Pietikäinen (PPE), Cornelis de Jong (GUE/NGL) y Marije Cornelissen (Verts/ALE)
(9 de octubre de 2012)

Asunto: Evolución de la legislación en Ucrania y liberalización y facilitación de visados

El 2 de octubre de 2012, el Parlamento ucraniano aprobó el proyecto de ley 8711 en primera lectura. Este proyecto de ley contempla sanciones penales y elevadas multas para personas físicas o jurídicas que sean declaradas culpables de «propaganda a favor de la homosexualidad», un término que no se define en la propia ley. Textos similares, como las leyes 10290 y 10729, definen esta «propaganda» como la distribución intencionada de cualquier información positiva acerca de la homosexualidad. Estas propuestas impondrían penas de prisión de hasta cinco años o multas de hasta 900 veces el salario mínimo del país.

Este proyecto de ley limita la libertad de expresión en relación con la orientación sexual y la identidad de género, por lo que vulnera los artículos 10 y 14 del Convenio Europeo de Derechos Humanos, así como el artículo 19 del Pacto Internacional de Derechos Civiles y Políticos. También infringe la recomendación del Comité de Ministros del Consejo de Europa, de 31 de marzo de 2010, sobre las medidas para combatir la discriminación basada en la orientación sexual o la identidad de género (CM/Rec(2010)5).

Estas leyes han suscitado duras críticas: del Defensor del Pueblo ucraniano; del Parlamento Europeo, en su Resolución de 24 de mayo de 2012 sobre la lucha contra la homofobia en Europa ([1]); del Servicio Europeo de Acción Exterior, en una declaración sobre acontecimientos recientes sobre cuestiones relacionadas con la tolerancia y la no discriminación en la Federación de Rusia, Ucrania y la República de Moldavia (1146ª reunión de Delegados de los Ministros del Comité del Consejo de Europa del 20 de junio de 2012); del Secretario General del Consejo de Europa; del Alto Comisionado para los Derechos Humanos de las Naciones Unidas y del Relator Especial sobre el derecho a la libertad de opinión y expresión; de organizaciones no gubernamentales, incluidas Amnistía Internacional, Human Rights Watch, la Comisión Internacional de Juristas e ILGA Europe (Asociación Internacional de Lesbianas y Gays); así como de organizaciones ucranianas por los derechos humanos.

¿Cuál es la valoración de la Comisión sobre las propuestas arriba mencionadas a la luz de la búsqueda activa de «recomendaciones específicas de organismos de las Naciones Unidas, de la OIDDH (Oficina de las Instituciones Democráticas y de los Derechos Humanos) de la OSCE (Organización para la Seguridad y la Cooperación en Europa), del Consejo de Europa y la ECRI (Comisión Europea contra el Racismo y la Intolerancia) y de organizaciones internacionales por los derechos humanos a la hora de aplicar políticas contra la discriminación, proteger a las minorías y combatir los delitos motivados por el odio», tal y como exige el Plan de Acción UE-Ucrania sobre la liberalización de visados?

Respuesta del Sr. Füle en nombre de la Comisión
(5 de diciembre de 2012)

La UE ha expresado su profunda decepción y su inquietud —incluso a través de declaraciones oficiales ante el Consejo de Europea ([2]) y la OSCE ([3])— tras la decisión adoptada por el Parlamento ucraniano de reincorporar a la fase de debate el proyecto de ley 8711, sobre la modificación de determinados actos legislativos (referente a la protección de menores en un entorno de información seguro). Además, el Jefe de la Delegación de la UE en Ucrania envió una nota al Presidente del Parlamento ucraniano, con copias a los portavoces de los grupos parlamentarios y al Gobierno.

La Comisión desearía recordar que la UE presentó a Ucrania el Plan de Acción para la Liberalización de Visados en noviembre de 2010 y que se publicaron, además, dos informes sobre su ejecución. La Comisión prosigue actualmente su evaluación de la legislación y las políticas pendientes conforme al Plan de Acción. La iniciativa legislativa mencionada, es decir, el proyecto de ley 8711, es contraria a todas luces a los valores de referencia del Plan de Acción.

([1]) Textos adoptados, P7_TA(2012)0222.
([2]) http://eeas.europa.eu/delegations/council_europe/press_corner/all_news/news/2012/20121010_en.htm
([3]) http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/pc_925_eu_on_lgbt.pdf

La Comisión ha tomado nota de las posiciones expresadas por el Ministro ucraniano de Asuntos Exteriores y el Defensor del Pueblo ucraniano, que han expresado preocupaciones similares y han manifestado su esperanza de que el Parlamento, en su reconsideración de esta iniciativa legislativa, tenga plenamente en cuenta los compromisos internacionales de Ucrania.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009050/12
an die Kommission
Michael Cashman (S&D), Ulrike Lunacek (Verts/ALE), Sophia in 't Veld (ALDE), Raül Romeva i Rueda (Verts/ALE), Sirpa Pietikäinen (PPE), Cornelis de Jong (GUE/NGL) und Marije Cornelissen (Verts/ALE)
(9. Oktober 2012)

Betrifft: Entwicklung der Rechtslage in der Ukraine, Visa-Liberalisierung und -Erleichterung

Am 2. Oktober 2012 nahm das ukrainische Parlament in erster Lesung den Gesetzesentwurf 8711 an. In diesem Gesetzesentwurf sind Strafsanktionen und empfindliche Geldstrafen für natürliche oder juristische Personen vorgesehen, welche der „Propaganda für Homosexualität" überführt wurden, einem Begriff, der im Entwurf selbst nicht weiter definiert wird. In ähnlichen Gesetzestexten wie den Gesetzesentwürfen 10290 und 10729 wird derartige „Propaganda" als willentliche Verteilung jedweder positiver Informationen zu Homosexualität definiert. In diesen Gesetzesvorschlägen sind Haftstrafen von bis zu fünf Jahren oder Geldstrafen bis zu einem Betrag in Höhe des 900-fachen nationalen Mindestlohns vorgesehen.

Dieser Gesetzesentwurf schränkt die Meinungsfreiheit im Zusammenhang mit der sexuellen Orientierung und der Geschlechtsidentität ein und verstößt somit gegen die Artikel 10 und 14 der Europäischen Menschenrechtskonvention sowie gegen Artikel 19 des Internationalen Paktes über bürgerliche und politische Rechte. Er läuft ebenso der Empfehlung des Ministerkomitees des Europarates vom 31. März 2010 über Maßnahmen zum Kampf gegen Diskriminierung aufgrund von sexueller Orientierung und Geschlechtsidentität (CM/Slg. (2010)5) zuwider.

Diese Gesetzesentwürfe wurden scharf kritisiert: vom ukrainischen Ombudsmann, vom Europäischen Parlament in seiner Entschließung vom 24. Mai 2012 zur Bekämpfung von Homophobie in Europa ([1]), vom Europäischen Auswärtigen Dienst in einer Stellungnahme zur jüngsten Entwicklung in Fragen im Zusammenhang mit Toleranz und Nichtdiskriminierung in der Russischen Föderation, der Ukraine und in der Republik Moldawien (Abgeordnete des Ministerkomitees des Europarates, 1146. Versammlung am 20. Juni 2012), vom Generalsekretär des Europarates, vom Hohen Kommissar der Vereinten Nationen für Menschenrechte und vom Sonderberichterstatter für Meinungs- und Redefreiheit, von NROs, darunter Amnesty International, Human Rights Watch, der Internationalen Juristenkommission und ILGA Europe, und von ukrainischen Menschenrechtsorganisationen.

Im Aktionsplan der EU und der Ukraine zur Visa-Liberalisierung ist vorgesehen, dass die spezifischen Empfehlungen der VN-Gremien, der OSZE/ODHIR, des Europarates/ECRI und der internationalen Menschenrechtsorganisationen zur Umsetzung von Antidiskriminierungsmaßnahmen, zum Schutz von Minderheiten und zur Bekämpfung von Hassverbrechen aktiv zu befolgen sind. Wie schätzt die Kommission die vorgenannten Gesetzesvorschläge vor diesem Hintergrund ein?

Antwort von Herrn Füle im Namen der Kommission
(5. Dezember 2012)

Die EU ist tief enttäuscht und besorgt über den Beschluss des ukrainischen Parlaments, die Erörterung des Gesetzentwurfes 8711 „Über die Änderung einiger Gesetzgebungsakte betreffend das Recht von Kindern auf einen sicheren Informationsraum" wieder aufzunehmen, und hat dies unter anderem durch Erklärungen im Europarat ([2]) und in der OSZE ([3]) zum Ausdruck gebracht. Zudem richtete der Leiter der EU-Delegation in der Ukraine ein Schreiben an den Sprecher des ukrainischen Parlaments, wobei er den Fraktionsvorsitzenden und der Regierung eine Kopie hiervon übermittelte.

Die Kommission erinnert daran, dass der Aktionsplan zur Visa-Liberalisierung der Ukraine im November 2010 von der EU vorgestellt wurde und seither zwei Berichte über dessen Umsetzung herausgegeben wurden. Die Kommission setzt die Prüfung von noch ausstehenden Rechtsvorschriften und Maßnahmen im Rahmen dieses Aktionsplans fort. Ein Gesetzentwurf wie der Entwurf 8711 steht im Widerspruch zu den Anforderungen der entsprechenden Benchmarks des Aktionsplans.

([1]) Angenommene Texte, P7_TA(2012)0222.
([2]) http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/pc_925_eu_on_lgbt.pdf
([3]) http://eeas.europa.eu/delegations/council_europe/press_corner/all_news/news/2012/20121010_en.htm

Die Kommission hat die Stellungnahmen des ukrainischen Außenministers und des ukrainischen Ombudsmanns zur Kenntnis genommen, die sich ebenfalls besorgt zeigen und die Erwartung geäußert haben, dass das Parlament die internationalen Verpflichtungen der Ukraine bei der weiteren Behandlung des Gesetzentwurfes vollständig berücksichtigt.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-009050/12
aan de Commissie
Michael Cashman (S&D), Ulrike Lunacek (Verts/ALE), Sophia in 't Veld (ALDE), Raül Romeva i Rueda (Verts/ALE), Sirpa Pietikäinen (PPE), Cornelis de Jong (GUE/NGL) en Marije Cornelissen (Verts/ALE)
(9 oktober 2012)

Betreft: Juridische ontwikkelingen in Oekraïne, visumliberalisering en -facilitering

Op 2 oktober 2012 heeft het Oekraïense parlement wetsvoorstel 8711 na eerste lezing goedgekeurd. Dit wetsvoorstel voorziet in strafrechtelijke sancties en zware boetes voor natuurlijke en rechtspersonen die schuldig worden bevonden aan „propaganda voor homoseksualiteit", een term die in het wetsvoorstel zelf niet nader wordt gedefinieerd.

Gelijksoortige teksten, waaronder de wetsvoorstellen 10290 en 10729, definiëren „propaganda" als de opzettelijke verspreiding van positieve informatie over homoseksualiteit. Deze voorstellen zouden gevangenisstraffen tot 5 jaar inhouden of boetes van 900 maal het nationale minimuminkomen.

Zij beperken de vrijheid van meningsuiting met betrekking tot seksuele geaardheid en genderidentiteit en staan haaks op de artikelen 10 en 14 van het Europees Verdrag voor de rechten van de mens, evenals artikel 19 van het Internationaal Verdrag inzake burgerrechten en politieke rechten Het druist ook in tegen de aanbeveling van 31 maart 2010 van het Comité van ministers van de Raad van Europa betreffende maatregelen om discriminatie op grond van seksuele geaardheid of genderidentiteit (CM/Rec (2010)5) te bestrijden.

Deze wetsvoorstellen worden sterk bekritiseerd: door de Oekraïense ombudsman; door het Europees Parlement in de resolutie van 25 mei 2012 over de strijd tegen homofobie in Europa ([1]); door de Europese Dienst voor extern optreden, in een verklaring over de recente ontwikkelingen in kwesties aangaande tolerantie en non-discriminatie in de Russische Federatie, Oekraïne en de Republiek Moldavië (Comité van ministers van de Raad van Europa, 1146ste vergadering op 20 juni 2012); door de secretaris-generaal van de Raad van Europa; door de Hoge Commissaris van de Verenigde Naties voor de mensenrechten en de speciale rapporteur inzake het recht op vrije meningsuiting; door niet-gouvernementele organisaties, inclusief Amnesty International, Human Rights Watch, de Internationale Commissie van Juristen en ILGA-Europa; en door de Oekraïense mensenrechtenorganisaties.

Wat is het standpunt van de Commissie betreffende bovenstaande voorstellen met het oog op de actieve opvolging van de „specifieke aanbevelingen van de VN-organen, de OVSE en het ODIHR, de Raad van Europa/ECRI en diverse internationale mensenrechtenorganisaties voor het uitvoeren van een antidiscriminatiebeleid, de bescherming van minderheden en de strijd tegen haatmisdrijven", zoals het Europese actieprogramma inzake visumliberalisering in Oekraïne vereist?

Antwoord van de heer Füle namens de Commissie
(5 december 2012)

De EU heeft, onder meer door verklaringen in de Raad van Europa ([2]) en de OVSE ([3]), haar diepe teleurstelling en bezorgdheid geuit over de beslissing van het Oekraïense Parlement om wetsvoorstel 8711 „houdende wijziging van sommige wetgevingshandelingen" (voor de bescherming van de rechten van het kind op het vlak van veilige informatie) opnieuw in behandeling te nemen. Het hoofd van de EU-delegatie in Oekraïne heeft ook een brief gestuurd aan de voorzitter van het Oekraïense Parlement, met afschrift aan de fractievoorzitters en de regering.

De Commissie wijst erop dat het actieprogramma inzake visumliberalisering in november 2010 door de EU aan Oekraïne werd gepresenteerd en dat twee verslagen werden gepubliceerd over de uitvoering ervan. De Commissie beoordeelt momenteel de uitstaande wetgeving en het uitstaande beleid in het kader van het actieprogramma. Een dergelijk wetgevingsinitiatief — d.w.z. wetsvoorstel 8711 — is in strijd met de voorwaarden van de benchmarks van het actieprogramma.

([1]) Aangenomen teksten, P7_TA(2012)0222.
([2]) http://eeas.europa.eu/delegations/council_europe/press_corner/all_news/news/2012/20121010_en.htm
([3]) http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/pc_925_eu_on_lgbt.pdf

De Commissie heeft nota genomen van de standpunten van het ministerie van Buitenlandse Zaken en de ombudsman van Oekraïne. Deze standpunten tonen aan dat zij gelijksoortige bezorgdheden hebben en geven te kennen dat zij verwachten dat het Parlement rekening zal houden met de internationale verbintenissen van Oekraïne bij zijn verdere bespreking van dit wetgevingsinitiatief.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-009050/12
komissiolle
Michael Cashman (S&D), Ulrike Lunacek (Verts/ALE), Sophia in 't Veld (ALDE), Raül Romeva i Rueda (Verts/ALE), Sirpa Pietikäinen (PPE), Cornelis de Jong (GUE/NGL) ja Marije Cornelissen (Verts/ALE)
(9. lokakuuta 2012)

Aihe: Ukrainan oikeudelliset kehitykset, viisumivapaus ja viisumin myöntämisen helpottaminen

Ukrainan parlamentti hyväksyi 2. lokakuuta 2012 ensimmäisessä käsittelyssä lakiesityksen nro 8711. Lakiesityksen mukaan "homoseksuaaliseen propagandaan" syylliseksi todettu luonnollinen henkilö tai oikeushenkilö voidaan tuomita rikosoikeudelliseen rangaistukseen tai suuriin sakkoihin. Kyseistä termiä ei määritellä lakiesityksessä. Samantapaiset lakiesitykset nro 10290 ja nro 10729 määrittelevät tämän "propagandan" olevan tietoista myönteisen informaation levittämistä homoseksuaalisuudesta. Rangaistus olisi jopa viisi vuotta vankeutta tai sakkoja, jotka ovat 900 kertaa suuremmat kuin vähimmäispalkka Ukrainassa.

Lakiesitykset rajoittavat seksuaaliseen suuntautumiseen ja sukupuoli-identiteettiin liittyvää ilmaisunvapautta ja rikkovat näin ollen Euroopan ihmisoikeussopimuksen 10 ja 14 artiklaa sekä kansalaisoikeuksia ja poliittisia oikeuksia koskevan kansainvälisen yleissopimuksen 19 artiklaa. Ehdotus on myös vastoin Euroopan neuvoston ministerikomitean 31. maaliskuuta 2010 antamaa suositusta toimenpiteistä seksuaaliseen suuntautumiseen tai sukupuoli-identiteettiin perustuvan syrjinnän torjumiseksi (CM/Rec(2010)5).

Lakiesityksiä ovat kritisoineet voimakkaasti Ukrainan oikeusasiamies, Euroopan parlamentti homofobian torjunnasta Euroopassa 24. toukokuuta 2012 antamassaan päätöslauselmassa ([1]), Euroopan ulkosuhdehallinto selonteossaan Venäjän federaation, Ukrainan ja Moldovan tasavallan viimeaikaisesta kehityksestä liittyen suvaitsevaisuuteen ja syrjinnän torjumiseen (Euroopan neuvoston ministerivaltuuskunnan 1146. kokous 20. kesäkuuta 2012), Euroopan neuvoston pääsihteeri, YK:n ihmisoikeusvaltuutettu sekä mielipiteen- ja ilmaisunvapautta käsittelevä erityisedustaja, kansalaisjärjestöt, kuten Amnesty International, Human Rights Watch, kansainvälinen lakimieskomissio ICJ, ILGA Europe ja Ukrainan ihmisoikeusjärjestöt.

YK:n elimet, Etyjin demokraattisten instituutioiden ja ihmisoikeuksien toimisto, Euroopan neuvoston rasismin ja suvaitsemattomuuden vastainen eurooppalainen komissio (ECRI) ja kansainväliset ihmisoikeusjärjestöt ovat antaneet erityissuosituksia syrjinnän vastaisten politiikkojen täytäntöönpanemiseksi, vähemmistöjen suojelemiseksi ja viharikosten taltuttamiseksi. EU:n ja Ukrainan välisessä viisumivapautta koskevassa toimintasuunnitelmassa on vaadittu aktiivista pyrkimistä näiden erityissuositusten noudattamiseen. Mikä on komission kanta edellä mainittuihin lakiesityksiin?

Štefan Fülen komission puolesta antama vastaus
(5. joulukuuta 2012)

EU on ilmaissut muun muassa Euroopan neuvostossa ([2]) ja Etyjissä ([3]) esittämissään julkilausumissa olevansa pettynyt ja huolestunut siitä, että Ukrainan parlamentti on päättänyt jatkaa lakiesityksen 8711 (joka koskee tiettyjen, lasten suojelusta vahingolliselta tiedolta annettujen säädösten muuttamista) käsittelyä. Lisäksi EU:n Ukrainan-edustuston päällikkö on lähettänyt asiasta kirjeen Ukrainan parlamentin puhemiehelle ja kopion kirjeestä Ukrainan poliittisten ryhmien johtajille ja Ukrainan hallitukselle.

Komissio muistuttaa, että EU esitti Ukrainalle viisumivapautta koskevan toimintasuunnitelman marraskuussa 2010, ja sen täytäntöönpanosta on laadittu kaksi kertomusta. Komissio jatkaa edelleen puuttuvan lainsäädännön ja politiikkojen tarkastelua toimintasuunnitelman mukaisesti. Lakiesitys 8711:n kaltainen lainsäädäntöaloite on ristiriidassa toimintasuunnitelman vaatimusten kanssa.

Komissio on pannut merkille Ukrainan ulkoministeriön ja oikeusasiamiehen lausunnot, joissa on oltu niin ikään huolissaan asiasta ja vaadittu parlamentin ottavan lakialoitetta käsitellessään huomioon Ukrainan kansainväliset sitoumukset.

([1]) Hyväksytyt tekstit, P7_TA(2012)0222.
([2]) http://eeas.europa.eu/delegations/council_europe/press_corner/all_news/news/2012/20121010_en.htm
([3]) http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/pc_925_eu_on_lgbt.pdf

(English version)

Question for written answer E-009050/12
to the Commission
Michael Cashman (S&D), Ulrike Lunacek (Verts/ALE), Sophia in 't Veld (ALDE), Raül Romeva i Rueda (Verts/ALE), Sirpa Pietikäinen (PPE), Cornelis de Jong (GUE/NGL) and Marije Cornelissen (Verts/ALE)
(9 October 2012)

Subject: Legal developments in Ukraine and visa liberalisation and facilitation

On 2 October 2012, the Ukrainian Parliament adopted Bill 8711 at first reading. This draft law provides for penal sanctions and heavy fines for physical or legal persons found guilty of 'propaganda for homosexuality', a term undefined in the bill itself. Similar texts, Bills 10290 and 10729, define such 'propaganda' as the intentional distribution of any positive information about homosexuality. These proposals would impose prison terms of up to five years or fines up to 900 times the national minimum income.

This draft legislation limits freedom of expression in relation to sexual orientation and gender identity, thus breaching Articles 10 and 14 of the European Convention on Human Rights, as well as Article 19 of the International Covenant on Civil and Political Rights. It also runs against the Council of Europe Committee of Ministers' recommendation of 31 March 2010 on measures to combat discrimination on grounds of sexual orientation or gender identity (CM/Rec(2010)5).

These bills have been strongly criticised: by the Ukrainian Ombudsman; by the European Parliament, in its resolution of 24 May 2012 on the fight against homophobia in Europe ([1]); by the European External Action Service, in a statement on recent developments on questions related to tolerance and non-discrimination in the Russian Federation, in Ukraine and in the Republic of Moldova (Council of Europe Committee of Ministers' Deputies, 1146th meeting of 20 June 2012); by the Secretary-General of the Council of Europe; by the UN High Commissioner for Human Rights and Special Rapporteur on the right to freedom of opinion and expression; by non-governmental organisations including Amnesty International, Human Rights Watch, the International Commission of Jurists and ILGA Europe; and by Ukrainian human rights organisations.

What is the Commission's assessment of the aforementioned proposals in the light of the active pursuit of 'specific recommendations of UN bodies, OSCE/ODIHR, the Council of Europe/ECRI and international human rights organisations in implementing anti-discrimination policies, protecting minorities and combating hate crimes', as required by the EU-Ukraine visa liberalisation action plan?

Answer given by Mr Füle on behalf of the Commission
(5 December 2012)

The EU has expressed deep disappointment and concern that the Parliament of Ukraine has decided to revert to discussing the draft law 8711 'On Amending Some Legislative Acts' (regarding protection of children's rights in the safe information sphere), including through EU statements at the Council of Europe ([2]) and OSCE ([3]). In addition, a letter was addressed by the Head of the EU Delegation in Ukraine to the Speaker of the Ukrainian Parliament, with copies to the heads of political groups as well as to the Government.

The Commission would like to recall that Visa Liberalisation Action Plan was presented by the EU to Ukraine in November 2010 and two reports were issued on its implementation. The Commission is continuing the assessment of outstanding legislation and policy under the action plan. Such legislative initiative — i.e. draft law 8711 — stands in contradiction to the requirements of the relevant benchmarks of the action plan.

The Commission has noted the positions expressed by Ukraine's Ministry of Foreign Affairs and the Ombudsperson, which have highlighted similar concerns and have signalled their expectation that the Parliament in its further consideration of this legislative initiative would take into full consideration Ukraine's international commitments.

([1]) Texts adopted, P7_TA(2012)0222.
([2]) http://eeas.europa.eu/delegations/council_europe/press_corner/all_news/news/2012/20121010_en.htm
([3]) http://eeas.europa.eu/delegations/vienna/documents/eu_osce/permanent_council/2012/pc_925_eu_on_lgbt.pdf

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009099/12
alla Commissione
Cristiana Muscardini (PPE)
(10 ottobre 2012)

Oggetto: Erasmus e Fondo sociale europeo: un nuovo bilancio correttivo 2012

La commissione per i bilanci del Parlamento europeo ha lanciato l'allarme per il prosciugamento dei finanziamenti europei destinati al programma Erasmus, al Fondo sociale europeo e ai progetti in materia di ricerca e innovazione. Questi finanziamenti sono essenziali per la crescita, l'occupazione e l'istruzione dei più giovani. In passato, essi hanno contribuito al processo d'integrazione europea, non solo favorendo un confronto costruttivo tra le diverse realtà sociali e scolastiche nei 27 Stati membri, ma anche garantendo il sostegno a progetti di ricerca scientifica, a volte insufficientemente finanziati dai bilanci nazionali, e promuovendo la creatività e l'imprenditorialità dei giovani.

In un momento in cui gli Stati membri non sono stati in grado di allocare i Fondi strutturali, lasciandoli all'Unione, non sono chiare le motivazioni che hanno portato ad una scelta del genere.

La Commissione:

1. può indicare la posizione attuale dei diversi Stati membri sul problema?

2. Ritiene doveroso rivedere il bilancio correttivo del 2012 al fine di mantenere le risorse destinate a tali progetti?

3. Non ritiene prioritario, in un momento di crisi economico-sociale, mantenere in essere i programmi destinati all'integrazione europea e a favore dell'occupazione giovanile, che è in forte calo nei diversi Stati membri?

Risposta congiunta di Janusz Lewandowski a nome della Commissione
(7 dicembre 2012)

Il 23 ottobre 2012 la Commissione ha adottato il progetto di bilancio rettificativo (PBR) n. 6/2012 con il quale vengono richieste risorse supplementari per circa 9 miliardi di EUR ([1]).

Il PBR n. 6/2012 elenca i programmi che richiedono stanziamenti di pagamento supplementari, come ad esempio i programmi nell'ambito della politica di coesione ([2]) e dello sviluppo rurale (circa 8,3 miliardi di EUR), i programmi di ricerca (423 milioni di EUR) o il programma Erasmus (90 milioni di EUR).

([1]) http://ec.europa.eu/budget/biblio/documents/2012/2012_en.cfm.
([2]) FESR, FC e FSE.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-009051/12
à Comissão
João Ferreira (GUE/NGL)
(9 de outubro de 2012)

Assunto: Falta de verbas para o Programa Erasmus e outros programas do FSE

Notícias na imprensa dão conta de que vários programas financiados pela União Europeia se encontram sem verbas, o que põe em causa a sua continuação, em especial nos países mais afetados pela crise. Entre os programas referidos estão o programa «Erasmus», programas de formação ao longo da vida e programas de investigação e inovação, entre outros.

De acordo com as notícias referidas, a falta de financiamento deve-se à ausência de transferências para o orçamento comunitário, por parte dos governos nacionais, de montantes que ascenderão aos dez mil milhões de euros.

Em face desta situação, solicito à Comissão que me informe sobre o seguinte:

1. Que programas exatamente estão em risco por insuficiência de verbas?

2. Que programas poderão vir a estar em risco a breve trecho se a situação não for resolvida?

3. Qual o montante exato em falta no orçamento comunitário neste momento e que Estados-Membros estão em causa?

4. Está a Comissão em condições de avaliar o impacto desta suspensão de pagamentos nos diversos Estados-Membros?

5. Que medidas tomou ou vai tomar a Comissão para resolver este problema?

Resposta conjunta dada por Janusz Lewandowski em nome da Comissão
(7 de dezembro de 2012)

A Comissão adotou, em 23 de outubro de 2012, o projeto de orçamento retificativo (POR) n.° 6/2012 que solicita recursos adicionais no montante de cerca de 9 mil milhões de euros ([1]).

O POR n.° 6/2012 enumera programas que necessitam de dotações de pagamento adicionais, tais como programas no domínio da política de coesão ([2]) e do desenvolvimento rural (cerca de 8,3 mil milhões de euros) e da investigação (423 milhões de euros) ou o programa Erasmus (90 milhões de euros).

([1]) http://ec.europa.eu/budget/biblio/documents/2012/2012_en.cfm.
([2]) FEDER, FC e FSE.

(English version)

Question for written answer E-009051/12
to the Commission
João Ferreira (GUE/NGL)
(9 October 2012)

Subject: Budget shortfall for the Erasmus programme and other ESF programmes

It is being reported in the press that a number of EU-funded programmes are facing a budget shortfall which is jeopardising their continued existence, particularly in the countries that have been worst affected by the crisis. The programmes affected include the Erasmus programme, lifelong learning programmes and research and innovation programmes.

According to the news reports, the reason for this shortfall is the fact that national governments have failed to transfer sums amounting to EUR 10 billion to the Community budget.

1. Which specific programmes are at risk as a result of the budget shortfall?

2. Which programmes could be at risk in the short term if the situation is not resolved?

3. What is the exact amount that is currently missing from the Community budget, and which Member States are involved?

4. Can the Commission assess the impact of this suspension of payments in the various Member States?

5. What steps has the Commission taken or will it take to resolve this problem?

Question for written answer E-009099/12
to the Commission
Cristiana Muscardini (ECR)
(10 October 2012)

Subject: Erasmus and the European Social Fund: a new corrective budget for 2012

The European Parliament's Committee on Budgets has warned that EU funding for the Erasmus programme, the European Social Fund and research and innovation projects is at risk of running out. This funding is vital for the development, employment and training of our youngest fellow citizens. In the past, this funding helped the European integration process by promoting a constructive comparison between the different social and educational systems in the 27 Member States, by guaranteeing support for scientific research projects, which were sometimes underfunded by national budgets, and by promoting creativity and entrepreneurship among young people.

At a time when the Member States have been unable to allocate structural funds, leaving them to the EU, the reasons that led to this choice are not clear.

1. Can the Commission say where the Member States currently stand on this issue?

2. Does it believe it should review the 2012 corrective budget to maintain the resources for these projects?

3. Does it believe that it is a priority, during economic and social crisis, to continue to support programmes aimed at European integration and which promote youth employment, which falling in several Member States?

Joint answer given by Mr Lewandowski on behalf of the Commission
(7 December 2012)

The Commission adopted on 23 October 2012 the Draft Amending Budget (DAB) 6/2012 which requests additional resources of about EUR 9 billion. ([1])

([1]) http://ec.europa.eu/budget/biblio/documents/2012/2012_en.cfm.

The DAB 6/2012 lists programmes in need of additional payment appropriations, such as cohesion policy ([2]) and rural development (around EUR 8.3 billion), research programmes (EUR 423 million) or the Erasmus programme (EUR 90 million).

([2]) ERDF, CF and ESF.

(Version française)

Question avec demande de réponse écrite E-009052/12
à la Commission
Françoise Grossetête (PPE)
(9 octobre 2012)

Objet: Reconnaissance des prescriptions de médicaments

La directive 2011/24/UE relative à l'application des droits des patients en matière de soins de santé transfrontaliers vise dans son article 11 à la reconnaissance des prescriptions établies dans un autre État membre.

L'article dispose que la Commission adopte des mesures permettant à un professionnel de la santé de vérifier si la prescription est authentique et si elle a été établie dans un autre État membre par un membre d'une profession de la santé réglementée qui est légalement autorisé à le faire. Cela doit être fait à travers l'élaboration d'une liste non exhaustive d'éléments à inclure dans les prescriptions et qui doivent être clairement identifiables dans toutes les formes de prescriptions.

Dans le cas de médicaments issus de biotechnologies, la seule Dénomination Commune Internationale (DCI) risque de ne pas être suffisante pour identifier les médicaments. Comme le font valoir l'Organisation mondiale de la Santé (OMS) ainsi que les parties prenantes qui se sont exprimées durant la consultation publique en janvier 2012, la DCI ne permet pas d'assurer une identification claire et précise de tous les types de médicaments.

La Commission peut-elle indiquer si elle proposera d'inclure d'autres éléments que la DCI afin de garantir la meilleure reconnaissance possible des prescriptions et de préserver la sécurité des patients?

Réponse donnée par M. Šefčovič au nom de la Commission
(26 novembre 2012)

La Commission est en train d'élaborer un projet de directive d'exécution énonçant des mesures visant à faciliter la reconnaissance des prescriptions médicales établies dans un autre État membre. Un premier échange de vues avec les experts des États membres a eu lieu en octobre 2012.

Ainsi que le prescrit l'article 11, paragraphe 2, point a de la directive 2011/24/UE ([1]), les modalités d'exécution doivent prévoir, notamment, l'établissement d'une liste non exhaustive d'éléments devant figurer dans les prescriptions médicales établies dans un État membre et délivrées dans un autre. Cette liste non exhaustive doit également contenir des éléments permettant l'identification des médicaments ou dispositifs médicaux prescrits. La Commission prévoit d'adopter cette directive d'exécution d'ici la fin de cette année.

([1]) Directive 2011/24/UE relative à l'application des droits des patients en matière de soins de santé transfrontaliers (JO L 88 du 4.4.2011, p. 45).

(English version)

Question for written answer E-009052/12
to the Commission
Françoise Grossetête (PPE)
(9 October 2012)

Subject: Recognition of medicine prescriptions

Directive 2011/24/EU relates to the application of patients' rights in cross-border healthcare; the recognition of prescriptions issued in another Member State is covered by Article 11.

Under that article the Commission is required to adopt measures enabling a health professional to verify whether a prescription is authentic and has been issued in another Member State by a member of a regulated health profession legally entitled to do so. To that end, a non-exhaustive list is to be compiled, specifying information which prescriptions have to bear and which must be clearly identifiable in all prescription formats.

If medicines have been produced by biotechnologies, the International Non-Proprietary Name (INN) may not be sufficient in itself to identify them. As has been pointed out by the World Health Organisation (WHO), as well as by the stakeholders who contributed to the public consultation in January 2012, the INN does not serve to identify every type of medicine clearly and accurately.

Will the Commission propose that other information be included alongside the INN so as to make for the widest possible recognition of prescriptions while preserving patients' safety?

Answer given by Mr Šefčovič on behalf of the Commission
(26 November 2012)

The Commission is preparing a draft 'Implementing Directive laying down measures to facilitate the recognition of medical prescriptions issued in another Member State'. A first exchange of views with the experts of the Member States took place in October 2012.

As prescribed by Article 11.2 (a) of Directive 2011/24/EU ([1]), the implementing measures should include a non-exhaustive list of elements to appear on medical prescriptions prescribed in one Member State and intended to be dispensed in another. This non-exhaustive list should also include elements pertaining to the identification of prescribed medical products, covering both medicinal products and medical devices. The Commission foresees to adopt this implementing Directive by the end of this year.

([1]) Directive 2011/24/EU on the application of patients' rights in cross-border healthcare. OJ L88/45 of 4. 4.2011.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009053/12
a la Comisión
Salvador Sedó i Alabart (PPE) y Werner Langen (PPE)
(9 de octubre de 2012)

Asunto: El sector farmacéutico de la UE

Como parte de la Estrategia 2020, la Comisión ha presentado diversas iniciativas para promover el crecimiento sostenible en la Unión Europea. Uno de los puntos fuertes de la propuesta de la Comisión es que se centra en la política industrial, como reafirmó el Presidente Barroso en su discurso sobre el Estado de la Unión ante el Parlamento el 12 de septiembre de 2012. En su discurso, el señor Barroso señaló cuatro sectores estratégicos: el aeronáutico, el de la automoción, el de la ingeniería y el farmacéutico.

En relación con el último, las medidas presupuestarias actuales de los Estados miembros están obstaculizando considerablemente el desarrollo del sector farmacéutico y socavando el acceso de los pacientes a productos innovadores, a pesar de que el sector farmacéutico continúa siendo una baza para la Unión Europea y representa el 19,1 % del total de la inversión en I+D en Europa. Es el quinto sector de la UE en términos de producción y ha generado superávits comerciales de 70 000 millones de euros en 2010.

1. A la luz de esto, y a la vista del discurso del Presidente Barroso y de la contribución del sector farmacéutico al crecimiento, ¿piensa incluir la Comisión este sector entre las áreas prioritarias en su próxima comunicación sobre política industrial?

2. ¿Qué otras acciones específicas e integradas pretende proponer la Comisión en apoyo del sector sanitario con el fin de hacer frente a retos sociales como el envejecimiento de la población, el aumento de las necesidades médicas y la necesidad de salvaguardar la independencia de la Unión en el terreno de la salud?

Respuesta del Sr. Tajani en nombre de la Comisión
(30 de noviembre de 2012)

En su discurso sobre el estado de la Unión de 12 de septiembre de 2012, el Presidente Barroso destacó la importancia de la industria farmacéutica para la economía europea. Esta idea se recoge en la Comunicación «Una industria europea más fuerte para el crecimiento y la recuperación económica. Actualización de la Comunicación sobre política industrial» de 10 de octubre de 2012 ([1]).

En la citada Comunicación, la Comisión señala que se necesitan medidas adicionales. Se propone que las actividades posibles deben ir más allá de la actual revisión de la Directiva 89/105/CEE relativa a la fijación de precios y reembolso de medicamentos y el trabajo en curso sobre la evaluación de las tecnologías sanitarias. Este enfoque global debe abarcar todas las políticas e implicar a todas las partes pertinentes para la competitividad de la industria farmacéutica europea. El objetivo de este proceso previsto es velar por la competitividad y la viabilidad a largo plazo de la industria farmacéutica de la UE, al tiempo que se garantiza a los ciudadanos europeos el acceso a los medicamentos. El proceso sobre la responsabilidad de las empresas en la industria farmacéutica, que se encuentra en su fase final, ayudará a identificar futuros ámbitos que sea preciso tratar con más detalle en la iniciativa prevista.

Por otra parte, la Comisión ha adoptado recientemente una propuesta de Reglamento para sustituir la actual normativa sobre ensayos clínicos. Uno de los principales objetivos de la propuesta es hacer más atractiva la investigación clínica en la EU, contribuyendo al crecimiento y a la creación de empleo en este sector, al tiempo que se garantiza el acceso de los pacientes a los tratamientos más avanzados en las más rigurosas condiciones de seguridad.

([1]) COM(2012) 582 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009053/12
an die Kommission
Salvador Sedó i Alabart (PPE) und Werner Langen (PPE)
(9. Oktober 2012)

Betrifft: Die Pharmaindustrie in der EU

Die Kommission hat im Rahmen der Agenda 2020 eine Reihe von Initiativen vorgestellt, um nachhaltiges Wachstum in der Europäischen Union zu fördern. Eine der großen Stärken des Vorschlags der Kommission ist die Fokussierung der Industriepolitik, was von Präsident Barroso in seiner Ansprache zur Lage der Union vor dem Parlament am 12. September 2012 erneut bestätigt wurde. In seiner Rede bestimmte der Präsident vier Sektoren von strategischer Bedeutung: Luftfahrtindustrie, Automobilindustrie, Maschinenbau und Pharmaindustrie.

Was die Pharmaindustrie betrifft, erschweren die haushaltspolitischen Maßnahmen, die derzeit in den Mitgliedstaaten ergriffen werden, erheblich deren Entwicklung und beeinträchtigen den Zugang der Patienten zu innovativen Produkten, obwohl die Pharmaindustrie mit 19,1 % der gesamten FuE-Investitionen in Europa nach wie vor ein wichtiges Plus/großen Gewinn für die Europäische Union darstellt. Am Produktionsvolumen gemessen ist sie mit Handelsüberschüssen von 70 Mrd. EUR im Jahr 2010 der fünftgrößte Sektor in der EU.

1. Beabsichtigt die Kommission im Lichte dessen und angesichts der Rede des Präsidenten Barroso sowie des Beitrags der Pharmaindustrie zum Wachstum diesen Wirtschaftszweig in der nächsten Mitteilung zur Industriepolitik in die vorrangigen Bereiche aufzunehmen?

2. Welche anderen spezifischen integrierten Maßnahmen beabsichtigt die Kommission zur Unterstützung der Gesundheitsindustrie vorzuschlagen, damit gesellschaftliche Herausforderungen, wie die Bevölkerungsalterung und der steigende Behandlungsbedarf bewältigt werden und dem Erfordernis der Unabhängigkeit der Union im Gesundheitswesen Rechnung getragen wird?

Antwort von Herrn Tajani im Namen der Kommission
(30. November 2012)

Präsident Barroso hob in seiner Rede zur Lage der Union am 12. September 2012 die Bedeutung der pharmazeutischen Industrie für die europäische Wirtschaft hervor. Diese Feststellung wurde in der Mitteilung „Eine stärkere europäische Industrie bringt Wachstum und wirtschaftliche Erholung — Aktualisierung der Mitteilung zur Industriepolitik“ ([1]) vom 10. Oktober 2012 aufgegriffen.

Die Kommission weist in dieser Mitteilung darauf hin, dass zusätzliche Maßnahmen erforderlich sind. Es wird vorgeschlagen, mögliche Maßnahmen über die derzeitige Überprüfung der Richtlinie 89/105/EWG betreffend die Transparenz von Maßnahmen zur Regelung der Preisfestsetzung/Erstattung bei Arzneimitteln und die laufenden Arbeiten zur Technologiefolgenabschätzung im Gesundheitswesen hinaus zu ergreifen. Dieses umfassende Konzept sollte alle Politikbereiche abdecken und alle Parteien einbeziehen, die für die Wettbewerbsfähigkeit der europäischen Arzneimittelindustrie wichtig sind. Mit diesem geplanten Prozess sollen die Wettbewerbsfähigkeit und langfristige Bestandsfähigkeit der pharmazeutischen Industrie der EU sichergestellt und gleichzeitig gewährleistet werden, dass die europäischen Bürgerinnen und Bürger Zugang zu Medizinprodukten haben. Der zum Thema Verantwortung der Unternehmen in der pharmazeutischen Industrie eingeleitete Prozess, der sich derzeit in der letzten Phase befindet, wird dazu beitragen, Bereiche zu ermitteln, die in Zukunft im Rahmen der geplanten politischen Initiative eingehender behandelt werden sollten.

Darüber hinaus hat die Kommission vor Kurzem einen Vorschlag für eine Verordnung angenommen, die die geltenden Bestimmungen über klinische Prüfungen ersetzen soll. Eines der wichtigsten Ziele des Vorschlags ist es, die Durchführung klinischer Forschung in der EU attraktiver zu gestalten und so zum Wachstum und zur Schaffung von Arbeitsplätzen in dieser Branche beizutragen, wobei gleichzeitig sichergestellt wird, dass europäische Patienten Zugang zu Behandlungsformen haben, die dem neuesten Stand entsprechen und strengsten Sicherheitsbedingungen unterliegen.

([1]) KOM(2012)582 endg.

(English version)

Question for written answer E-009053/12
to the Commission
Salvador Sedó i Alabart (PPE) and Werner Langen (PPE)
(9 October 2012)

Subject: The EU pharmaceutical industry

As part of Agenda 2020, the Commission has presented a number of initiatives to promote sustainable growth in the European Union. One of the strong points of the Commission's proposal is its focus on industrial policy, which was reaffirmed by President Barroso in his State of the Union address before Parliament on 12 September 2012. In his speech, Mr Barroso identified four strategic sectors: the aeronautic, automotive, engineering and pharmaceutical industries.

With regard to the latter, the budgetary measures currently being taken in the Member States are considerably hampering the development of the pharmaceutical sector, and undermining patients' access to innovative products, notwithstanding the fact that the pharmaceutical industry remains an asset to the European Union, accounting for 19.1% of the total R R&D D investment in Europe. It is the fifth largest sector in the EU in terms of production, having generated trade surpluses of EU 70 billion in 2010.

1. In light of this, and in view of the speech by President Barroso and the contribution of the pharmaceutical industry to growth, does the Commission intend to include this sector among the priority areas in its next communication on industrial policy?

2. What other specific, integrated actions does the Commission intend to propose in support of the healthcare industry, in order to meet societal challenges such as an ageing population, growing medical needs and the need to safeguard the Union's independence in terms of health?

Answer given by Mr Tajani on behalf of the Commission
(30 November 2012)

In his State of the Union speech of 12 September 2012 President Barroso highlighted the importance of the pharmaceutical industry for the European economy. This notion has been taken up in the communication 'A Stronger European Industry for Growth and Economic Recovery — Industrial Policy Communication Update' of 10 October 2012 ([1]).

In the abovementioned Communication the Commission points out that additional action is needed. It is proposed that possible activities should go beyond the current review of the Transparency Directive 89/105/EEC on pricing/reimbursement of medicinal products and the ongoing work on health technology assessment. This comprehensive approach should cover all policies and get all parties involved which are relevant to the competitiveness of the European-based pharmaceutical industry. The objective of this envisaged process is to secure the competitiveness and long-term viability of the EU pharmaceutical industry while ensuring access to medicinal products for European citizens. The Process of Corporate Responsibility in the Field of Pharmaceuticals which is currently in its final phase will help to identify future areas worth dealing with in more detail in the planned policy initiative.

Moreover, the Commission recently adopted a proposal for a regulation replacing current rules on Clinical Trials. One of the main aims of the proposal is to boost the attractiveness of conducting clinical research in the EU, contributing to growth and job creation in this sector while ensuring that European patients have access to state-of-the-art treatments under the strictest safety conditions.

([1]) COM(2012) 582 final.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009054/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de octubre de 2012)

Asunto: Pregunta complementaria a la respuesta E-004856/2012

En referencia a la respuesta E-004856/2012 de fecha 3 de julio de 2012, de la Sra. Kroes, en nombre de la Comisión: «La Comisión está examinando si la legislación relativa al sector de las telecomunicaciones recientemente aprobada se ajusta a la legislación de la UE y analizando las propuestas finales que se van a adoptar para crear una única entidad reguladora en España.»

A la vista de que ya han pasado tres meses desde la respuesta de la Comisión,

1. ¿Ya ha examinado la Comisión esta documentación?

2. ¿Está satisfecha la Comisión con la información que ha recibido de las autoridades españolas?

3. ¿A qué conclusión ha llegado la Comisión sobre este tema?

Respuesta de la Sra. Kroes en nombre de la Comisión
(20 de noviembre de 2012)

La Comisión ha analizado la legislación nacional adoptada por la que se que incorpora el marco reglamentario de la UE aplicable a las comunicaciones electrónicas y examinado la evolución de la legislación con vistas a la adopción de la ley por la que se crea la Comisión Nacional de los Mercados y la Competencia (CNMC) en España.

En lo que se refiere a la adopción del Real Decreto-ley 13/2012 que incorpora el marco reglamentario de la UE, tras la notificación de la plena incorporación de las Directivas pertinentes de la UE, la Comisión ha archivado el procedimiento de infracción por falta de comunicación de las medidas correspondientes. La Comisión ha examinado dicha legislación y se ha puesto en contacto con las autoridades españolas en relación con algunos aspectos de la citada incorporación.

En lo que atañe a la reforma de las autoridades españolas de reglamentación, una vez emitido el dictamen del Consejo de Estado, el Consejo de Ministros adoptó el 27 de septiembre de 2012 el proyecto de ley por el que se crea la CNMC ([1]), que ha sido presentado al Congreso de los Diputados para su adopción ([2]).

Tal como se indica en nuestra respuesta a la pregunta parlamentaria E-5317/2012 ([3]), al amparo del Derecho de la UE, los Estados miembros gozan de un alto grado de autonomía a la hora de establecer sus órganos reguladores de sector y de la competencia, siempre que se cumplan todos los requisitos impuestos por el Derecho de la UE en materia de creación de estos órganos y desempeño de sus cometidos. En el sector de las telecomunicaciones electrónicas, las Directivas pertinentes de la UE establecen disposiciones específicas relativas a la independencia de las autoridades de reglamentación. La Comisión presta una gran importancia al principio de la independencia de las autoridades nacionales de reglamentación y analizará si el texto definitivo de la ley que adopte el Congreso de los Diputados cumple el Derecho de la UE.

([1]) Consejo de Ministros, jueves 27 de septiembre de 2012: http://www.lamoncloa.gob.es/ConsejodeMinistros/Referencias/_2012/refc20120927.htm#ComisionNacional.
([2]) Boletín Oficial de las Cortes Generales, Congreso de los Diputados, 19 de octubre de 2012: http://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-28-1.PDF
([3]) http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html

(English version)

Question for written answer E-009054/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 October 2012)

Subject: Follow-up to answer to Written Question E-004856/2012

In her answer to Written Question E-004856/2012 of 3 July 2012, Ms Kroes stated, on behalf of the Commission, that: '[t]he Commission is in the process of analysing the compliance with EC law of the recently adopted legislation in the telecommunications sector and the final proposals to be adopted regarding the establishment of a single regulator in Spain'.

Three months have now gone by since the Commission's answer. With this in mind:

1. Has the Commission now analysed the documents concerned?

2. Is the Commission satisfied with the information that it has received from the Spanish authorities?

3. What conclusion has the Commission reached on this matter?

Answer given by Ms Kroes on behalf of the Commission
(20 November 2012)

The Commission has analysed the adopted legislation transposing the EU regulatory framework for electronic communications and has been monitoring the legislative developments for the adoption of the law creating the National Commission for Markets and Competition (CNMC) in Spain.

With regard to the adoption of Royal Decree-law 13/2012 transposing the EU regulatory framework, following notification of full transposition of the relevant EU Directives, the Commission has closed the infringement proceedings for non-communication of transposition measures. The Commission has examined this legislation and has been in contacts with the Spanish authorities as regards some aspects of this transposition.

With regard to the reform of the regulatory authorities in Spain, following the opinion of the Council of State, the draft law creating the CNMC was adopted by the Council of Ministers on 27 September 2012 ([1]). The draft law has now been submitted to the Parliament for adoption ([2]).

As indicated in our reply to PQ E-5317/2012 ([3]), under EC law, Member States have a considerable degree of autonomy in deciding how to set up their competition and sector regulatory bodies provided that all requirements imposed by EC law regarding the setting up of these bodies and the carrying out of their tasks are duly complied with. In the electronic communications sector, the relevant EU Directives contain specific provisions about the independence of regulatory authorities. The Commission attaches great importance to the principle of independence of the national regulatory authorities, and will analyse the compliance with EC law of the final law to be adopted by the Spanish Parliament.

([1]) Consejo de Ministros. Jueves 27 de Septiembre de 2012, http://www.lamoncloa.gob.es/ConsejodeMinistros/Referencias/_2012/refc20120927.htm#ComisionNacional
([2]) Boletín Oficial de las Cortes Generales. Congreso de los Diputados. 19 de Octubre de 2012, http://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-28-1.PDF
([3]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Svensk version)

Frågor för skriftligt besvarande E-009055/12
till kommissionen
Amelia Andersdotter (Verts/ALE)
(9 oktober 2012)

Angående: Skyddet av EU-medborgarnas personuppgifter inom ramen för EU:s föreslagna djupgående och omfattande frihandelsavtal med Armenien

Kommissionens information om de pågående förhandlingarna med Armeniens regering om ett djupgående och omfattande frihandelsavtal ger anledning till följande frågor:

Enligt Europaparlamentets och rådets direktiv 95/46/EG om skydd för enskilda personer med avseende på behandling av personuppgifter och om det fria flödet av sådana uppgifter har registerförare ett tydligt ansvar i fråga om behandlingen av uppgifter, och det måste finnas garantier för att skydda enskilda personers grundläggande rättigheter. Det utkast till kapitel om handel med tjänster, etablering och elektronisk handel (artikel 42) som kommissionen har sänt till INTA-utskottet innehåller särskilda garantier för överföring av personuppgifter, men det specificeras inte vilka garantier som kommer att gälla när uppgifterna väl har lagrats i Armenien. Trots att direktiv 95/46/EG omfattar garantier för behandlingen av uppgifter omnämns inte uttryckligen sådana garantier i texten till det djupgående och omfattande frihandelsavtalet med Armenien.

Kommissionen ombeds svara på följande frågor:

1. Varför finns inte principen om att den berörda personen vars uppgifter överförs och behandlas måste ge sitt samtycke på förhand med i det djupgående och omfattande frihandelsavtalet?

2. Kan kommissionen garantera att EU-medborgarnas rättigheter skyddas, trots att avtalet inte verkar garantera samma nivå av skydd som EU:s regelverk?

3. På vilket sätt uppmuntras den armeniska regeringen att snarast möjligt införa sådana garantier, med tanke på att avtalsförslaget inte innehåller några specifika tidsfrister eller skyldigheter för att garantera en liknande nivå av skydd som EU:s regelverk?

Svar från Karel De Gucht på kommissionens vägnar
(30 januari 2013)

EU fäster vikt vid ett starkt skydd av personuppgifter i alla handelsavtal. Det framgår också av utkastet till ett djupgående och omfattande frihandelsavtal med Armenien, där EU förbehåller sig rätten att vidta och tillämpa de åtgärder som är nödvändiga för att säkerställa efterlevnaden av lagar och andra författningar om skydd av enskildas personliga integritet vid behandling och spridning av personuppgifter (artikel 58 i utkastet).

I praktiken innebär det att vid överföring av personuppgifter från EU till Armenien ska skyddsåtgärderna i direktiv 95/46/EG ([1]) tillämpas. Enligt artikel 26 i direktivet är och förblir den registrerades otvetydiga samtycke på förhand en av de legitima grunderna för överföring av personuppgifter. Avtalet innebär inte heller något konstaterande om att Armenien har en adekvat skyddsnivå enligt artikel 25.6 i direktivet.

Dessutom ska det framtida associeringsavtalet, om vilket förhandlingar pågår, innehålla ytterligare bestämmelser som ska garantera ett fullgott skydd för personuppgifter. Parterna ska härvidlag enas om att samarbeta för att ombesörja en lämplig nivå på skyddet av personuppgifter enligt högsta möjliga europeiska och internationella krav, inklusive Europarådets tillämpliga instrument.

([1]) Europaparlamentets och rådets direktiv 95/46/EG av den 24 oktober 1995 om skydd för enskilda personer med avseende på behandling av personuppgifter och om det fria flödet av sådana uppgifter (EGT L 281, 23.11.1995).

(English version)

Question for written answer E-009055/12
to the Commission
Amelia Andersdotter (Verts/ALE)
(9 October 2012)

Subject: Protection of personal data belonging to EU citizens in the context of the EU's proposed DCFTA with Armenia

The information provided by the Commission on the ongoing negotiations with the Government of Armenia on a Deep and Comprehensive Free Trade Agreement (DCFTA) raises the following issue:

Under Directive 95/46/EC of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data, data processors within the EU have clear liabilities and safeguards of fundamental rights of individuals must be put in place. The draft Chapter on Trade in Services, Establishment and Electronic Commerce (Art. 42), sent by the Commission to the INTA Committee, provides safeguards especially for the transfer of data, but it does not specify which safeguards will apply once the data is stored in Armenia. While Directive 95/46/EC includes safeguards applicable to the processing of data, such safeguards are not explicitly mentioned in the text of the DCFTA with Armenia.

Is the Commission able to clarify the following questions:

1. Why is the principle of prior consent of the individual whose data is being transferred and processed not being included in the DCFTA?

2. Is the Commission able to ensure the protection of the rights of EU citizens even when the same level of protection as afforded by the *acquis* appears not to be guaranteed?

3. How is the Armenian Government being encouraged to put such safeguards into place as soon as possible, given that no specific deadlines or obligation to provide a similar level of protection with the EU *acquis* are mentioned in the proposed agreement?

Answer given by Mr De Gucht on behalf of the Commission
(30 January 2013)

The EU attaches importance to guarantying a high level of protection of personal data in all trade agreements. This is also reflected in the proposed text of the agreement on a deep and comprehensive area with Armenia, where the EU preserves the right to 'adopt and enforce measures necessary to secure compliance with laws or regulations relating to the protection of the privacy of individuals in relation to the processing and dissemination of personal data' (draft Article 58).

In practical terms it means that as far as data transfers from the EU to Armenia are concerned, the safeguards provided under Directive 95/46/EC ([1]) will be applicable. In particular, under Article 26 of Directive 95/46/EC, prior and unambiguous consent of the data subject is and will continue to be one of the legitimate requirements for such transfers. Furthermore, the agreement would not imply adequacy of Armenia within the meaning of Article 25(6) of Directive 95/46/EC.

In addition, the future Association Agreement, which is currently being negotiated, shall contain further elements ensuring that a high level of data protection will be guaranteed. In this context, the Parties shall agree to cooperate in order to ensure an appropriate level of protection of personal data in accordance with the highest European and international standards, including the relevant Council of Europe instruments.

([1]) Directive 95/46/EC of Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-009058/12
til Kommissionen
Morten Løkkegaard (ALDE)
(9. oktober 2012)

Om: Offentlige Udbud III

I moderniseringen af direktivet om offentlige udbud lægger Kommissionen op til, at der kan stilles krav til de tilbudsgivende virksomheder om at udarbejde beregninger over levetidsomkostningerne ved produktet.

Hvis en virksomhed foretager en fejlagtig beregning, der fører til lavere forventede levetidsomkostninger, vil de komme til at stå bedre i vurderingen af det økonomisk mest fordelagtige tilbud.

Kan Kommissionen afklare, hvem der i givet fald kommer til at stå med ansvaret for en levetidsomkostningsberegning, hvor forudsætninger ikke holder, fordi de enten har været fejlagtige fra starten, eller der er opstået uforudsete hændelser undervejs i levetiden?

Der kan for eksempel være tale om udefrakommende eksterne påvirkninger eller uforudset stor slitage. Vil det være den tilbudsgivende virksomhed eller den ordregivende myndighed, som skal dække en eventuel fejlagtig beregning?

Svar afgivet på Kommissionens vegne af Michel Barnier
(3. december 2012)

Ifølge det direktivforslag om offentlige udbud, som Kommissionen har forelagt ([1]), skal de ordregivende myndigheder i udbudsdokumenterne angive, hvilken metode der er anvendt til at beregne livscyklusomkostningerne ([2]). På baggrund af de bemærkninger, der er indkommet vedrørende gennemførelsen af beregningen, navnlig hvem ansvaret herfor kan pålægges, er det Kommissionens opfattelse, at beregningen af livscyklusomkostningerne i praksis bør gennemføres af de ordregivende myndigheder selv på grundlag af de specifikke data, som vil blive præciseret i udbudsdokumenterne og afkrævet af tilbudsgiverne. Dette punkt vil skulle afklares i forbindelse med den igangværende vedtagelsesprocedure. Ansvaret for en fejlagtig beregning vil i så fald alene blive den ordregivende myndigheds, og konsekvenserne af en fejlagtig beregning, som bliver opdaget på et senere tidspunkt, vil falde ind under national lovgivning.

Hvis en tilbudsgiver indgiver fejlagtige data, vil sagen ikke stille sig anderledes end for fejl i forbindelse med andre kriterier (f.eks. leveringsdato eller færdiggørelsestid, kundeservice osv.), som benyttes til at afgøre, hvilket tilbud der er det økonomisk mest fordelagtige. Konsekvenserne af en sådan situation falder ligeledes ind under national lovgivning.

([1]) KOM(2011) 896 endelig.
([2]) Jf. artikel 67, stk. 2, i forslaget.

(English version)

Question for written answer E-009058/12
to the Commission
Morten Løkkegaard (ALDE)
(9 October 2012)

Subject: Public Procurement III

In its review of the Public Procurement Directive, the Commission is proposing rules that would make it possible to require tendering companies to provide a calculation of the life-cycle costs of products.

This means that if a company made an incorrect calculation which resulted in lower anticipated life-cycle costs, it would improve its position with respect to the evaluation of the most economically advantageous tender.

Could the Commission clarify who, in such a case, would bear the responsibility for a calculation of life-cycle costs in which the underlying assumptions turn out to be wrong either because they were incorrect from the outset, or because of unforeseen events occurring during their life cycle?

This could, for example, be due to external influencing factors or greater wear and tear than anticipated. Would the tendering company or the contracting authority be held liable for any such incorrect calculation?

(Version française)

Réponse donnée par M. Barnier au nom de la Commission
(3 décembre 2012)

La proposition de directive relative aux marchés publics présentée par la Commission ([1]) prévoit que les pouvoirs adjudicateurs indiquent dans les documents de marché quelle est la méthode utilisée pour le calcul du coût du cycle de vie ([2]). Suite à des observations reçues quant aux modalités de mise en œuvre du calcul, notamment la responsabilité des différents intervenants à cet égard, la Commission est d'avis que le calcul du coût du cycle de vie devrait en pratique être effectué par le pouvoir adjudicateur lui-même à partir des données spécifiques qui seraient précisées dans les documents de marché et requises des soumissionnaires. Ce point devrait être clarifié dans le cadre de la procédure d'adoption en cours. Une erreur de calcul serait donc alors imputable au seul pouvoir adjudicateur et les conséquences d'une erreur de calcul détectée ultérieurement relèveraient du droit national.

Le cas de données erronées fournies par un soumissionnaire ne serait quant à lui pas différent d'un cas d'erreur relatif à d'autres critères (tels que la date de livraison ou d'exécution, le service après-vente, etc.) requis en vue de la détermination de l'offre économiquement la plus avantageuse. Les conséquences d'une telle situation relèveraient également du droit national.

([1]) COM(2011)896 final.
([2]) Cf. article 67, paragraphe 2 de la proposition.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-009059/12
an die Kommission
Michael Theurer (ALDE)
(9. Oktober 2012)

Betrifft: Umsetzung des Vergaberechts in Baden-Württemberg (Deutschland): Beispiel bürokratischer Aufwände eines EFRE-geförderten Projekts

Der Grund für diese Anfrage ist die Beschwerde eines Bürgers, der ein EFRE-gefördertes Cluster im Land Baden-Württemberg (Deutschland) leitet und über einen hohen bürokratischen Aufwand bei der Auftragsvergabe klagt.

Der Bürger beschreibt den Fall wie folgt: Bis Ende 2011 galt in Baden-Württemberg das Beschleunigungsgesetz, was dem Cluster die freihändige Vergabe bis zu einem Wert von rund 200 000 EUR ermöglicht hat. Diese Rechtslage habe sich am 1. Januar 2012 geändert. Der zuständige Sachbearbeiter der Landesbank Baden-Württemberg hatte allerdings mitgeteilt, dass bei Aufträgen, die nach Vergabe- und Vertragsordnung für Leistungen erteilt werden müssten, vom Grundsatz der öffentlichen Ausschreibung abgewichen werden könne, wenn die Wertgrenze von 10 000 EUR nicht überschritten werde.

Diese Erleichterung beruhe auf dem Erlass des Innenministeriums Baden-Württemberg vom 25. Januar 2008. Wenige Wochen später wurde dem Leiter des Clusters allerdings mitgeteilt, dass diese Erleichterungen nur für kommunale Auftraggeber gelten würden. Er sieht sich daher seitdem gezwungen, alle Vergaben ab 500 EUR öffentlich auszuschreiben, was einen erheblichen Aufwand verursacht und darüber hinaus, für einen Auftrag in dieser Größenordnung, nicht hinnehmbare Verwaltungskosten.

1. Kann die Kommission Auskunft darüber geben, auf welcher europäischen Rechtsquelle die oben beschriebene Regelung beruht?

2. Kann die Kommission Auskunft darüber geben, ob es im Einklang mit europäischem Recht ist, die oben beschriebene Rechtsetzung in Baden-Württemberg zu ändern?

Antwort von Herrn Barnier im Namen der Kommission
(30. November 2012)

Die EU-Richtlinien über die öffentliche Auftragsvergabe 2004/17/EG ([1]) und 2004/18/EG ([2]) stellen die Rechtsgrundlage für die einzelstaatlichen Regeln auf dem Gebiet der öffentlichen Auftragsvergabe dar, sofern die in diesen Richtlinien festgelegten Schwellenwerte überschritten werden. Derzeit liegen die Schwellenwerte für Bauaufträge bei 5 000 000 EUR und für Liefer- und Dienstleistungsaufträge bei 200 000 EUR.

Die vom Herrn Abgeordneten genannten Aufträge liegen unter diesen Schwellenwerten. Folglich finden die EU-Richtlinien über die öffentliche Auftragsvergabe keine Anwendung. In diesen Fällen finden die allgemeinen Grundsätze der Gleichbehandlung, Nichtdiskriminierung und Transparenz, die im Vertrag über die Arbeitsweise der Europäischen Union festgeschrieben sind, auf Fälle der Auftragsvergabe mit grenzübergreifendem Interesse Anwendung ([3]). Abgesehen von den zuvor genannten allgemeinen Grundsätzen, die die Mitgliedstaaten einhalten müssen, obliegt es jedem Mitgliedstaat, weitere einschlägige Vorschriften festzulegen.

Bei Aufträgen unter einem Wert von 10 000 EUR, auf die der Herr Abgeordnete Bezug nimmt, ist ein grenzübergreifendes Interesse in der Regel nicht gegeben. Den Mitgliedstaaten steht es frei, über die in diesen Fällen einzuhaltenden Verfahren zu bestimmen. So können sie zwar obligatorische öffentliche Ausschreibungen vorsehen, sind aber nach europäischem Recht nicht dazu verpflichtet.

Im Rahmen der oben genannten Schwellenwerte können die Mitgliedstaaten ihre Rechtsvorschriften ändern.

([1]) Richtlinie 2004/17/EG des Europäischen Parlaments und des Rates vom 31. März 2004 zur Koordinierung der Zuschlagserteilung durch Auftraggeber im Bereich der Wasser-, Energie- und Verkehrsversorgung sowie der Postdienste (ABl. L 134 vom 30. April 2004, S. 1).

([2]) Richtlinie 2004/18/EG des Europäischen Parlaments und des Rates vom 31. März 2004 über die Koordinierung der Verfahren zur Vergabe öffentlicher Bauaufträge, Lieferaufträge und Dienstleistungsaufträge (ABl. L 134 vom 30. April 2004, S. 114.

([3]) Mitteilung der Kommission zu Auslegungsfragen in Bezug auf das Gemeinschaftsrecht, das für die Vergabe öffentlicher Aufträge gilt, die nicht oder nur teilweise unter die Vergaberichtlinien fallen; ABl. C 179 vom 1.8.2006, C-179/2.

(English version)

Question for written answer E-009059/12
to the Commission
Michael Theurer (ALDE)
(9 October 2012)

Subject: Implementation of public procurement legislation in Baden-Württemberg (Germany): an example of bureaucratic costs in connection with an ERDF-funded project

My question arises from a complaint by a member of the public who leads a ERDF-funded 'cluster' in the German Land of Baden-Württemberg and draws attention to high administrative costs in connection with procurement procedures.

The complainant describes the situation as follows. Up to the end of 2011, Baden-Württemberg applied the Accelerated Development Act, which enabled the cluster to award private treaty contracts up to a value of EUR 200 000. The legal situation changed on 1 January 2012. The official responsible for such matters at the Landesbank Baden-Württemberg indicated, however, that in the case of contracts for the supply of services subject to contract award procedures, exemptions from the requirement for competitive bidding could be made if the value of the contract did not exceed EUR 10 000.

This concession was apparently based on a directive issued by the Baden-Württemberg Ministry of the Interior on 25 January 2008. A few weeks later, however, the leader of the cluster was informed that this form of relief only applied only to (municipal) contracting authorities. He is therefore obliged to put all contracts worth EUR 500 or more out to public tender, which involves administrative costs which are unacceptably high in relation to the value of the contacts.

1. Can the Commission explain what is the basis in European law for the rules referred to above?

2. Can the Commission state whether it is consistent with European law to change the abovementioned legislation in Baden-Württemberg?

Answer given by Mr Barnier on behalf of the Commission
(30 November 2012)

The European Public Procurement Directives 2004/17/EC ([1]) and 2004/18/EC ([2]) constitute the legal basis for national rules on public procurements above the thresholds fixed in those directives. Currently the thresholds are EUR 5 000 000 for works contracts and EUR 200 000 for service and supply contracts.

The contracts the Honourable Member refers to are below those thresholds. The Public Procurement Directives are therefore not applicable. In these cases the general principles derived from the Treaty on the functioning of the European Union, equal treatment, non-discrimination, and transparency must be respected in case of procurements presenting a cross-border interest ([3]). Apart from the abovementioned general principles that Member States must respect in their legislation, it falls within the competence of each Member State to set more specific rules.

Below EUR 10 000, the value of the contracts the Honourable Member refers to, a cross-border interest does typically not exist. Member States are free to define the procedures to be followed in these cases. They can foresee compulsory public tendering but are not obliged to do so under European law.

Within the limits set out above the Member States are free to change their legislation.

([1]) Directive 2004/17/EC of the European Parliament and of the Council of 31 ;arch 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors, OJ L 134 of 30 April 2004, p. 1.

([2]) Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, OJ L 134 of 30 April 2004, p. 114.

([3]) Commission Interpretative Communication on the Community law applicable to contract awards not or not fully subject to the provisions of the Public Procurement Directives, Official Journal of 1.08.2006, C-179/2.

(Versión española)

Pregunta con solicitud de respuesta escrita E-009060/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de octubre de 2012)

Asunto: Sistema Automático de Información de Calidad de las Aguas (SAICA) y Sistema Automático de Información Hidrológica (SAIH): redes para controlar datos de calidad y datos sobre nivel del agua y el caudal

La Dirección General del Agua del Ministerio de Agricultura, Alimentación y Medio Ambiente de España ha prescindido casi por completo de los servicios de mantenimiento, conservación y funcionamiento de los sistemas automáticos de información del agua (control en tiempo real de los datos hidrométricos y de calidad) puestos en marcha en cuencas hidrográficas de toda España. El Ministerio de Medio Ambiente reconoce que las redes de control de la superficie del agua en tiempo real instaladas en las cuencas hidrográficas españolas, SAIH (redes para controlar el nivel del agua y los datos de caudal) y SAICA (Sistema Automático de Información de Calidad de las Aguas, redes para controlar los datos referentes a la calidad), son «un sistema consolidado que proporciona apoyo operativo diario a las Confederaciones Hidrográficas, conocidas por la precisión de su evaluación y gestión en condiciones normales pero también en situaciones extremas».

En el periodo 1994-2001, la UE ha invertido más de 800 millones de euros en la implantación y puesta en marcha de redes de control de la superficie del agua en tiempo real. No obstante, los recortes presupuestarios en el mantenimiento y funcionamiento de estas infraestructuras suponen que en la actualidad estas redes estén siendo abandonadas y no funcionen debidamente. Desde su instalación, las redes de control SAIH han demostrado ser unas herramientas esenciales para la gestión eficiente de los recursos hídricos, tanto minimizando el impacto de las inundaciones sobre la población y la actividad económica en periodos de inundaciones como actuando como elementos reguladores en la gestión de los pantanos en episodios de sequía con el fin de suplir la demanda de la población y de la industria.

Además, gracias a su avanzado diseño tecnológico, las redes de control SAICA han demostrado ser unos dispositivos excelentes de alerta temprana ante episodios de contaminación, lo que contribuye a evitar vertidos no autorizados en el medio acuático.

1. ¿Es consciente la Comisión de que la red SAIH es el principal sistema de alerta temprana en España en relación con el cumplimiento de la Directiva 2007/60/CE, relativa a la evaluación y a la gestión de los riesgos de inundación (capítulo IV, artículo 7.3)?

2. ¿Considera la Comisión que los argumentos aducidos en su momento por el Gobierno de España ya no son válidos para obtener fondos estructurales con vistas a la construcción de las redes de control SAIH y SAICA?

Pregunta con solicitud de respuesta escrita E-009061/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de octubre de 2012)

Asunto: Sistema Automático de Información Hidrológica (SAIH): Redes para controlar el nivel del agua y los datos de caudal

La Dirección General del Agua del Ministerio de Agricultura, Alimentación y Medio Ambiente de España ha prescindido casi por completo de los servicios de mantenimiento, preservación y funcionamiento de los sistemas automáticos de información del agua (control en tiempo real de los datos hidrométricos y de calidad) puestos en marcha en cuencas hidrográficas de todo el país. El Ministerio de Medio Ambiente español reconoce ([1]) que las redes de control de la superficie del agua en tiempo real instaladas en las cuencas hidrográficas españolas, SAIH (redes para controlar el nivel del agua y los datos de caudal) y SAICA (Sistema Automático de Información de Calidad de las Aguas, redes para controlar los datos referentes a la calidad), son «un sistema consolidado que proporciona apoyo operativo diario a las Confederaciones Hidrográficas, conocidas por la precisión de su evaluación y gestión en condiciones normales pero también en situaciones extremas».

([1]) http://www.magrama.gob.es/es/agua/temas/evaluacion-de-los-recursos-hidricos/SAIH_WEB_MMA_V301109_tcm7-28827.pdf

En el periodo 1994-2012, la UE ([2]) ha invertido más de 800 millones de euros en la implantación y puesta en marcha de redes de control de la superficie del agua en tiempo real. No obstante, los recortes presupuestarios en el mantenimiento y funcionamiento de estas infraestructuras conducen al abandono y al empeoramiento de estas redes. Desde su instalación, las redes de control SAIH han demostrado ser unas herramientas esenciales para la gestión eficiente de los recursos hídricos tanto en episodios de desbordamiento, minimizando el impacto de las inundaciones sobre la población y la actividad económica, como en episodios de sequía, en tanto que actúan como elementos reguladores en la gestión de los pantanos para garantizar la máxima disponibilidad de los recursos con el fin de suplir la demanda de la población y de la industria.

Además, gracias a su avanzado diseño tecnológico, las redes de control SAICA han demostrado ser unos dispositivos excelentes de alerta temprana ante episodios de contaminación, lo que les convierte en una infraestructura disuasoria contra vertidos no autorizados en el medio acuático.

¿Tiene en cuenta la Comisión que las redes de control SAIH son herramientas para observar el cumplimiento del caudal mínimo ecológico necesario para conseguir el objetivo de la Directiva marco del agua, según la respuesta parlamentaria del Comisario Dimas en nombre de la Comisión? ([3])

Respuesta conjunta del Sr. Potočnik en nombre de la Comisión

(14 de diciembre de 2012)

La Comisión también cree que las redes SAIH son útiles para supervisar el cumplimiento de los flujos medioambientales mínimos y para evaluar los riesgos de inundación, tal como dispone el Derecho de la UE.

La Comisión confirma que los fondos de cohesión de la UE han financiado las redes SAIH y SAICA. No obstante, estos fondos no pueden financiar los costes de mantenimiento y de funcionamiento de estas infraestructuras; además, los fondos de la UE no pueden financiar dos veces la misma inversión.

([2]) COM(2000)0822. Financiación FEDER, financiación FEDER para Galicia 2000-2006, financiación complementaria de cohesión FEDER para Extremadura 2001-2006, implantación del Sistema Automático de Información Hidrológica (SAIH) en la cuenca hidrográfica del Guadiana, 2007-2013.

([3]) Respuesta a la pregunta parlamentaria E-5592/09.

(English version)

Question for written answer E-009060/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 October 2012)

Subject: SAICA (networks to monitor quality data) and SAIH (networks to monitor water level and flow data)

The Spanish Ministry of Agriculture, Food and the Environment's National Water Authority has almost entirely dispensed with maintenance services and the preservation and operation of automatic water information systems (real-time monitoring of hydrometric and quality data) implemented in river basins across Spain. The Environment Ministry recognises that the real-time surface water monitoring networks installed in Spain's river basins — SAIH (networks to monitor water level and flow data) and SAICA (networks to monitor quality data) — are a consolidated system which provides daily operational support to the river basin authorities, known for their accurate management assessments in normal conditions but also in extreme situations.

In the period between 1994 and 2001, the EU invested over EUR 800 million in the establishment and implementation of real-time surface water monitoring networks. Budget cuts in the maintenance and operation of such infrastructures now mean that such networks are being neglected and are not performing well. Since their launch, SAIH monitoring networks have proven to be essential tools for the efficient management of water resources, both in minimising the impact of floods on the population and on economic activity in periods of flooding, and in the management of reservoirs as regulatory elements in periods of drought to ensure the maximum availability of resources to meet the demands of the population and industry.

Moreover, SAICA monitoring networks, through their technologically advanced design, have proven to be excellent early-warning devices for pollution, helping to prevent unauthorised discharges into the water environment.

1. Is the Commission aware that the SAIH network is the Spain's primary early-warning system as regards compliance with Directive 2007/60/EC on the assessment and management of flood risks (Chapter IV, Article 7(3))?

2. Does the Commission take the view that the arguments the Spanish Government put forward at the time are no longer valid as regards obtaining structural funds with a view to building SAIH and SAICA control networks?

Question for written answer E-009061/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 October 2012)

Subject: SAIH: networks to monitor water level and flow data

The Spanish Ministry of Agriculture, Food and the Environment's National Water Authority has almost entirely dispensed with maintenance services and the preservation and operation of automatic water information systems (real-time monitoring of hydrometric and quality data) implemented in river basins across Spain. The Environment Ministry recognises ([1]) that the real-time surface water monitoring networks installed in Spain's river basins — SAIH (networks to monitor water level and flow data) and SAICA (networks to monitor quality data) — are a consolidated system which provides daily operational support to the River Basin Authorities, known for their accurate management assessments in normal conditions but also in extreme situations.

In the period between 1994 and 2012, the EU invested over EUR 800 million ([2]) in the establishment and implementation of real-time surface water monitoring networks. Budget cuts in the maintenance and operation of such infrastructures now mean that such networks to are being neglected and are not performing well. Since their launch, SAIH monitoring networks have proven to be essential tools for the efficient management of water resources, both in minimising the impact of floods on the population and on economic activity in periods of flooding, and in the management of reservoirs as regulatory elements in periods of drought to ensure the maximum availability of resources to meet the demands of the population and industry.

Moreover, SAICA monitoring networks, through their technologically advanced design, have proven to be excellent early-warning devices for pollution, helping to prevent unauthorised discharges into the water environment.

([1]) http://www.magrama.gob.es/es/agua/temas/evaluacion-de-los-recursos-hidricos/SAIH_WEB_MMA_V301109_tcm7-28827.pdf
([2]) COM(2000)0822. FEDER funding, for Galicia 2000-2006 FEDER funding, for Extremadura 2001-2006 complement FEDER-COHESION funding, Implementation of the Automatic Hydrological Information System (SAIH) In Guadiana river basin, 2007-2013.

In the light of Commissioner Dimas's answer on behalf of the Commission to parliamentary Question E-5592/2009, does the Commission take the view that SAIH control networks are tools with which to monitor compliance with the minimum environmental flows needed to achieve the objective of the Water Framework Directive?

Joint answer given by Mr Potočnik on behalf of the Commission
(14 December 2012)

The Commission agrees that SAIH networks are helpful to monitor compliance with minimum environmental flows and to assess flood risks as required by EU legislation.

The Commission confirms that the EU cohesion funds have financed SAIH and SAICA networks. However, these funds cannot finance the maintenance and operational costs of these infrastructures; in addition the same investment cannot be financed twice by EU funds.

(English version)

Question for written answer E-009062/12
to the Commission
Struan Stevenson (ECR)
(9 October 2012)

Subject: Draft broadband state aid guidelines

The UK Government has a plan to deliver superfast broadband (30 Mbps downlink speed) to virtually all UK homes by 2015. Given the budgets available, the UK requires a combination of the following three technologies to provide 98% of UK homes with superfast broadband: Fibre to the Home (FTTH), Fibre to the street Cabinet (FTTC) and Fixed Wireless to the Home (FWTH).

Nevertheless, the EU Next Generation Access (NGA) Guidelines do not currently allow public money to be spent on FWTH. The guidelines were originally drawn up some five years ago when wireless technologies were less advanced and fell short of the performance of fixed line technologies. However, technology has since progressed and the latest 4G Long Term Evolution (LTE) can now deliver superfast speeds when deployed in fixed wireless (rather than mobile) mode.

The EU guidelines aim to be technologically neutral, encourage open competition and stimulate innovation and investment to bridge the digital divide between rural and non-rural areas. Yet the proposed new guidelines do not fulfil these requirements.

As fixed wireless solutions will benefit all EU countries, including the UK, could the Commission consider expanding the current definition of NGA in the draft 'EU Guidelines for the application of state aid rules in relation to the rapid deployment of broadband networks' to include fixed wireless?

Answer given by Mr Almunia on behalf of the Commission
(11 December 2012)

Nowadays future-proof NGA networks are able to deliver to their users at levels not always replicable by wireless and mobile networks. It is correct that at this stage of technological development mobile (LTE) networks can achieve theoretical high speeds. The latter disadvantage is less important in so called fixed wireless access networks (FWA) which can reach reliably high speeds. The future broadband state aid guidelines are currently discussed, and the Commission expects them to be adopted still in 2012. Without anticipating the outcome of the discussions the Commission can assure that it, in full coherence with the principle of technological neutrality, will consider wireless solutions under the NGA definition if the performance of wireless networks justifies it.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009063/12
alla Commissione
Andrea Cozzolino (S&D)
(9 ottobre 2012)

Oggetto: Collegamenti marittimi

Allo stato attuale, il collegamento tra Napoli e l'isola di Capri è garantito da tre compagnie, di cui due private — («Snav» e «Navigazione libera del Golfo»), che sono riunite nel consorzio «Gescab» e che possono farsi risalire a un unico armatore — e una pubblica («Caremar»); a quest'ultima è concesso di effettuare solo le corse cosiddette di «obbligo di pubblico servizio» (OPS), che altrimenti rischiano di non essere garantite.

Va segnalato che in più circostanze — e soprattutto nel periodo invernale — le compagnie private, contravvenendo agli obblighi di servizio, non hanno effettuato corse perché non economicamente convenienti a causa dei pochi passeggeri, adducendo come pretesto le «avverse condizioni meteo».

Nell'agosto 2011 con delibera della Giunta regionale campana sono state disposte la privatizzazione della compagnia di navigazione pubblica «Caremar» e la sua messa in vendita con gara a procedura ristretta. Tra le dieci compagnie che hanno manifestato interesse all'acquisto della «Caremar» compaiono le due private che già offrono il servizio di collegamento (Snav e Navigazione libera del Golfo);

Alla luce di quanto precede,

1. Intende la Commissione vigilare sulla procedura di privatizzazione e di vendita, onde evitare un'ulteriore concentrazione monopolistica che andrebbe a scapito, oltre che della politica dei prezzi, anche del servizio offerto?

2. In particolare, quali iniziative intende assumere per garantire che continui a essere rispettato l'obbligo di «pubblico servizio» e assicurate le corse di servizio (OPS), scongiurando il rischio di gravi disservizi per pendolari e studenti che quotidianamente devono raggiungere la terraferma?

Risposta di Joaquín Almunia a nome della Commissione
(11 dicembre 2012)

La Commissione prende atto delle preoccupazioni espresse dall'onorevole parlamentare per quanto concerne i collegamenti effettuati da traghetti tra Napoli e l'Isola di Capri.

1. A norma del regolamento n. 139/2004 ([1]) sulle concentrazioni, nella vendita di un'impresa pubblica, come nel caso descritto dall'onorevole parlamentare, la Commissione ha competenza per intervenire soltanto qualora la vendita comporti un'acquisizione che, tra l'altro, abbia una dimensione unionale. Nell'esaminare tali casi a norma del regolamento sulle concentrazioni, la Commissione valuta l'impatto previsto dell'operazione sui consumatori, al fine di garantire che non vi siano conseguenze negative sulla competitività dei prezzi, sui livelli di servizi e sull'innovazione.

Tuttavia, le concentrazioni proposte a carattere locale vengono generalmente valutate dalle autorità nazionali garanti della concorrenza (ANC), in questo caso l'autorità italiana competente in materia, secondo le norme nazionali pertinenti.

Al 7 dicembre scorso la Commissione non aveva ricevuto alcuna notifica, a norma del regolamento sulle concentrazioni, di un'eventuale acquisizione di Caremar.

2. Spetta essenzialmente alle autorità nazionali verificare che le imprese che operano nel settore dei servizi di interesse economico generale (SIEG) assolvano gli specifici obblighi di servizio pubblico (OSP) imposti dalle autorità pubbliche, quali l'affidabilità e la continuità dei collegamenti alle isole effettuati da traghetti. Il ruolo della Commissione è valutare la compatibilità della compensazione pubblica per il funzionamento di tali servizi con le norme sugli aiuti di Stato. L'imposizione degli obblighi di servizio pubblico ai collegamenti con le isole deve inoltre rispettare le disposizioni del regolamento n. 3577/92 del Consiglio, del 7 dicembre 1992, concernente l'applicazione del principio della libera prestazione dei servizi ai trasporti marittimi fra Stati membri (cabotaggio marittimo) ([2]).

([1]) GU L 24 del 29.1.2004, pag. 1.
([2]) GU L 364 del 12.12.1992, pag. 7.

(English version)

Question for written answer E-009063/12
to the Commission
Andrea Cozzolino (S&D)
(9 October 2012)

Subject: Maritime links

At present, ferry links between Naples and the island of Capri are provided by three companies, two of which are private (*Snav* and *Navigazione libera del Golfo*) and are members of the Gescab consortium but which have the same owner, and one state-owned company (*Caremar*). The latter is only allowed to provide ferry crossings that fall under the definition of 'public service obligation' (PSO), i.e. services which might otherwise not be provided.

However, on several occasions, and especially in the winter, the private companies, in breach of their service obligations, have cancelled ferry crossings because they are not cost-effective due to the small number of passengers, on the pretext of 'adverse weather conditions'.

In August 2011, by a resolution of the Regional Council of Campania, it was decided to privatise the state-owned shipping company *Caremar* and to put it up for sale by means of a restricted invitation to tender. Among the ten companies that expressed an interest in purchasing *Caremar* were the two private companies that already provide ferry services on the same route (*Snav* and *Navigazione libera del Golfo*).

1. Will the Commission therefore monitor the privatisation and sale process in order to prevent further monopoly concentration which would jeopardise not only pricing policy but also the service offered?

2. In particular, what measures will the Commission take to ensure that the 'public service' obligation continues to be met and the PSO ferry crossings provided, to avert the risk of serious disruption for commuters and students who need to reach the mainland every day?

Answer given by Mr Almunia on behalf of the Commission
(11 December 2012)

The Commission takes note of the concerns expressed by the Honourable Member regarding ferry links between Naples and the island of Capri.

1. In the case raised by the Honourable Member of the sale of a state-owned company the Commission has competence to intervene under the Merger regulation 139/2004 ([1]) only if the sale involves an acquisition which, among other conditions, has a Union dimension. When carrying out this review under the Merger Regulation the Commission assesses the expected impact of the transaction on consumers, with a view to ensuring that it will not lead to detrimental effects in terms of competitive prices, levels of service and innovation.

However where the proposed concentration is local in character normally it will be examined by the National Competition Authorities (NCAs), in this case the Italian competition authority, under national competition rules.

As of 7 December the Commission had not received any notification under the Merger Regulation regarding the possible acquisition of Caremar by any company.

2. The discharge by companies operating services of general economic interest (SGEIs) of the specific public service obligations (PSOs) imposed by the public authorities, such as reliability and continuity of ferry connections to the islands, is primarily the competence of the national authorities. The Commission's role is to assess the compatibility of the public compensation for the operation of these services with the state aid rules. The imposition of PSOs as concerns links to the islands also has to observe the provisions of Council Regulation 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) ([2]).

([1]) OJ L 24, 29.01.2004, p. 1.
([2]) OJ L 364, 12.12.1992, p. 7.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-009064/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(9 ottobre 2012)

Oggetto: VP/HR — La Costituzione egiziana

L'8 ottobre 2012, Human Rights Watch ha riferito che il progetto di Costituzione dell'Egitto contiene elementi che disciplinano una serie di diritti politici ed economici di base ma, secondo l'organizzazione, il testo non comprende disposizioni sufficienti in materie quali i diritti delle donne, i diritti dei bambini, la libertà di religione e la libertà di espressione, né affronta adeguatamente temi come la tortura o la tratta di esseri umani. Secondo un portavoce di Human Rights Watch, «l'assemblea costituente ha la straordinaria opportunità di porre le basi per promuovere il rispetto dei diritti umani nell'Egitto di domani, ma il progetto attuale non raggiunge tale standard a causa di un linguaggio vago o di limitazioni che distruggono l'essenza di molti diritti». Il presidente dell'assemblea costituente, il giudice Hossam el-Gheriani, ha affermato che il testo costituzionale dovrebbe essere pronto per la prima metà di novembre. Il documento sarà poi sottoposto a votazione nel corso di una sessione plenaria dell'assemblea, a seguito della quale avrà luogo un referendum sul progetto di Costituzione. Le elezioni parlamentari si terranno due mesi dopo.

Gli articoli del progetto di Costituzione che stanno creando allarme includono l'articolo 5, che omette di vietare in modo chiaro la tortura, e l'articolo 36, che dichiara che lo Stato garantisce l'uguaglianza tra uomini e donne, purché non via sia un conflitto con «le leggi della sharia islamica».

Infine, numerosi deputati salafiti sperano di veder assegnare all'Università Al-Azhar lo status di unico organismo a cui spetta il diritto di interpretare la sharia, indicata nell'articolo 2 come la principale fonte del diritto: la Al-Azhar avrebbe dunque il compito di verificare che la legislazione sia conforme alla sharia.

Può la Commissione dire:

1. qual è la posizione del Vicepresidente/Alto Rappresentante in merito al progetto della nuova Costituzione egiziana;

2. quali azioni ha intrapreso il Vicepresidente/Alto Rappresentante per discutere il progetto di costituzione con il presidente dell'Egitto, Mohamed Morsi;

3. alla luce delle preoccupazioni relative alle mancanze del progetto di Costituzione egiziano, quali conseguenze potrebbe avere la questione sulla politica del «di più a chi si impegna di più»?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(27 novembre 2012)

Per quanto riguarda la futura Costituzione e la stesura del relativo progetto, l'UE è impegnata a garantire il rispetto dei principi evidenziati nelle ultime conclusioni del Consiglio sull'Egitto, adottate il 25 giugno 2012: «L'UE sottolinea l'importanza di un processo inclusivo e trasparente di elaborazione di una nuova costituzione dell'Egitto che rispecchi le aspirazioni del popolo egiziano alla dignità e alla giustizia, garantendo diritti umani e libertà fondamentali a tutti, e salvaguardi la separazione democratica dei poteri legislativo, esecutivo e giudiziario.» Questa posizione è stata più volte ribadita ai nostri partner egiziani, e riconfermata anche in occasione della recente visita del presidente Morsi a Bruxelles il 13 settembre 2012.

L'AR/VP continuerà a seguire con la massima attenzione il processo di elaborazione e di adozione della nuova Costituzione. Il primo progetto pubblicato è stato sottoposto a un dibattito pubblico, da cui potrebbero scaturire modifiche sostanziali prima della votazione del testo finale da parte dell'assemblea costituente. L'adozione di una Costituzione che tuteli i diritti umani e le libertà fondamentali di tutti gli egiziani è uno dei parametri rispetto ai quali verranno valutati i progressi compiuti dall'Egitto nel quadro della nuova politica di vicinato.

(English version)

Question for written answer E-009064/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(9 October 2012)

Subject: VP/HR — The Egyptian constitution

On 8 October 2012, Human Rights Watch reported that Egypt's draft constitution contains certain elements that lay down a number of basic political and economic rights, but that, in the organisation's view, the text does not include sufficient provision in areas such as women's rights, children's rights, freedom of religion and freedom of expression, nor does it deal properly with torture or human trafficking. According to an HRW spokesperson,'the Constituent Assembly has a landmark opportunity to lay the groundwork for respecting human rights in tomorrow's Egypt, but its current draft fails to meet that standard because of vague language or limitations that destroy the essence of many rights'. The President of the Constituent Assembly, Judge Hossam el-Gheriani, has said that he expects the constitutional text to be ready in the first half of November. The document will then be voted on in a plenary session of the Assembly, following which there will be a referendum on the draft constitution. Parliamentary elections will take place two months later.

The articles of the draft constitution which are causing alarm include Article 5, which fails to clearly prohibit torture, and Article 36, which declares that the state shall ensure equality between men and women provided there is no conflict with 'the rulings of the Islamic Sharia'.

Finally, a number of Salafi members of parliament wish to see Al-Azhar University given the status of being the sole body having the right to interpret Sharia, defined in Article 2 as the main source of law: Al-Azhar would thus have the role of checking whether legislation is Sharia-compliant.

1. What is the position of the Vice-President/High Representative regarding the drafting of Egypt's new constitution?

2. What steps has the Vice-President/High Representative taken to discuss the draft constitution with Egypt's President, Mohamed Morsi?

3. In the light of the concerns over shortfalls in Egypt's draft constitution, what impact could the matter have on the policy of 'more for more'?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(27 November 2012)

As regards the future Constitution and its drafting process, the EU is committed to the principles underlined in the last Council Conclusions on Egypt which were adopted on 25 June 2012: 'The EU emphasises the importance of an inclusive and transparent drafting process of Egypt's new Constitution, which should reflect the aspirations of the Egyptian people for dignity and justice by ensuring human rights and fundamental freedoms for all, and safeguard the democratic separation of legislative, executive and judicial powers'. This position has been reiterated repeatedly to our Egyptian partners including during the recent visit of President Morsi to Brussels on 13 September 2012.

The HR/VP will continue to follow the drafting process and the adoption of the new Constitution with the closest attention. A first draft has been issued and has been put to a public debate. This could lead to substantial amendments before the final text is voted by the Constituent Assembly. The adoption of a Constitution upholding the Human rights and fundamental freedoms of all Egyptians is one of the key benchmarks that will be used to assess the progress made by Egypt in the framework of the new neighbourhood policy.

(English version)

Question for written answer E-009065/12
to the Commission
Nicole Sinclaire (NI)
(9 October 2012)

Subject: Erasmus funding

The Commission proposes to expand the scope of the Erasmus project.

The integrity of the funding of Erasmus has been the subject of critical speculation in the media recently.

Could the Commission please explain how any expansion of Erasmus will be funded?

Answer given by Ms Vassiliou on behalf of the Commission
(3 December 2012)

On 23 November 2011, the Commission proposed a successor programme entitled 'Erasmus for All' with the aim of fostering mobility, cooperation and policy support in the area of education, training, youth and sport. Given the importance of these policy areas, as is shown in the Europe 2020 strategy, the Commission proposed to increase the budget for this programme by 70%. The proposal is currently under discussion in the Parliament and the Council who will decide on the final budget allocation for this new programme.

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