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S&D	gruppo dell'Alleanza progressista di Socialisti e Democratici al Parlamento europeo
ALDE	gruppo dell'Alleanza dei Democratici e dei Liberali per l'Europa
Verts/ALE	gruppo Verde/Alleanza libera europea
ECR	gruppo dei Conservatori e Riformisti europei
GUE/NGL	gruppo confederale della Sinistra unitaria europea/Sinistra verde nordica
EFD	gruppo Europa della Libertà e della Democrazia
NI	non iscritti

IT

IV

(Informazioni)

INFORMAZIONI PROVENIENTI DALLE ISTITUZIONI, DAGLI ORGANI E DAGLI ORGANISMI DELL'UNIONE EUROPEA

PARLAMENTO EUROPEO

INTERROGAZIONI SCRITTE CON RISPOSTA

Interrogazioni scritte presentate dai deputati al Parlamento europeo e relative risposte date da un'Istituzione dell'Unione europea

(2013/C 167 E/01)

Sommario **Pagina**

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005005/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(15 Μαΐου 2012)

Θέμα: Προνομιακά δικαιώματα του ελληνικού δημοσίου στον ΟΤΕ

Αυτή τη στιγμή η Ευρωπαϊκή Επιτροπή έχει δώσει διορία μερικών μηνών στην ελληνική κυβέρνηση, ώστε να καταργήσει τα ειδικά προνόμια και δικαιώματα που διαθέτει, ως μέτοχος του Οργανισμού Τηλεπικοινωνιών Ελλάδας, όπως αυτά καταγράφηκαν στη Συμφωνία Αγοράς Μετοχών, μεταξύ του Ελληνικού Δημοσίου και της Γερμανικής εταιρείας τηλεπικοινωνιών Deutsche Telekom (DT) το 2008. Το γεγονός αυτό αποτελεί νομικό παράδοξο, αφού αυτή καθεαυτή η Συμφωνία Αγοράς Μετοχών, επανειλημμένα έχει χαρακτηριστεί από τον αρμόδιο Επίτροπο Εσωτερικής Αγοράς, ως μη-νόμιμη, σύμφωνα με την κοινοτική νομοθεσία, ο οποίος άλλωστε διενεργεί εις βάθος έρευνα πολλών ετών για το εν λόγω θέμα. Παρά ταύτα, ο Επίτροπος Εσωτερικής Αγοράς (P-0249/10), εγείρει θέμα παραβίασης της ευρωπαϊκης νομοθεσίας περί δημόσιων προσφορών εξαγοράς, λέγοντας ότι «φαίνεται ότι δεν έχουν εφαρμοστεί ορθά οι διατάξεις της οδηγίας σχετικά με τις δημόσιες προσφορές εξαγοράς, και ιδίως οι διατάξεις που αφορούν την υποχρεωτική προσφορά, την προστασία των μειοψηφούντων μετόχων και την ισότιμη μεταχείριση των μετόχων».

Με δεδομένα τα παραπάνω, ερωτάται η Επιτροπή:

1. Ποιες είναι οι βασικές σκέψεις της ανωτέρω προειδοποιητικής επιστολής;

2. Απαιτείται από το Μνημόνιο μεταξύ Ελλάδας-ΕΕ-ΔΝΤ, η πώληση και του υπόλοιπου ποσοστού, 10 %, που κατέχει το Ελληνικό Δημόσιο στον ΟΤΕ, ώστε να πραγματοποιηθεί ο στόχος των ιδιωτικοποιήσεων, ύψους 50 δις ευρώ μέχρι το 2015; Εάν ναι, είναι υποχρεωμένη η ελληνική κυβέρνηση να το πουλήσει και πάλι στην εταιρεία DT; Εάν όχι, είναι υποχρεωμένη να καταφύγει σε πλειοδοτικό διαγωνισμό;

Απάντηση του κ. Barnier εξ ονόματος της Επιτροπής
(17 Ιουλίου 2012)

Στην αιτιολογημένη γνώμη που εξέδωσε στις 26 Απριλίου 2012 η Επιτροπή επισήμανε ότι η Συμφωνία Αγοράς Μετοχών μεταξύ του Ελληνικού Δημοσίου και της Deutsche Telekom, του 2008, δεν συνάδει με τους κανόνες για την ελεύθερη διακίνηση των κεφαλαίων και την ελευθερία εγκατάστασης. Στόχος της υπό εξέταση διαδικασίας επί παραβάσει είναι να διασφαλιστεί η συμμόρφωση με τις προαναφερθείσες διατάξεις της Συνθήκης και, κατ' επέκταση, η ελεύθερη διεξαγωγή επενδύσεων στον ΟΤΕ.

Το μνημόνιο συμφωνίας δεν απαιτεί ρητώς την πώληση του ποσοστού 10 % που κατέχει το Ελληνικό Δημόσιο στον ΟΤΕ: «Η Κυβέρνηση ούτε θα προτείνει ούτε θα εφαρμόσει μέτρα τα οποία είναι δυνατόν να παραβιάσουν τους κανόνες της ελεύθερης διακίνησης κεφαλαίων. Ούτε το Κράτος ούτε άλλα όργανα του Δημοσίου θα συνάπτουν συμφωνητικά μετόχων που έχουν ως στόχο ή αποτέλεσμα την παρεμπόδιση της ελεύθερης διακίνησης κεφαλαίων ή την επιρροή της διαχείρισης ή του ελέγχου των εταιριών. Η Κυβέρνηση δεν θα καθορίσει ανώτατα όρια δικαιωμάτων ψήφου ή εξαγορών και δεν θα θεσπίσει δυσανάλογα και μη δικαιολογούμενα δικαιώματα αρνησικυρίας (βέτο) ή οποιαδήποτε άλλη μορφή ειδικών δικαιωμάτων στις ιδιωτικοποιούμενες εταιρίες.».

Ωστόσο, το μνημόνιο τονίζει την ανάγκη τήρησης των προαναφερόμενων θεμελιωδών ελευθεριών στο πλαίσιο του ελληνικού προγράμματος ιδιωτικοποιήσεων. Οι νομικές ενέργειες μέσω των οποίων θα εξασφαλιστεί η τήρηση των διατάξεων της Συνθήκης θα αποφασιστούν από τις ελληνικές αρχές.

(English version)

Question for written answer E-005005/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(15 May 2012)

Subject: Greek State's preferential rights in OTE

The Commission has now given the Greek Government a deadline of several months to cancel the special preferential rights it holds as a shareholder in the Greek Telecommunications Organisation (OTE), as set out in the share purchase agreement between the Greek State and the German telecommunications company Deutsche Telekom (DT) in 2008. This makes no sense legally, since this particular share purchase agreement has repeatedly been declared by the competent Commissioner for Internal Market and Services to be illegal under European law and, moreover, the latter has been conducting in-depth investigations into this issue for many years. Despite this, the Commissioner for Internal Market and Services raised the issue (answer to Written Question P-0249/10) of a breach of European legislation on takeover bids, saying that 'it appears that the provisions of the Takeover Bids Directive, notably the provisions regarding the mandatory bid, protection of minority shareholders and equivalent treatment of shareholders, have not been implemented correctly'.

Given the above, will the Commission say:

1. What is the fundamental thinking behind the letter of formal notice referred to above?

2. Does the Memorandum between Greece, the EU and the IMF require the sale of the remaining 10% held by the Greek State in OTE in order that the privatisation target of EUR 50 billion by 2015 be achieved? If so, is the Greek Government obliged to sell the holding to DT? If not, does it have to sell the holding to the highest bidder?

Answer given by Mr Barnier on behalf of the Commission
(17 July 2012)

In its Reasoned Opinion of 26 April 2012, the Commission has pointed out its view that the 2008 Shareholders' Agreement between the State and Deutsche Telekom is not in line with the rules on the free movement of capital and the right of establishment. The aim of the infringement procedure at issue is to ensure compliance with the aforementioned Treaty provisions, which would guarantee the free investment climate in OTE.

The Memorandum of Understanding does not explicitly require selling of the 10 % stake held by the State in OTE: 'The Government will neither propose nor implement measures which may infringe the rules on the free movement of capital. Neither the State nor other public bodies will conclude shareholder agreements with the intention or effect of hindering the free movement of capital or influence the management or control of companies. The Government will neither initiate nor introduce any voting or acquisition caps, and it will not establish any disproportionate and non-justifiable veto rights or any other form of special rights in privatised companies'.

The Memorandum however underlines the necessity that the abovementioned fundamental freedoms be respected in the context of the Greek privatisation programme. The legal steps leading to compliance with the Treaty have to be considered by the Greek authorities.

(Version française)

Question avec demande de réponse écrite E-005006/12
à la Commission
Robert Goebbels (S&D)
(15 mai 2012)

Objet: Compensation de l'impact climatique des vols de service

Dans sa réponse à une question du 15 décembre 2011 (E-011910/2011), la Commission a répondu que la commissaire chargée de l'action pour le climat veillait à faire compenser les émissions liées à ses déplacements officiels à la charge du budget de l'Union (ligne budgétaire XX 01 02 11 01 de la section III du budget de l'Union européenne couvrant les frais de mission).

Or, la commissaire chargée de l'action pour le climat vient de publier, dans plusieurs journaux européens, un point de vue intitulé «Les pollueurs doivent payer, même quand ils volent». Elle soutient notamment que tous les voyageurs devraient accepter «qu'un prix modique soit payé pour la pollution causée par les voyages en avion».

La Commission n'est-elle pas d'avis que cette profession de foi de la commissaire gagnerait en crédibilité si elle cessait de s'acheter une bonne conscience au détriment des contribuables européens et paierait elle-même pour «la pollution causée par (ses) voyages en avion»?

Réponse donnée par Mme Hedegaard au nom de la Commission
(2 juillet 2012)

Lorsqu'un membre de la Commission est en mission, tous les coûts liés à ses déplacements, y compris les coûts de la pollution, sont pris en charge par la Commission. Depuis le 1er janvier 2012, les émissions de l'aviation relèvent du système d'échange de quotas d'émission de l'UE (SEQE), un système qui prévoit un plafonnement des émissions totales de l'aviation et un mécanisme permettant d'internaliser les coûts liés aux émissions de dioxyde de carbone. Ainsi, le coût des émissions liées à un vol devrait transparaître dans le prix du billet. Par conséquent, les émissions de dioxyde de carbone liées aux déplacements officiels du membre de la Commission chargé de l'action pour le climat ne seront plus compensées séparément à compter de cette date; leur coût sera considéré comme faisant partie intégrante du prix du billet pratiqué sur le marché.

(English version)

Question for written answer E-005006/12
to the Commission
Robert Goebbels (S&D)
(15 May 2012)

Subject: Offsetting the climate-related impact of official flights

In its answer to a question of 15 December 2011 (E-011910/2011), the Commission replied that the Member of the Commission for Climate Action did indeed offset the emissions linked to her official travel, the payments in question coming from the budget of the European Union (budget line XX 01 02 11 01 of Section III of the EU budget covering mission expenses).

Now, the Member of the Commission for Climate Action has just published a viewpoint entitled "Polluter pays' is the only principle that can limit aviation emissons' in several European newspapers. She maintains, in particular, that all travellers should accept that 'a small price has to be paid for the pollution caused by travel'.

Does the Commission not think that this statement of faith on the part of the Commission Member would be more credible if she stopped assuaging her conscience at the expense of European taxpayers and paid personally for the pollution caused by her air travel?

Answer given by Ms Hedegaard on behalf of the Commission
(2 July 2012)

When Members of the Commission are on mission, all costs attached — including the costs of pollution — are covered by the Commission. As of the 1 January 2012, emissions from aviation are covered by the EU emissions trading scheme (EU ETS), a system which caps the total emissions of aviation and provides a mechanism to internalise the costs of emitting carbon dioxide emissions. As a result, the cost of the emissions associated with a flight is expected to be reflected in the ticket price. Therefore, the carbon dioxide emissions linked to the official travel of the Member of the Commission responsible for Climate Action will no longer be offset separately as of that date, instead it will be assumed to be an integral part of the market price of the ticket.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005007/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(15 Μαΐου 2012)

Θέμα: Σε δεινή οικονομική θέση οι Έλληνες νεφροπαθείς απομακρυσμένων αγροτικών περιοχών από τη μη καταβολή των προβλεπομένων δαπανών για τη μετακίνησή τους

Από τις 15 Οκτωβρίου 2011, ισχύει στην Ελλάδα ένα αναθεωρημένο καθεστώς κάλυψης δαπανών μετακίνησης των νεφροπαθών, το οποίο για τους διαμένοντες σε απομακρυσμένες-ακριτικές περιοχές δεν μπορεί να ξεπερνά τα 400 ευρώ μηνιαίως, ένα ποσό πολύ χαμηλότερο από αυτό πραγματικά απαιτείται για μια ανθρώπινη και ποιοτική μεταφορά των πασχόντων στις μονάδες τεχνητού νεφρού. Πέραν τούτου, όμως, για χρονικό διάστημα μεγαλύτερο των 4 μηνών, λόγω ασυνεννοησίας ή οικονομικών διενέξεων μεταξύ του ασφαλιστικού οργανισμού ΟΓΑ (Οργανισμός Γεωργικών Ασφαλίσεων) και του ΕΟΠΥΥ (Εθνικού Οργανισμού Παροχής Υπηρεσιών Υγείας) δεν αποδίδονται στους νεφροπαθείς ασφαλισμένους στον ΟΓΑ ούτε τα προβλεπόμενα έξοδα για τη μεταφορά τους στις μονάδες αιμοκάθαρσης, με συνέπεια οι τελευταίοι να περιέρχονται σε ιδιαίτερα δυσμενή οικονομική θέση αντιμετωπίζοντας σοβαρές δυσκολίες για τη διασφάλιση της απαραίτητης μετακίνησής τους. Όπως γίνεται αντιληπτό η οικονομική αυτή ασυνέπεια των αρμόδιων αρχών θέτει σε κίνδυνο την ίδια την υγεία των νεφροπαθών. Σε αυτήν την κατεύθυνση και συνυπολογίζοντας αφενός την κρισιμότητα του συγκεκριμένου ζητήματος και αφετέρου την πρωταρχική σημασία που αποδίδει η Επιτροπή στην προστασία των ευπαθών κοινωνικών ομάδων, ερωτάται:

— Οι μεγάλες χιλιομετρικές αποστάσεις σε συνδυασμό με τη συχνότητά τους (ανά δύο ημέρες) επιβαρύνουν την υγεία των νεφροπαθών και επιδεινώνουν την καθημερινότητά τους. Σε αυτό το πλαίσιο, σκοπεύει να προωθήσει την ανταλλαγή βέλτιστων πρακτικών μεταξύ των κρατών μελών προκειμένου να αναδειχθούν οι ενδεδειγμένοι τρόποι χωροταξικής διάρθρωσης των μονάδων τεχνητού νεφρού που θα αναβαθμίζουν την ποιότητα ζωής των ασθενών;

— Με δεδομένο ότι οι νεφροπαθείς αποτελούν μια ιδιαίτερα ευπαθή κοινωνική ομάδα, προβλέπεται περαιτέρω χρηματοδότηση μέσω των Ευρωπαϊκών Ταμείων για τη δημιουργία περιφερειακών ευέλικτων μονάδων αιμοκάθαρσης μικρής δυναμικότητας σε κέντρα υγείας απομακρυσμένων περιοχών;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(9 Ιουλίου 2012)

Η Επιτροπή έχει αναλάβει πλήρως τη δέσμευση να εξασφαλίσει υψηλό επίπεδο προστασίας της ανθρώπινης υγείας κατά τον καθορισμό και την εφαρμογή όλων των πολιτικών και των δραστηριοτήτων της Ένωσης. Ωστόσο, σύμφωνα με τη Συνθήκη για τη λειτουργία της Ευρωπαϊκής Ένωσης, ο καθορισμός πολιτικών στον τομέα της υγείας, καθώς και η οργάνωση και η παροχή των υπηρεσιών υγείας και της ιατρικής περίθαλψης εμπίπτουν κατά πρώτο λόγο στην αρμοδιότητα των κρατών μελών (άρθρο 168 της Συνθήκης). Στο ίδιο άρθρο προβλέπεται ότι κάθε ενέργεια που αναλαμβάνεται σε επίπεδο Ευρωπαϊκής Ένωσης πρέπει να σέβεται τις εν λόγω αρμοδιότητες. Ως εκ τούτου, η Επιτροπή δεν έχει τη δυνατότητα να λάβει μέτρα για την αλλαγή της οργάνωσης των μονάδων αιμοκάθαρσης στην Ελλάδα.

Παρόλο που η Επιτροπή επί του παρόντος δεν παρέχει υποστήριξη στην ανταλλαγή βέλτιστων πρακτικών μεταξύ των μονάδων αιμοκάθαρσης, το ζήτημα αυτό μπορεί, ωστόσο, να ενταχθεί σε μια ευρύτερη εν εξελίξει διαδικασία προβληματισμού σχετικά με χρόνιες ασθένειες, η οποία διεξάγεται επί του παρόντος από τα κράτη μέλη και την Επιτροπή με βάση τα συμπεράσματα του Συμβουλίου σχετικά με τις «καινοτόμες προσεγγίσεις των χρόνιων νοσημάτων στον τομέα της δημόσιας υγείας και των συστημάτων υγειονομικής περίθαλψης» ([1]).

Σε απάντηση στη δεύτερη ερώτησή σας, σας ενημερώνω ότι σύμφωνα με την αρχή της επιμερισμένης διαχείρισης, αποτελεί ευθύνη των εθνικών αρχών να επιλέγουν, να εγκρίνουν και να αξιολογούν έργα τα οποία συγχρηματοδοτούνται από την ΕΕ.

([1]) http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/lsa/118282.pdf

(English version)

Question for written answer E-005007/12
to the Commission
Konstantinos Poupakis (PPE)
(15 May 2012)

Subject: Plight of Greeks with kidney disease living in remote rural areas due to a failure to cover their transport costs

Since 15 October 2011, Greece has applied a revised system for covering the costs of transporting kidney disease sufferers, under which no more than EUR 400 per month may be spent on residents of remote, border areas. This amount is much lower than the amount really required for the decent, high-quality transport of patients to artificial kidney units. Furthermore, for a period of over four months, due either to a lack of communication or financial disputes between the OGA (Agricultural Insurance Organisation) and the EOPGG (National Organisation for the Provision of Health Services), kidney disease sufferers insured with the OGA have not had their transport costs to dialysis units covered, with the consequence that the patients are in a particularly unfortunate financial position and are facing serious difficulties in obtaining the necessary transport. Obviously, the lack of consistency over funding on the part of the competent authorities is endangering kidney disease sufferers' health. In this context, given the combination of the critical nature of this issue and the fundamental importance given by the Commission to the protection of vulnerable social groups, will the Commission say:

— The long distances and the frequency of the transport (every two days) damage kidney disease sufferers' health and disrupt their everyday lives. Does it therefore intend to promote exchanges of best practices between Member States so as to devise appropriate ways of organising artificial kidney units that will improve patients' quality of life?

— Given that kidney sufferers are a particularly vulnerable social group, will it provide further funding through the European Funds to create flexible, small-scale regional dialysis units in health centres in remote areas?

Answer given by Mr Dalli on behalf of the Commission
(9 July 2012)

The Commission is fully committed to ensuring a high level of human health protection in the definition and implementation of all Union policies and activities. However, according to the Treaty on the Functioning of the European Union, the definition of health policies and the organisation and delivery of health services and medical care is primarily the responsibility of individual Member States (Article 168 of the Treaty). The same article requires any action at European Union level to respect these responsibilities. Therefore the Commission does not have the possibility to take any action to change the organisation of dialysis units in Greece.

While the Commission is not currently supporting the exchange of best practices on dialysis units, this issue may however be taken up as part of a broader ongoing Reflection Process on Chronic Diseases, which is currently carried out by the Member States and the Commission on the basis of Council conclusions on 'Innovative approaches for chronic diseases in public health and healthcare systems' ([1]).

In reply to the second question, under the principle of shared management, it is the responsibility of the national authorities themselves to select, approve and appraise projects that are co-funded by the EU.

([1]) http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/lsa/118282.pdf

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005008/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(15 mai 2012)

Subiect: Importuri de zahăr din Ucraina

În urma unor controale, autoritățile bulgare au descoperit o rețea frauduloasă care se presupune că urma să importe zahăr din regiunea Cernobîl (Ucraina), posibil contaminat radioactiv. Zahărul contaminat urma să fie revândut sau utilizat în fabricarea de sucuri. Comisia este rugată să precizeze ce informații deține cu privire la această posibilă încălcare a legislației și cu privire la eventualele măsuri de control suplimentare dispuse.

De asemenea, Comisia este rugată să informeze Parlamentul care este cantitatea totală de zahăr importată din Ucraina în perioada ianuarie 2011 — mai 2012 și, dacă este posibil, din ce regiuni ale Ucrainei au provenit acele importuri.

Răspuns dat de dl Oettinger în numele Comisiei
(5 iulie 2012)

1. Comisia nu dispune de informații privind importurile legale sau ilegale în Bulgaria de zahăr originar din regiunea Cernobâl din Ucraina, zahăr care ar putea fi contaminat cu substanțe radioactive.

În conformitate cu Regulamentul (CE) nr. 733/2008 al Consiliului modificat de Regulamentul (CE) nr. 1048/2009 ([1]), respectarea nivelurilor maxime permise de cesiu radioactiv în anumite produse agricole originare din țări terțe, inclusiv Ucraina, este verificată de către statele membre înainte de punerea în liberă circulație pe teritoriul UE.

2. În 2011, importurile de zahăr din Ucraina în UE s-au ridicat la doar 4,9 tone. Până în prezent, conform informațiilor disponibile, nu s-a înregistrat niciun import în 2012.

([1]) Regulamentul (CE) nr. 733/2008 al Consiliului din 15 iulie 2008 privind condițiile de import al produselor agricole originare din țările terțe în urma accidentului produs la centrala nucleară de la Cernobâl (versiune codificată), JO L 201, 30.7.2008, p. 1, modificat de Regulamentul (CE) nr. 1048/2009 al Consiliului din 23 octombrie 2009, JO L 290, 6.11.2009, p. 4.

(English version)

Question for written answer E-005008/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(15 May 2012)

Subject: Imports of sugar from Ukraine

Following checks, the Bulgarian authorities have discovered a fraud network that was allegedly importing sugar potentially contaminated with radiation from the Chernobyl region (Ukraine). The contaminated sugar was to be resold or used in juice production. Can the Commission state what information it has on this possible breach of legislation, and what additional control measures can be taken?

Similarly, can the Commission inform Parliament how much sugar was imported from Ukraine in total in the period January 2011 to May 2012 and, if possible, from which regions of the Ukraine those imports originated?

Answer given by M. Oettinger on behalf of the Commission
(5 July 2012)

1. The Commission has no information concerning legal or illegal imports in Bulgaria of sugar originating from the Chernobyl region in Ukraine which would be contaminated with radioactive substances.

According to Council Regulation (EC) No 733/2008 amended by Council Regulation (EC) No 1048/2009 ([1]), compliance with the maximum permitted levels of radioactive caesium in certain agricultural products originating in third countries including Ukraine shall be checked by the Member States before release for free circulation in the EU.

2. The EU's imports of sugar from Ukraine amounted only to 4.9 tons in 2011. To date, according to the information which is available, no import has been recorded in 2012.

([1]) Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (codified version), OJ L 201, 30.7.2008, p. 1; amended by Council Regulation (EC) No 1048/2009 of 23 October 2009, OJ L 290, 6.11.2009, p. 4.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005010/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(15 mai 2012)

Subiect: Legislația privind controlul tutunului

Comisia este rugată să informeze Parlamentul dacă are în vedere, pentru perioada următoare, să propună modificări la Directiva privind produsele din tutun și Directiva privind publicitatea în favoarea tutunului.

Răspuns dat de dl Dalli în numele Comisiei
(3 iulie 2012)

Comisia intenționează să prezinte o propunere de revizuire a Directivei privind produsele din tutun ([1]) înainte de sfârșitul anului 2012.

Comisia nu intenționează să propună o revizuire a Directivei privind publicitatea în favoarea tutunului ([2]).

([1]) Directiva 2001/37/CE Parlamentului European și a Consiliului din 5 iunie 2001 privind apropierea actelor cu putere de lege și a actelor administrative ale statelor membre în materie de fabricare, prezentare și vânzare a produselor din tutun, JO L 194, 18.7.2001.

([2]) Directiva 2003/33/CE a Parlamentului European și a Consiliului din 26 mai 2003 privind armonizarea actelor cu putere de lege și a actelor administrative ale statelor membre în materie de publicitate și sponsorizare în favoarea produselor din tutun, JO L 152, 20.6.2003.

(English version)

Question for written answer E-005010/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(15 May 2012)

Subject: Legislation on tobacco control

Can the Commission inform Parliament whether it intends, in the coming future, to bring forward amendments to the Tobacco Products Directive and the Tobacco Advertising Directive?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

The Commission envisages to present a proposal to revise the Tobacco Products Directive ([1]) before the end of 2012.

The Commission does not plan to propose a revision of the Tobacco Advertising Directive ([2]).

([1]) Directive 2001/37/EC of Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products, OJ L 194, 18.7.2001.

([2]) Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products, OJ L 152, 20.6.2003.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005011/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(15 mai 2012)

Subiect: Campania de informare și comunicare „Forum European"

În data de 14 mai 2012, Reprezentanța Comisiei Europene în România a organizat la Cluj Napoca o dezbatere în cadrul campaniei de informare și comunicare „Forum European".

La acest eveniment au fost invitați doar reprezentanții Uniunii Social Liberale, toți fiind membri ai coaliției de guvernare: Vasile Pușcaș, lider PSD Cluj, profesorul universitar Mircea Maniu, lider PNL Cluj, membru fondator PNL Cluj, și Daniel Dăianu, consilierul pe probleme economice al actualului premier și fost eurodeputat PNL, în condițiile în care în România ne aflăm în perioada de campanie electorală pentru alegerile locale.

În acest context, Comisia este rugată să precizeze de ce a fost politizat acest eveniment, dacă apreciază drept firească desfășurarea unei pretinse campanii de informare în plină campanie electorală, cât a costat campania și care sunt obligațiile unui reprezentant al Comisiei în ceea ce privește menținerea echidistanței politice în campania electorală.

Răspuns dat de dna Reding în numele Comisiei
(5 iulie 2012)

La 21 decembrie 2011, Reprezentanța Comisiei Europene în România a semnat un contract cu Chelgate Ltd UK pentru punerea în aplicare a unui proiect de comunicare privind guvernanța economică europeană, cu o durată de 18 luni și cu un buget de 56 836,80 EUR. Campania include vizite și dezbateri în 12 centre universitare, precum și un concurs de eseuri pe teme economice europene, adresat studenților. Profesorul Dăianu, membru al Academiei Române, însoțește șeful reprezentanței pe parcursul acestei campanii, în calitate de expert pus la dispoziție de către contractant.

Evenimentele sunt organizate în cooperare cu rectorii universităților, iar publicul este format din studenți, candidați la programe de doctorat și masterat, profesori, jurnaliști și alte părți interesate. Leonard Orban, ministrul afacerilor europene, a participat la prima dezbatere publică care s-a desfășurat la Academia de Studii Economice din București la data de 13 martie. Andy Lăzescu, directorul general al televiziunii publice române, a participat la al doilea eveniment, susținut la Universitatea din Iași la 24 aprilie 2012.

La data de 14 mai, la Universitatea din Cluj, a avut loc a treia dezbatere cu profesorul Maniu și profesorul Pușcaș în calitate de conferențiari. Astfel cum a fost reflectat și de mass-media, întregul eveniment a fost dedicat guvernanței economice.

Reprezentanța desfășoară această campanie în conformitate cu prioritățile politice definite de Comisia Europeană.

Selectarea experților și a vorbitorilor invitați s-a bazat exclusiv pe criterii profesionale și pe reputația acestora.

(English version)

Question for written answer E-005011/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(15 May 2012)

Subject: 'European Forum' information and communication campaign

On 14 May 2012, the European Commission Representation in Romania organised a debate in Cluj Napoca in connection with the 'European Forum' information and communication campaign.

Only representatives of the Social-Liberal Union were invited to this event, all of whom were members of the ruling coalition — Vasile Puşcaş, the PSD leader in Cluj, the university professor Mircea Maniu, the PNL leader in Cluj and a founder member of the Cluj branch of the PNL, and Daniel Dăianu, economic advisor to the current prime minister and a former PNL MEP — with Romania currently in the campaign period for local elections.

Can the Commission state why this event has been politicised? Does it consider it normal for an alleged 'information' campaign to be conducted at the height of an electoral campaign? How much did the campaign cost? What are the obligations of a Commission representative when it comes to maintaining political neutrality during an electoral campaign?

Answer given by Mrs Reding on behalf of the Commission
(5 July 2012)

On 21 December 2011 the European Commission Representation in Romania signed a contract with Chelgate LTD UK for the implementation of an 18 months communication project on European economic governance with a budget of EUR 56 836.80. The campaign includes visits and debates in 12 university centres, and an essay competition for students on European economic subjects. Professor Daianu, Member of the Romanian Academy, accompanies the Head of Representation during this campaign as expert provided by the contractor.

The events are organised in cooperation with universities' rectors and the audience is composed of students, PhD and master candidates, professors, journalists and other stakeholders. Leonard Orban, Minister for European Affairs, participated in the first public debate at the Academy of Economic Studies in Bucharest on 13 March. Andy Lazescu, CEO of Romanian public TV, attended the second event at the University of Iasi on 24 April 2012.

On May 14 the third debate took place at the Cluj University with Professor Maniu and Professor Puscas as guest lecturers. As reflected in the media coverage, the entire event was dedicated to economic governance.

The Representation carries out this campaign in line with the policy priorities defined by the European Commission.

The selection of the experts and the guest speakers was based exclusively on grounds of professional criteria and reputation.

(English version)

Question for written answer E-005013/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(15 May 2012)

Subject: VP/HR — Case of Filep Karma in Indonesia

I have recently learned of the case of Filep Karma in Indonesia. A former civil servant, he has been convicted in that country and is currently serving a 15-year prison sentence for participating in an allegedly peaceful political gathering, in which the 'Morning Star' flag — a symbol of West Papuan independence from Indonesia — was raised. This constitutes a criminal offence in Indonesia.

In many ways, Indonesia is a model for the South-East Asian region; it is a democratic state and has a good track record of respecting its commitments to its citizens in upholding their civil rights. Can the Vice-President/High Representative give her assessment of Mr Karma's case?

Question for written answer E-005054/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(16 May 2012)

Subject: VP/HR — Imprisonment of Filep Karma by the Indonesian authorities

Is the European External Action Service (EEAS) aware of the imprisonment of Filep Karma by the Indonesian authorities, and if so, what measures has it taken, or will it take, to ensure his freedom and that of other political activists like him?

In responding, could the EEAS please take account of the following allegations?

— Mr Karma has been sentenced by an Indonesian court to 15 years' imprisonment on charges of treason for having 'betrayed' Indonesia by flying the Papua flag: in other words, solely for peacefully and legitimately exercising his right to freedom of expression.

— Mr Karma has been beaten by guards and has experienced serious health problems in prison.

— Numerous prisoners of conscience are currently behind bars for their peaceful political activities in Maluku and Papua provinces.

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission
(28 June 2012)

The EU is following closely the case of Mr Karma and has raised it at meetings of the annual EU-Indonesia human rights dialogue (most recenlty held in May 2012 in Jakarta) and at other official meetings.

Last May, the EEAS reiterated its strong concern about the right of detainess and prisoners to have access to healthcare. It brought up Mr Karma's case specifically, stressing that the Indonesian authorities have a legal duty to provide such healthcare and should do everything to allow his hospitalisation in Jakarta.

The latest available information is that Mr Karma is waiting for a permit from the Director General of Correctional Institutions in Jakarta to have surgery there. Civil society organisations are raising funds for his medical treatment.

The EU will continue, in contacts with the Indonesian authorities, to address the issue of the harsh sentences imposed for displaying the Papua flag and the need to respect the right of peaceful freedom of expression.

(Version française)

Question avec demande de réponse écrite E-005014/12
à la Commission
Gilles Pargneaux (S&D)
(15 mai 2012)

Objet: Autorisation de mise sur le marché du coupe-faim Qnexa/Qvisa

Alors que vient de débuter, hier, le premier procès du Médiator, une amphétamine ouvertement destinée à faire maigrir pourrait être autorisée sur le marché européen. Il s'agit du Qnexa/Qvisa, anorexigène, produit par Vivus Inc, une société américaine de biotechnologies spécialisée dans l'obésité et le diabète.

Ce «coupe-faim» est constitué de l'association de la phentermine et du topiramate. La seconde molécule est un antiépileptique également proposé (avec de nombreux effets secondaires) comme antimigraineux. Cette dernière expose à de nombreux effets indésirables: troubles neuropsychiques, troubles oculaires, problèmes métaboliques, etc.

La phentermine est quant à elle une drogue illicite majeure. Depuis février 2012, aucun médicament à base de phentermine n'est commercialisé en France. Cette molécule est inscrite sur la liste des stupéfiants sous toutes ses formes et quelle que soit la voie d'administration. Les États-Unis d'Amérique, le Canada et l'Australie la laissent sur le marché pour les patients obèses, malgré l'absence de toute efficacité démontrée en termes de prévention des complications de l'obésité.

Les risques liés à la phentermine sont ceux des autres amphétaminiques anorexigènes: troubles neuropsychiques (céphalées, insomnies, nervosités, dépressions…), cardiovasculaires (hypertensions artérielles, palpitations, troubles du rythme cardiaque), plus rarement des hypertensions artérielles pulmonaires et des valvulopathies lors d'associations avec d'autres anorexigènes.

Face à ce constat, la Food and Drug Administration (FDA) américaine a, malgré tout, donné un pré-accord à la commercialisation de ce produit. L'Agence européenne du Médicament examine actuellement la demande d'autorisation de mise sur le marché.

— La Commission peut-elle m'indiquer si son agence envisage véritablement la possibilité d'autoriser la mise sur le marché d'un tel produit? L'interdiction de commercialisation de la phentermine en France ne doit-elle pas motiver un refus de l'agence?

Réponse donnée par M. Dalli au nom de la Commission
(3 juillet 2012)

L'Agence européenne des médicaments a reçu une demande d'autorisation de mise sur le marché pour le Qsiva, une association médicamenteuse contenant de la phentermine et du topiramate. Le dossier est en cours d'examen et l'Agence européenne des médicaments tiendra compte, dans son évaluation de ce produit, des analyses préalables pertinentes. Comme tous les médicaments, ce produit ne pourra être autorisé que si ses bénéfices excèdent ses risques.

(English version)

Question for written answer E-005014/12
to the Commission
Gilles Pargneaux (S&D)
(15 May 2012)

Subject: The efficient use of European Structural Funds

With the first trial relating to the drug Mediator beginning only yesterday, it now seems likely that an amphetamine openly designed as a slimming product will be authorised on the European market. The product is Qnex/Qvisa, an appetite-suppressant drug, produced by Vivus Inc., a US biotechnology company specialising in obesity and diabetes.

This appetite suppressant is made up of a combination of phentermine and topiramate. The second molecule is an anti-epileptic (with numerous side effects) which is also sold as an anti-migraine agent. It causes numerous adverse reactions: neuropsychic disorders, eye disorders, metabolic problems, etc.

Phentermine, meanwhile, is a major illegal drug. Since February 2012, no medicinal products based on phentermine have been sold in France. This molecule is included on the list of narcotics in all its forms and routes of administration. The United States, Canada and Australia have allowed it to remain on the market for obese patients, despite the absence of any proven effectiveness in preventing the complications of obesity.

The risks associated with phentermine are the same as those of other appetite-suppressant amphetamine derivatives: neuropsychic disorders (headaches, insomnia, nervousness, depression, etc.), cardiovascular disorders (high blood pressure, palpitations, heart rhythm disorders) and, less frequently, pulmonary hypertension and valvulopathy when it is used with other appetite suppressants.

In spite of this, the US Food and Drug Administration has given its tentative approval to the marketing of this product. The European Medicines Agency (EMA) is currently considering the application for marketing authorisation.

— Can the Commission say whether the EMA is really considering authorising the marketing of such a product? Should the marketing ban on phentermine in France not be grounds for a refusal on the part of the EMA?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

The European Medicines Agency has received an application for a marketing authorisation for Qsiva, a combination medicinal product containing phentermine and topiramate. The assessment of the dossier is ongoing and the European Medicines Agency will take into account previous relevant assessments in its evaluation of the product. As with all medicines, it can only be authorised if the benefit outweighs the risk.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005017/12
aan de Commissie
Kartika Tamara Liotard (GUE/NGL)
(15 mei 2012)

Betreft: Vervolgvraag verontreinigde sorbitol

In het antwoord op schriftelijke vraag P-003676/2012 verklaart de Commissie dat de voedselwarenautoriteit uit het Verenigd Koninkrijk een onderzoek heeft ingesteld bij het internetbedrijf dat het verdachte pakket (sorbitol) had geleverd.

1. Kan de Commissie het Parlement op de hoogte stellen van de uitslagen van dit onderzoek zodra deze bekend zijn? En dan in het bijzonder over de oorzaak van het ontstaan van de verontreiniging van Sorbitol Food Grade met natriumnitriet?

2. In hoeverre zal de Commissie de uitslagen en de oorzaak van de verontreiniging beoordelen en zo nodig actie ondernemen?

3. Kan de Commissie het Parlement op de hoogte stellen van de informatie die via het RASFF-systeem is bekend geworden, en in het bijzonder over de locaties/landen waar Sorbitol Food Grade terecht is gekomen?

4. Heeft EFSA dan wel de Commissie zelf enige actie ondernomen of op enig moment overwogen om actie te ondernemen? Zo ja, op welk moment, zo neen, waarom niet?

Antwoord van de heer Dalli namens de Commissie
(3 juli 2012)

Het Verenigd Koninkrijk heeft onmiddellijk, zodra het van het incident in kennis was gesteld, een verbod ingesteld op de verkoop van en handel in voor menselijke consumptie geschikte chemische stoffen door de onderneming die het verdachte pakket had geleverd. Dit verbod is op 27 maart 2012 ingegaan en geldt nog altijd. Alle voedselhygiënische aspecten van deze zaak zijn inmiddels in kaart gebracht en liggen nu voor verdere actie bij de plaatselijke handhavingsautoriteit. Daarnaast voert de politie een strafrechtelijk onderzoek naar de onderneming uit.

Met behulp van de klantenlijst zijn de lidstaten die sorbitol hadden ontvangen (België, Frankrijk, Duitsland, Italië, Letland, Zwitserland en het Verenigd Koninkrijk) via het RASFF-systeem van het probleem in kennis gesteld, met het verzoek onmiddellijk maatregelen te nemen. Er zijn geen zendingen „food-grade sorbitol" gevonden die met natriumnitriet verontreinigd waren.

Aangezien het bij dit incident om een onjuiste etikettering gaat, staat de veiligheid van sorbitol als zoetstof, of van natriumnitriet als goedgekeurd levensmiddelenadditief, niet ter discussie.

(English version)

Question for written answer E-005017/12
to the Commission
Kartika Tamara Liotard (GUE/NGL)
(15 May 2012)

Subject: Contaminated sorbitol — follow-up question

In the answer to Written Question P-003676/2012, the Commission states that the United Kingdom Food Standards Agency conducted an investigation into the Internet company that delivered the suspect package (sorbitol).

1. Can the Commission inform Parliament of the results of this investigation as soon as these are known? And, in particular, of the cause of the contamination of 'sorbitol food grade' with sodium nitrite?

2. To what extent will the Commission assess the results and the cause of the contamination and take action if necessary?

3. Can the Commission share with Parliament the information that has been made known via the Rapid Alert System for Food and Feed, and in particular with regard to the locations/countries where 'sorbitol food grade' has ended up?

4. Has the European Food Safety Authority or the Commission itself undertaken any action or considered taking action at any time? If so, when, and if not, why not?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

Immediately following the information on the incident, the United Kingdom imposed a ban, effective from 27 March 2012, of the sale or distribution of any food-grade chemicals by the company that delivered the incriminated package. The company is still not allowed to sell food-grade materials. All food hygiene issues have been identified and are being addressed by the Local Enforcement Authority. Alongside the work of the Local Authority, the police are also carrying out a criminal investigation into the company.

Based on the client's list, Member States that received sorbitol (Belgium, France, Germany,

Italy, Latvia, Switzerland, and United Kingdom) were informed through the RASFF system and requested to take immediate action. No consignment labelled 'food-grade sorbitol' containing sodium nitrite was found.

Since the incident is linked to mislabelling, the safety of sorbitol as a sweetener, or of sodium nitrite as an authorised food additive is not questioned.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005018/12
adresată Comisiei
Cristian Silviu Buşoi (ALDE)
(15 mai 2012)

Subiect: Deficitul de informații în domeniul sănătății orale din Europa

În ciuda dezvoltării unui set de 40 de indicatori-cheie și de instrumente de colectare a unor date consistente privind sănătatea orală în Europa în cadrul proiectelor EGOHID I și II, finanțate din fonduri UE, și a publicării sondajelor Eurobarometru Flash în 2010, informațiile privind sănătatea orală din Europa rămân nesigure și dificil de comparat. În consecință, sarcina și costurile asistenței medicale orale sunt slab estimate, iar monitorizarea inegalităților este inadecvată, punând în pericol o asistență medicală de bună calitate, precum și dezvoltarea unor politici de sănătate orală consistente, de înaltă calitate.

— Ce intenționează Comisia să întreprindă în sprijinul unei implementări consistente a recomandărilor proiectului EGOHID în Europa?

— Sunt disponibile fonduri UE pentru proiectele de monitorizare în vederea acoperirii deficitului de informații privind sănătatea orală și a sprijinirii unui proces decizional mai bun?

Răspuns dat de dl Dalli în numele Comisiei
(29 iunie 2012)

După rezultatele încheierii proiectului „*European Global Oral Health Indicators Development*" (EGOHID II), Comisia a lansat un sondaj Eurobarometru cu privire la sănătatea orală ([1]) în 2009, ca o continuare a acestui proiect. Rezultatele sondajului au arătat că o minoritate dintre europeni au în continuare toți dinții lor naturali: 41% au declarat că au toți dinții naturali, în timp ce o treime dintre ei au afirmat că au, în continuare, cel puțin 20 de dinți naturali.

În momentul de față, le revine statelor membre să țină seama de recomandările politice ale proiectului EGOHID II în cadrul sistemelor lor sanitare respective. Posibilitatea de a finanța proiecte ulterioare în cadrul Programului de sănătate depinde de prioritățile pe care Comisia Europeană le stabilește anual în planul de lucru al programului.

Între timp, Ancheta europeană de sănătate prin intermediul interviului a prezentat date referitoare la numărul de vizite la medicul stomatolog în funcție de grupa de vârstă, sex, nivelul educațional și numărul de contacte în unele state membre ([2]). Aceste date arată că, în 16 state membre, procentul persoanelor care au declarat că au consultat un medic stomatolog cel puțin o dată în cursul ultimelor patru săptămâni variază de la 0% la 22,3%.

([1]) http://ec.europa.eu/public_opinion/archives/ebs/ebs_330_en.pdf
([2]) http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_ehis_hc5&lang=en.

(English version)

Question for written answer E-005018/12
to the Commission
Cristian Silviu Buşoi (ALDE)
(15 May 2012)

Subject: Oral healthcare data gap in Europe

Despite the development of a set of 40 key indicators and tools to collect consistent oral health data in Europe under the EU-funded EGOHID I and II projects and the publication of the Eurobarometer survey in 2010, oral health data available across Europe remains unreliable and poorly comparable. As a result, the burden and cost of oral healthcare is poorly estimated and monitoring of inequalities is inadequate, compromising good quality oral healthcare and the development of consistent, high-quality oral health policies.

— What does the Commission plan to do to support the consistent implementation of EGOHID project recommendations across Europe?

— Is EU funding available for follow-up projects to bridge the oral healthcare data gap and support better decision-making?

Answer given by Mr Dalli on behalf of the Commission
(29 June 2012)

After the results of the conclusion of the project 'European Global Oral Health Indicators Development' (EGOHID II), the Commission launched a Eurobarometer survey on oral health ([1]) in 2009 as a follow-up to this project. The results of the survey revealed that a minority of Europeans still had all their natural teeth: 41 % stated that they had all their natural teeth while a third of them said that they still had 20 natural teeth or more.

It is now up to the Member States to consider the policy recommendations of the EGOHID II project in their respective health systems. The possibility of funding follow-up projects under the Health programme depends on the priorities which the European Commission sets on an annual basis in the Programme's work plan.

In the meantime, the European Health Interview Survey has delivered data on the number of visits to the dentist by age group, gender, educational level and number of contacts in some Member States ([2]). This shows that in 16 Member States the percentage of people reporting to have consulted a dentist, at least once in the last four weeks varies from 0 % to 22.3 %.

([1]) http://ec.europa.eu/public_opinion/archives/ebs/ebs_330_en.pdf
([2]) http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_ehis_hc5&lang=en.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005019/12
an die Kommission
Udo Bullmann (S&D), Bernhard Rapkay (S&D) und Jutta Steinruck (S&D)
(15. Mai 2012)

Betrifft: Vereinbarkeit etwaiger Beihilfen durch das Vereinigte Königreich zur Produktionskapazitätenverlagerung von Rüsselsheim nach Ellesmere Port mit Art. 107 AEUV

Der US-amerikanische Automobilhersteller General Motors Company plant derzeit, die Standortstruktur seiner Tochter Adam Opel AG mit Blick auf die Produktionsmengenauslastung zu verlagern und mithin die Produktionskapazitäten des Modells Astra vom Standort Rüsselsheim unter anderem nach Ellesmere Port (Vereinigtes Königreich Großbritannien und Nordirland) zu verlagern. Aus der Presse konnte entnommen werden, dass die Regierung des Vereinigten Königreichs Großbritannien und Nordirland gedenkt, diese Reallokationspläne gegebenenfalls durch Beihilfen zu unterstützen.

Kann die Kommission dazu folgende Fragen beantworten:

— Sind der Kommission etwaige Beihilfepläne des Vereinigten Königreichs Großbritannien und Nordirland bekannt?

— Liegt der Kommission ein Antrag im Sinne der Verordnung (EG) Nr. 659/1999 des Rates vor? Hat die britische Regierung angekündigt, einen solchen Antrag einzureichen?

— Kann die Kommission im Falle des Vorliegens eines solchen Antrages derzeit abschätzen, ob er mit Art. 107 AEUV vereinbar ist?

Antwort von Herrn Almunia im Namen der Kommission
(27. Juni 2012)

Die Kommission hat weder vom Vereinigten Königreich die Information erhalten, dass fest beabsichtigt sei, die von General Motors angekündigte Investition in die Herstellung des Astra-Modells der nächsten Generation von Opel/Vauxhall in Ellesmere Port mit öffentlichen finanziellen Mitteln zu unterstützen, noch ist eine diesbezügliche Anmeldung einer staatlichen Beihilfen bei ihr eingegangen. Jedoch sei darauf hingewiesen, dass von Mitgliedstaaten gewährte staatliche Beihilfen unter bestimmten Voraussetzungen, die in der Verordnung (EG) Nr. 800/2008 der Kommission vom 6. August 2008 zur Erklärung der Vereinbarkeit bestimmter Gruppen von Beihilfen mit dem Gemeinsamen Markt in Anwendung der Artikel 87 und 88 EG-Vertrag (Allgemeine Gruppenfreistellungsverordnung) ([1]) festgelegt sind, als nach Artikel 107 Absatz 3 des Vertrags über die Arbeitsweise der Europäischen Union mit dem Binnenmarkt vereinbar angesehen werden und von der Anmeldepflicht nach Artikel 108 Absatz 3 dieses Vertrags befreit sein können.

([1]) ABl. L 214 vom 9.8.2008, S. 3.

(English version)

Question for written answer E-005019/12
to the Commission
Udo Bullmann (S&D), Bernhard Rapkay (S&D) and Jutta Steinruck (S&D)
(15 May 2012)

Subject: Compatibility with Article 107 of the TFEU of United Kingdom subsidies to transfer production capacity from Rüsselsheim to Ellesmere Port

US car manufacturer General Motors Company is currently planning to relocate its subsidiary Adam Opel AG with a view to utilisation of production volume and to move the production capacity for the Astra model from the Rüsselsheim plant in Germany to Ellesmere Port (United Kingdom), among other places. Stories in the press indicate that the Government of the United Kingdom is considering supporting these relocation plans with subsidies.

Can the Commission answer the following questions:

— Is the Commission aware of any plans by the United Kingdom to provide subsidies?

— Has the Commission received an application within the meaning of Council Regulation (EC) No 659/1999? Has the British Government indicated its intention of making such an application?

— If such an application is made, can the Commission give an opinion as to whether it is compatible with Article 107 of the TFEU?

Answer given by Mr Almunia on behalf of the Commission
(27 June 2012)

The Commission has not received any information from the United Kingdom regarding any firm intention to provide public financial support for the investment announced by General Motors relating to the manufacture of the next generation of the Opel/Vauxhall Astra car model in Ellesmere Port and has not received any notification of state aid in relation to this planned investment. It should be noted however that, under certain conditions laid down in Commission Regulation (EC) No 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation) ([1]), state aid granted by Member States can be considered compatible with the internal market within the meaning of Article 107(3) of the Treaty on the Functioning of the European Union and be exempt from the notification requirement of Article 108(3) of the Treaty.

([1]) OJ L 214, 9.8.2008, p. 3.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005021/12
an die Kommission
Angelika Werthmann (NI)
(16. Mai 2012)

Betrifft: Lebenslanges Lernen

Im Rahmen der Strategie 2020 kommen den Themen „lebenslanges Lernen" und „transnationale Mobilität" eine besondere Bedeutung zu. Demgegenüber ist der universitäre Ausbildungsmarkt aber nach wie vor rein national geprägt.

1. Inwieweit erfordern diese Ziele innerhalb der Strategie 2020 auch die Einrichtung von, zum Beispiel, einer EU-Universität, deren Studiengänge online absolviert werden?

2. Hat die Kommission den Aufbau und die Einrichtung einer derartigen Institution bereits evaluiert?

3. Beabsichtigt die Kommission, hier auf europäischer Ebene initiativ zu werden?

Antwort von Frau Vassiliou im Namen der Kommission
(1. August 2012)

Die Strategie „Europa 2020" unterstreicht, dass die Investition in Hochschulbildung für die künftige Wettbewerbsfähigkeit der EU von grundlegender Bedeutung ist. Die EU-Mitgliedstaaten sind für den Aufbau ihrer Systeme der allgemeinen und beruflichen Bildung zuständig, das heißt auch für die Schaffung und Zulassung neuer Bildungseinrichtungen und die Förderung des Fernunterrichts. Somit liegt es nicht in der Absicht der Kommission, auf EU-Ebene Bildungseinrichtungen zu entwickeln.

Dennoch hebt die Kommission in ihrer im September 2011 verabschiedeten Mitteilung über die Modernisierung von Europas Hochschulsystemen hervor, dass eine bessere Nutzung der Informations — und Kommunikationstechnologien (IKT) das Potenzial in sich birgt, die Lehre zu bereichern, Lernerfolge zu verbessern, personalisiertes Lernen zu unterstützen und den Zugang zu höherer Bildung durch Fernunterricht und virtuelle Mobilität zu erleichtern und zu erweitern. Die europäischen Programme im Bereich allgemeine und berufliche Bildung unterstützen darüber hinaus die einschlägigen Maßnahmen der Mitgliedstaaten, beispielsweise durch Projekte für innovative IKT-gestützte Bildungsangebote von offenem Unterricht und Fernlehre bis hin zum virtuellen Campus. Ein Beispiel ist das Projekt „European Distance Education Area: info portal and awareness initiative" ([1]), das im Rahmen des Programms für lebenslanges Lernen bezuschusst wird und ein Portal mit Informationen über unterschiedliche Formen des Fernunterrichts in den EU-Ländern bereithält.

Die bessere Nutzung von IKT, freie Lehr— und Lernmaterialien (OER) und virtuelle Mobilität sind wesentliche Ziele des Kommissionsvorschlags für „Erasmus für alle", das neue EU-Programm im Bereich allgemeine und berufliche Bildung.

([1]) Siehe: http://www.studyportals.eu/odlsurvey.

(English version)

Question for written answer E-005021/12
to the Commission
Angelika Werthmann (NI)
(16 May 2012)

Subject: Lifelong learning

'Lifelong learning' and 'transnational mobility' are particularly important issues in the context of the Europe 2020 strategy. On the other hand, university education is still purely national in character.

1. To what extent do these targets of the Europe 2020 strategy also require the establishment of, for example, an EU university, where courses can be completed online?

2. Has the Commission already considered the possibility of establishing such an institution?

3. Does it intend to take the initiative in this matter at European level?

Answer given by Mrs Vassiliou on behalf of the Commission
(1 August 2012)

Europe 2020 stresses the crucial importance of investment in higher education for ensuring the EU's future competitiveness. EU Member States are responsible for the organisation of their education and training systems, including the establishment and accreditation of new educational institutions and the promotion of distance learning. As such the Commission has no plans to develop EU-level educational institutions.

However, the Commission Communication on modernising Europe's higher education systems, adopted in September 2011, highlights the potential of better exploitation of Information and Communication Technologies (ICT) to enrich teaching, improve learning experiences, support personalised learning and facilitate and widen access to higher education through distance learning and virtual mobility. Moreover, European programmes for education and training support the action of Member States, including via projects on deploying innovative ICT-based education, from open distance learning to virtual campuses. For example, the project 'European Distance Education Area: info portal and awareness initiative' ([1]) , funded under the Lifelong Learning programme, has created a portal supplying information about various types of distance learning courses available throughout Europe.

Better use of ICT, open education resources and virtual mobility is a key objective of the Commission's proposal for the new EU education and training programme, 'Erasmus for all'.

([1]) See: http://www.studyportals.eu/odlsurvey.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005027/12
a la Comisión (Vicepresidenta/Alta Representante)
Willy Meyer (GUE/NGL)
(16 de mayo de 2012)

Asunto: VP/HR — Venta de armamento de España a Arabia Saudí y acuerdo estratégico de Defensa: incumplimiento sistemático del Código de Conducta de la UE sobre exportación de armas

Tras la reciente visita a Arabia Saudí del Ministro de Defensa español, y, hasta hace poco, Presidente para España de la empresa armamentística MBDA, Pedro Morenés, el Gobierno español va a cerrar un acuerdo armamentístico por el cual exportará alrededor de 250 carros de combate «Leopard» al régimen saudí y, tal y como afirma la agencia de noticias oficial saudí SPA, establecerá un acuerdo de colaboración estratégica con la monarquía saudí en el ámbito de la Defensa.

Con este contrato, y con el acuerdo de colaboración estratégica, el Gobierno español fortalecerá militarmente a un régimen como el saudí, que tiene incorporado a su Código Penal el castigo físico, hecho expresamente condenado por las Naciones Unidas, que desprecia, persigue y condena a la inferioridad a las mujeres, las cuales tienen estrictamente limitados sus derechos y libertades, y en el que la democracia, las elecciones y el respeto por los derechos humanos no existen. Además, el Ejército de Arabia Saudí no solo ha reprimido violentamente las movilizaciones en territorio saudí sino que ha participado en la sangrienta represión que ha tenido lugar en países vecinos como Yemen o Bahréin.

Recientemente varias ONG y asociaciones han denunciado que el anterior Gobierno de España exportó armamento a países como Marruecos, Túnez, Egipto o Libia que ha sido utilizado para reprimir criminalmente las movilizaciones y protestas populares que exigían democracia y justicia social. Así, un estudio reciente apunta que el 40 % de las exportaciones de armas que lleva a cabo España tienen como destino países que no cumplen los criterios establecidos en el Código de Conducta de la Unión Europea para la venta de armamento o material de doble uso a terceros países.

— ¿Es consciente la Vicepresidenta/Alta Representante de esta venta de armamento por parte de España a Arabia Saudí contraria a la Posición Común de la UE sobre las exportaciones de armas?

— ¿Considera la Vicepresidenta/Alta Representante que este acuerdo viola el Código de Conducta de la UE sobre la exportación de armas o materiales de doble uso a terceros países?

— Ante el constante incumplimiento de este Código de Conducta, ¿piensa la Vicepresidenta/Alta Representante solicitar a la Comisión Europea la regulación comunitaria de la venta de armamento a terceros países con el fin de endurecerla?

— ¿Qué medidas adoptará la Vicepresidenta/Alta Representante para evitar que continúe la transferencia de armamento a países terceros donde no se garantizan los derechos humanos y se lleva a cabo una sistémica represión, incumpliéndose el mencionado Código de conducta de la UE?

Respuesta de la Alta Representante y Vicepresidenta Sra. Ashton en nombre de la Comisión
(16 de julio de 2012)

La Posición Común 2008/944/PESC, de 8 de diciembre de 2008, sobre el control de las exportaciones de tecnología y equipos militares sustituyó al Código de conducta de la UE sobre exportación de armas de 1998. En virtud de la Posición Común 2008/944/PESC, la decisión sobre si autorizar o denegar las exportaciones de armas sigue siendo una responsabilidad nacional de los Estados miembros. No obstante, cada Estado miembro debe evaluar las solicitudes de licencia de exportación con arreglo a los ocho criterios establecidos en la Posición Común, y tener en cuenta las posibles denegaciones de otros Estados miembros en transacciones similares.

Las cuestiones planteadas con motivo de la aplicación de la Posición Común se debaten en reuniones periódicas del grupo de trabajo del Consejo sobre exportaciones de armas convencionales (Grupo «Exportación de Armas Convencionales»). Asimismo, en el seno de dicho grupo, los Estados miembros intercambian opiniones e información sobre destinos específicos con la intención de lograr una mayor coherencia en la política de exportación de armas hacia los destinos en cuestión. Los destinos de Oriente Medio y el norte de África se tratan con regularidad en el Grupo «Exportación de Armas Convencionales», sobre todo desde que estalló la Primavera Árabe.

(English version)

Question for written answer E-005027/12
to the Commission (Vice-President/High Representative)
Willy Meyer (GUE/NGL)
(16 May 2012)

Subject: VP/HR — Sale of arms by Spain to Saudi Arabia and strategic defence agreement: systematic failure to comply with the EU's Code of Conduct on the export of arms

Following the recent visit to Saudi Arabia of Pedro Morenés, Spanish defence minister and, until recently, president for Spain of the MBDA armaments company, the Spanish Government will conclude an arms deal by which it will export about 250 'Leopard' tanks to the Saudi regime and, as stated by the official Saudi news agency SPA, will establish a strategic partnership with the Saudi monarchy in the area of defence.

With this contract and the strategic partnership, the Spanish Government will strengthen militarily a regime which, as expressly condemned by the United Nations, incorporates physical punishment in its Penal Code, despises and persecutes women, relegating them to a position of inferiority and strictly limiting their rights and freedoms, and in which democracy, elections and respect for human rights do not exist. Moreover, the Saudi Arabian army has not only violently repressed demonstrations in Saudi territory but has taken part in the bloody repression that has taken place in neighbouring countries like Yemen and Bahrain.

A number of NGOs and associations recently criticised the previous Government of Spain for exporting arms to countries such as Morocco, Tunisia, Egypt and Libya, where they were used for the criminal suppression of popular movements and protests calling for democracy and social justice. Similarly, a recent study suggests that 40% of arms exports from Spain go to countries that do not meet the criteria set by the European Union's Code of Conduct for the sale of arms or dual-purpose equipment to third countries.

— Is the Vice-President/High Representative aware of this sale of arms by Spain to Saudi Arabia, contrary to the EU's Common Position on arms exports?

— Does the Vice-President/High Representative consider that this agreement violates the EU's Code of Conduct on the export of arms or dual-purpose equipment to third countries?

— Given the constant violation of the Code of Conduct, does the Vice-President/High Representative intend to request that the European Commission stiffens the Community regulation on arms sales to third countries?

— What measures will the Vice-President/High Representative adopt to prevent the continuation of arms transfers to third countries that do not guarantee human rights and that pursue systemic repression, violating the EU's Code of Conduct?

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

Common Position 2008/944/CFSP of 8 December 2008 on the control of export of defence equipment and technology replaced the 1998 EU Code of conduct on arms exports. Under Common Position 2008/944/CFSP, decisions on whether to authorise or deny arms exports remain a national responsibility of Member States. Arms export licences reviewed by EU member states have however to be assessed against the eight criteria laid down in the common position and member states have to take into account denials possibly issued by other member states for similar transactions.

Issues raised by implementation of the Common Position are discussed in regular meetings of the Council Working Group on conventional arms exports (COARM). Likewise, member states exchange in COARM views and information on specific destinations with a view to achieving greater consistency of their arms export policy towards the destinations in question. Middle East and North African destinations are regularly discussed within COARM in particular since the outbreak of the Arab Spring.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005028/12
a la Comisión
Dolores García-Hierro Caraballo (S&D)
(16 de mayo de 2012)

Asunto: Pesca

En informaciones recientes de diversos medios de comunicación se atribuye a la Comisaria de Pesca, Sra. Damanaki, que su propuesta sobre la futura reforma de la Política Pesquera Común (en debate en el Parlamento Europeo) de acuerdo con las nuevas competencias regidas por el Tratado de Lisboa, supondrá la creación de 82 000 nuevos empleos en el sector pesquero de la UE.

¿Puede informar la Comisión de cuáles son las 43 pesquerías estudiadas? ¿Cuál es la situación al respecto de la capacidad máxima sostenible de explotación pesquera en las mismas? ¿De qué datos objetivos dispone para la estimación de los 82 000 futuros empleos?

Respuesta de la Sra. Damanaki en nombre de la Comisión
(23 de julio de 2012)

Las cifras de creación de empleo a las que hace referencia Su Señoría proceden del estudio «Jobs Lost at Sea: Overfishing and the jobs that never were», de la *New Economic Foundation (NEF)* ([1]). El estudio hace una lista de las 43 pesquerías analizadas. La información sobre la situación biológica de estas poblaciones de peces fue tomada por la NEF del documento «Rebuilding fish stocks no later than 2015: will Europe meet the deadline?», de Rainer Froese y Alexander Proelb ([2]).

En lo que se refiere a la estimación de puestos de trabajo que se crearán en el sector pesquero, el estudio de la *New Economic Foundation* se basa en el supuesto de que las poblaciones de peces analizadas alcanzarán el rendimiento máximo sostenible instantáneamente, sin periodo de transición. Sin periodo de transición, puede esperarse un mayor número de capturas y desembarques, que generarán mayores niveles de ingresos, y, a su vez, más puestos de trabajo en los sectores de la captura y la transformación.

([1]) http://www.neweconomics.org/sites/neweconomics.org/files/Jobs_Lost_at_Sea_0.pdf
([2]) http://onlinelibrary.wiley.com/doi/10.1111/j.1467-2979.2009.00349.x/abstract.

(English version)

Question for written answer E-005028/12
to the Commission
Dolores García-Hierro Caraballo (S&D)
(16 May 2012)

Subject: Fishing

Recent reports by various sections of the media indicate that the proposal by the Commissioner for Maritime Affairs and Fisheries Maria Damanaki on the future reform of the common fisheries policy (being debated in the European Parliament), in accordance with the new powers put in force by the Treaty of Lisbon, will create 82 000 new jobs in the EU fisheries sector.

Can the Commission provide the names of the 43 fisheries studied? What is the situation regarding the maximum sustainable fishing capacity in these fisheries? What objective data does the Commission have for estimating 82 000 future jobs?

Answer given by Ms Damanaki on behalf of the Commission
(23 July 2012)

The job creation figures referred to by the Honourable Member are taken from the study 'Jobs Lost at Sea: Overfishing and the jobs that never were' by the New Economic Foundation (NEF) ([1]). The study lists the 43 stocks analysed. The information on the biological status of these stocks was taken by NEF from the paper 'Rebuilding fish stocks no later than 2015: will Europe meet the deadline?' by Rainer Froese and Alexander Proelb ([2]).

With regards to estimates of jobs being created in the fishing sector, the study by the New Economic Foundation is based on the assumption that the stocks analysed achieve Maximum Sustainable Yield (MSY) instantaneously without a period of transition. Without a transition period, a greater number of catches and landings can be expected, generating higher levels of income and revenue, and in turn leading to more jobs in the catching and processing sectors.

([1]) http://www.neweconomics.org/sites/neweconomics.org/files/Jobs_Lost_at_Sea_0.pdf
([2]) http://onlinelibrary.wiley.com/doi/10.1111/j.1467-2979.2009.00349.x/abstract.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005029/12
a la Comisión
Dolores García-Hierro Caraballo (S&D)
(16 de mayo de 2012)

Asunto: Medio Ambiente

El Reino de España a través del Real Decreto 547/2012, de 16 de marzo, por el que se convalida el Real Decreto 1462/2001, de 21 de diciembre, por el que se otorgan los permisos de investigación de hidrocarburos denominados «Canarias-1», «Canarias-2», «Canarias-3», «Canarias-4», «Canarias-5», «Canarias-6», «Canarias-7», «Canarias-8», y «Canarias-9», ha otorgado permiso de investigación a través de perforación a Repsol Investigaciones Petrolíferas, S.A., Woodside Energy Iberia S.A., y RWE Dea AG, en unos porcentajes del 50 %, 30 % y 20 %, respectivamente, actuando la primera de ellas como operadora.

Según el propio Real Decreto del Gobierno de Reino de España, las acciones de investigación principal consistirán en la perforación de dos pozos de 3 500 m de profundidad.

Considerando que dicha práctica en aguas profundas es intrínsecamente peligrosa y supone enormes riesgos de vertidos, incendios y contaminación, como ha demostrado el hundimiento de la plataforma de BP en el golfo de México hace menos de dos años sectores tan importantes para la economía de las comunidades afectadas, como el turismo o la pesca, se verían gravemente afectados por un vertido catastrófico y por la contaminación crónica derivada de la explotación de los pozos.

El vertido del golfo de México ha alcanzado costas a más de 250 km de distancia del pozo accidentado. Lanzarote y Fuerteventura estarían a tan solo 60 km de los nuevos pozos; tampoco hay que olvidar las consecuencias para las costas del Reino de Marruecos y otros Estados de la costa africana. Para la respuesta al vertido de BP en el golfo de México hicieron falta más de 6 000 barcos y unas 50 000 personas. Canarias, al ser región ultra-periférica, podría encontrarse en una situación indefensa ante un vertido de esas características.

Por todo lo anteriormente citado y ante la alarma social y ecológica que se ha generado en la Región de Canarias, le traslado la siguiente pregunta:

Considerando la Directiva 2008/56/CE del Parlamento Europeo y Consejo, de 17 de junio de 2008, por la que se establece un marco de acción comunitaria para la política del medio marino, y en virtud de lo dispuesto en su artículo 13, apartado 5, ¿le consta que el Reino de España se haya dirigido a la autoridad competente u organización internacional interesada con el fin de estudiar y adoptar las medidas necesarias para cumplir los objetivos de la Directiva marco sobre la estrategia marina y en su caso evitar un desastre ecológico en la subregión marina de Canarias?

Respuesta del Sr. Potočnik en nombre de la Comisión
(5 de julio de 2012)

La Comisión ha abierto una investigación EU PILOT (3279/12/ENVI) con vistas a recabar información de las autoridades españolas sobre cómo aplican a las actividades de prospección en las islas Canarias el Derecho de la UE en materia de medio ambiente, a saber, la Directiva 2011/92/UE ([1]), relativa a la evaluación de las repercusiones de determinados proyectos públicos y privados sobre el medio ambiente (EIA), y la Directiva 92/43/CEE ([2]), relativa a la conservación de los hábitats naturales y de la fauna y flora silvestres. La Comisión está evaluando la información facilitada por España.

Con arreglo a la Directiva marco sobre la estrategia marina ([3]), los Estados miembros deberían estar concluyendo la primera etapa importante de su ejecución con vistas a conseguir un buen estado medioambiental para 2020. España está sometiendo ahora a consulta pública su primer informe de ejecución (véase la página web http://www.magrama.gob.es/es/costas/participacion-publica/em.aspx). Los Estados miembros deben presentar a la Comisión el 15 de octubre a más tardar la evaluación inicial del medio marino y el establecimiento de un buen estado medioambiental y objetivos medioambientales.

([1]) DO L 26 de 28.1.2012, pp. 1-21.
([2]) DO L 206 de 22.7.1992, pp. 7-50.
([3]) Directiva 2008/56/CE del Parlamento Europeo y del Consejo, de 17 de junio de 2008 (DO L 164 de 25.6.2008, p. 19).

(English version)

Question for written answer E-005029/12
to the Commission
Dolores García-Hierro Caraballo (S&D)
(16 May 2012)

Subject: The environment

Through Royal Decree 547/2012 of 16 March, validating Royal Decree 1462/2001 of 21 December, which grants the oil prospecting permits Canarias-1, Canarias-2, Canarias-3, Canarias-4, Canarias-5, Canarias-6, Canarias-7, Canarias-8 and Canarias-9, the Kingdom of Spain has granted permission for exploratory oil drilling to Repsol Investigaciones Petrolíferas, S.A., Woodside Energy Iberia S.A. and RWE Dea AG, with percentages of 50%, 30% and 20% respectively, with Repsol acting as the operating company.

As stated in the Spanish Government's Royal Decree itself, the main exploratory activity will be the drilling of two wells to a depth of 3 500 m.

This type of drilling in deep waters is inherently dangerous, involving enormous risks of spills, fires and pollution, as the sinking of the BP platform in the Gulf of Mexico less than two years ago demonstrated. Sectors of major economic importance to local communities, such as tourism and fishing, would be seriously affected by any catastrophic spill and by the chronic pollution arising from operating the wells.

The spill in the Gulf of Mexico reached coasts over 250 km from the well involved in the accident. Lanzarote and Fuerteventura would be just 60 km away from the new wells, without forgetting the impact on the coasts of Morocco and other African countries. The response to the BP spill in the Gulf of Mexico required more than 6 000 vessels and some 50 000 people. The Canary Islands, as an outermost region, could find itself helpless in the face of a spill of this kind.

In view of all the above and of the social and ecological concern that has been raised in the Canary Islands region:

In light of Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008, establishing a framework for community action in the field of marine environmental policy and, in particular, Article 13(5) thereof, does the Commission know whether Spain has approached the competent authority or relevant international organisation with a view to studying and adopting the necessary measures with which to meet the objectives of the Marine Strategy Framework Directive and prevent any possible ecological disaster in the Canary Islands marine subregion?

Answer given by Mr Potočnik on behalf of the Commission
(5 July 2012)

The Commission has opened an EU PILOT investigation (3279/12/ENVI) with a view to obtaining information from the Spanish authorities how they will apply relevant EU environmental legislation, namely Directives 2011/92/EU ([1]) on the assessment of the effects of certain public and private projects on the environment (EIA) and 92/43/EEC ([2]) on the protection of natural habitats and wild fauna and flora to the Canary Islands prospecting activities. The information provided by Spain is currently being assessed by Commission.

Relating to the Marine Strategy Framework Directive ([3]) (MSFD), Member States should be in the process of concluding the first important step in the implementation to achieve good environmental status by 2020. Spain is currently consulting its first implementation report in public
(see web page, http://www.magrama.gob.es/es/costas/participacion-publica/em.aspx).

Member States must submit the initial assessment of the marine environment, the setting of good environmental status and environmental targets to the Commission by 15 October 2012.

([1]) OJ L 26, 28.1.2012, p. 1-21.
([2]) OJ L 206, 22.7.1992, p. 7-50.
([3]) Directive 2008/56/EC of the European Parliament and of the Council, of 17 June 2008, OJ L 164, 25.6.2008, p. 19.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005031/12
til Kommissionen
Morten Messerschmidt (EFD)
(16. maj 2012)

Om: Miljøgodkendelser i EU

Det danske firma VegaNo fremstiller et herbicid af samme navn. Midlet har samme virkning som glyphosat (Roundup), men indeholder ikke syntetisk fremstillede kemikalier, idet det væsentligst består af udtræk fra økologisk dyrkede hvidløg og nælder. Midlet har tidligere været forhandlet i Danmark og er således godkendt af den danske miljøstyrelse, men da det nu også skal godkendes i EU, har den danske miljøstyrelse trukket sin godkendelse tilbage. VegaNo ansøgte derfor for ca. 3 år siden om EU-godkendelse, hvilket efter det for spørgeren oplyste skal ske hos de polske miljømyndigheder. Producenten er imidlertid stødt på store vanskeligheder hos de polske miljømyndigheder, der fremsætter, hvad producenten opfatter som vilkårlige, nye krav om dokumentation, så snart tidligere krav er opfyldt. Man rejser herunder spørgsmålet, om hovedindholdsstoffet og den af myndighederne anerkendte aktive komponent — hvidløgsekstrakt — er skadeligt for mennesker. Dette vækker nogen undren hos såvel firma som spørger, idet hvidløg kan indkøbes i ubegrænset mængde. Indtag af hvidløg er så vidt vides heller ikke omfattet af myndighedskontrol. Producenten kan yderligere konstatere, at andre midler indeholdende hvidløg allerede er godkendt, f.eks. mod insekter i drivhuse. Til al overflod er sagen flere gange bortkommet hos de polske myndigheder.

Vil Kommissionen på denne baggrund oplyse følgende:

Finder Kommissionen det beskrevne forløb hos de polske miljømyndigheder tilfredsstillende, herunder at sager bortkommer flere gange og har strakt sig over 3 år?

Er Kommissionen enig i, at godkendelse af et produkt, der allerede er godkendt af en national myndighed i en medlemsstat, relativt let bør kunne godkendes af EU, navnlig når der er tale om uskadelige indholdsstoffer, hvis natur myndighederne er enige i?

Hvilke kriterier anvender Kommissionen ved udvælgelse af rapporterende godkendelsesmyndigheder i medlemslandene?

Vil Kommissionen redegøre for, om rapporterende myndigheder følger en af EU fastlagt standardprocedure eller følger egne procedurer også i sager, der medfører godkendelse, afvisning eller forbud i hele EU?

Hvilken kvalitetskontrol fører EU med rapporterende myndigheder?

Svar afgivet på Kommissionens vegne af John Dalli
(10. juli 2012)

1. Ved forordning (EF) nr. 1107/2009 ([1]), som vedrører markedsføring af plantebeskyttelsesmidler, og hvorved direktiv 91/414/EØF ([2]) ophæves, er der fastsat tidsfrister for de forskellige trin i godkendelsesproceduren. Det fremgår imidlertid ikke klart af forespørgslen, hvorvidt produktet stadig er i overgangsfasen. I så tilfælde skal medlemsstaterne i henhold til nævnte direktivs artikel 9, stk. 5, træffe beslutning inden for en rimelig frist. Kommissionen er ikke bekendt med nogen klager vedrørende Polen og/eller det produkt, der nævnes af det ærede medlem.

2. Plantebeskyttelsesmidler godkendes af medlemsstaterne. Bestemmelserne om gensidig anerkendelse i direktiv 91/414/EØF er blevet styrket med forordning (EF) nr. 1107/2009, idet der er indført et system med obligatorisk gensidig anerkendelse af godkendelser. Dette vil lette godkendelsen af produkter, selv om medlemsstaterne stadig vil kunne afvise at godkende et produkt under henvisning til særlige miljømæssige og landbrugsmæssige forhold.

3. Kommissionen vælger ikke medlemsstaternes kompetente myndigheder. En ansøger, der ønsker at markedsføre et plantebeskyttelsesmiddel, skal indgive sin ansøgning til de medlemsstater, hvor plantebeskyttelsesmidlet påtænkes markedsført.

4. I henhold til artikel 288 i EU-traktaten er en forordning almengyldig og bindende i alle enkeltheder og gælder umiddelbart i hver medlemsstat.

([1]) EUT L 309 af 24.11.2009, s. 1.
([2]) EFT L 230 af 19.8.1991, s. 1.

5. Levnedsmiddel— og Veterinærkontoret foretager auditter i alle medlemsstaterne på grundlag af artikel 68 i ovennævnte forordning for at efterprøve den offentlige kontrol, medlemsstaterne foretager med henblik på håndhævelse af forordningens bestemmelser. Ydermere pågår en løbende udveksling af oplysninger med medlemsstaterne i arbejdsgrupperne i Kommissionen og Den Europæiske Fødevaresikkerhedsautoritet (EFSA).

(English version)

Question for written answer E-005031/12
to the Commission
Morten Messerschmidt (EFD)
(16 May 2012)

Subject: Environmental approvals in the EU

The Danish company VegaNo manufactures a herbicide of the same name. The agent has the same effect as glyphosate (Roundup) although it does not contain synthetic chemicals and essentially comprises extracts of organically grown garlic and nettles. The agent has previously been marketed in Denmark and has therefore been approved by the Danish Environmental Protection Agency, but as it must now also be approved in the EU, the Danish Environmental Protection Agency has withdrawn its approval. VegaNo applied for EU approval approximately three years ago and according to information I have received, this approval is still to be given by the Polish environmental authorities. The manufacturer has, however, encountered major difficulties with the Polish environmental authorities, which establish new and, in the opinion of the producer, frivolous documentation requirements as soon as one set of requirements has been met. One of the questions raised in this regard is whether the main ingredient and the active component (garlic extract), which has been recognised by the authorities, is harmful to human health. This is a matter of some surprise to both the company and to me as there are no limits imposed on the purchase of garlic. The consumption of garlic is, as far as is known, not subject to any regulatory control. The producer also knows that other agents containing garlic have already been approved, e.g. to combat insects in greenhouses. In addition, the documentation has been misplaced by the Polish authorities on several occasions.

Does the Commission find the progress made by the Polish environmental authorities as described above satisfactory, considering that documentation has been lost several times and the matter has taken over three years?

Does the Commission agree that EU approval of a product which has already been approved by a national authority in a Member State should be relatively simple, in particular when the ingredients involved are harmless and the authorities agree this is the case?

What criteria does the Commission use to select reporting authorities in the Member States?

Will the Commission examine whether reporting authorities adhere to standard procedures stipulated by the EU or follow their own procedures in cases involving approval, rejection or prohibition throughout the EU?

What quality control does the EU exercise over reporting authorities?

Answer given by Mr Dalli on behalf of the Commission
(10 July 2012)

1. Regulation (EC) No 1107/2009 ([1]) on placing of plant protection products on the market repealing Directive 91/414/EEC ([2]) provides for deadlines in the authorisation process. However, from the question it is not clear if the product is still in the transitional phase. In that case, pursuant to Article 9(4) of the same Directive, Member States shall decide within a reasonable period. The Commission is not aware of any complaint concerning Poland and/or the product mentioned by the Honourable Member.

2. Plant protection products are authorised by Member States. Regulation (EC) No 1107/2009 has strengthened the provisions on mutual recognition of Directive 91/414/EEC, introducing a system of obligatory mutual recognition of authorisations. It will facilitate the authorisation of products even if Member States may still refuse authorisation due to specific environmental and agricultural circumstances and on the basis of substantiated reasons.

3. The Commission does not select competent authorities of Member States. An applicant who wishes to place a plant protection product on the market shall apply to Member States where the plant protection product is intended to be marketed.

4. According to Article 288 of the Treaty on the Functioning of the European Union , a regulation shall have general application and shall be binding in its entirety and be directly applicable in all Member States.

([1]) OJ L 309, 24.11.2009, p. 1.
([2]) OJ L 230, 19.8.1991, p. 1.

5. The Food and Veterinary Office carries out audits in all Member States based on Article 68 of the abovementioned Regulation to verify official controls carried out by Member State to enforce compliance with the regulation. Furthermore, there is a constant information exchange with Member States in the Commission and European Food Safety Authority (EFSA) working groups.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005032/12
til Kommissionen
Morten Messerschmidt (EFD)
(16. maj 2012)

Om: Manglende inddrivelsesmuligheder for danske kreditorer

I svaret på spørgsmål E-001170 forholder Kommissionen sig desværre ikke til selve problemet: Hvorfor er en dansk kreditor tvunget til at skulle igennem to fogedretter? Dette medfører naturligvis en omfattende procedure for kreditor, både økonomisk og processuelt: Først skal kreditor indsende sagen til fogedretten i Danmark — for dér at konstatere, at debitor eksempelvis ejer en bolig i udlandet. Herefter skal kreditor efter Bruxelles I-forordningen anmode den aktuelle ret i Danmark om at gøre fundamentet eksigibel i det pågældende udland. Dette kræver rettens »specielle stempel«, og at dokumenterne oversættes. Udover endnu en afgift til retten koster dette kreditor udgifter til oversættelse af dokumenterne fra dansk, hvilket skal gøres af en dertil autoriseret translatør. Herefter skal kreditor antage en udenlandsk advokat til at indsende sagen til fogedretten i landet, og betale endnu en retsafgift til den udenlandske fogedret, hvorefter denne forkynder indkaldelsen overfor den danske debitor, der skal have mulighed for at give møde i den udenlandske fogedret.

Det siger sig selv, at en kreditor, der har et tilgodehavende under 100 000 DKK., med altovervejende sandsynlighed vil afstå fra at sætte ovennævnte procedure i gang. Resultatet heraf er, at danske kreditorer med »mindre tilgodehavender« må finde sig i, at debitorer kan placere »småaktiver« rundt omkring i EU, som det processuelt og dermed økonomisk ikke kan svare sig at søge inddrevet.

Er Kommissionen således enig i, at EU burde gøre domstolene en mere borgervenlige i denne henseende ved gøre det muligt/obligatorisk for byretterne i det enkelte EU-land at give bindende meddelelse til den relevante byret i et andet EU-land (byretten hvor aktivet befinder sig) om det foretagne udlæg, hvorefter dette udlæg tinglyses på aktivet, f.eks. fast ejendom?

Svar afgivet på Kommissionens vegne af Viviane Reding
(5. juli 2012)

Det ærede medlem skal være opmærksom på, at Danmark ikke deltager i EU's civilretlige instrumenter med hjemmel i afsnit V i del III i TEUF, fordi landet har valgt ikke at deltage i dette politikområde, jf. protokol 22 til traktaterne. Danmark deltager dog undtagelsesvis i visse civilretlige instrumenter, heriblandt Bruxelles I-forordningen, der har hjemmel i afsnit V i del III i TEUF, gennem indgåelsen af en international bilateral aftale mellem EU og Danmark i 2005.

Afskaffelsen af eksekvaturproceduren, nemlig rettens afgørelse om tilladelse til i dette land at fuldbyrde en dom afsagt i en anden medlemsstat, i forbindelse med alle domme på det civil— og handelsretlige område er det endelige mål for det program vedrørende gensidig anerkendelse af retsafgørelser, som Kommissionen og Rådet vedtog i december 2000. Med henblik herpå indeholder Kommissionens forslag til omarbejdning af Bruxelles I-forordningen ([1]) bestemmelser om afskaffelsen af alle foreløbige retsmidler i fuldbyrdelsesmedlemsstaten. Dette vil gøre det lettere at fuldbyrde domme i Den Europæiske Union, idet det mindsker omkostningerne ved at få en retsafgørelse erklæret eksigibel i en anden medlemsstat, samt den tid, dette tager, og besværet herved. Forslaget indeholder også en række standardformularer, der har til formål at gøre det lettere at få anerkendt eller fuldbyrdet en udenlandsk dom uden brug af eksekvaturproceduren, og et appelskrift.

Der forhandles på nuværende tidspunkt om Kommissionens forslag i Europa-Parlamentet og Rådet. På grundlag af førnævnte bilaterale aftale mellem EU og Danmark er det op til Danmark efter vedtagelsen af forslaget at beslutte, om landet ønsker at gennemføre indholdet heraf eller ej, herunder reglerne om afskaffelse af eksekvaturproceduren.

([1]) KOM(2010)0748 endelig, 2010/0383 (COD).

(English version)

Question for written answer E-005032/12
to the Commission
Morten Messerschmidt (EFD)
(16 May 2012)

Subject: Lack of recovery provisions for Danish creditors

In its answer to Question E-001170, the Commission unfortunately does not address the actual problem: why is a Danish creditor forced to go through two enforcement courts? This of course means that the procedure for creditors is long-winded, both financially and procedurally: the creditor has first to submit the case to the enforcement court in Denmark to establish, for example, that the debtor owns a property abroad. In accordance with the Brussels I Regulation, the creditor then has to apply to the appropriate court in Denmark to make the basic decision enforceable in the relevant foreign country. This requires the court's 'special stamp' and the translation of documents. In addition to court expenses, the creditor also incurs expenses for the translation of the documents from Danish, which has to be performed by a translator authorised for this purpose. The creditor must then appoint a foreign lawyer to submit the case to the enforcement court in the country and pay a further court fee to the foreign enforcement court, after which the court issues a summons to the Danish debtor who has to be given the opportunity to appear before the foreign enforcement court.

It is obvious that any creditor with a claim of less than DKK 100 000 will very probably refrain from instigating the abovementioned procedure. The result of this is that Danish creditors with 'smaller claims' may find that debtors can place 'minor assets' throughout the EU, the recovery of which is not worthwhile from a procedural or financial standpoint.

Does the Commission agree therefore that the EU should make the courts more citizen-friendly in this regard by making it possible/obligatory for district courts in individual EU countries to issue a binding debt collection notification to the relevant district court in a second EU country (the district court where the asset is located) on the basis of which this debt collection is realised on the asset, e.g. land or property?

Answer given by Mrs Reding on behalf of the Commission
(5 July 2012)

The Honourable Member should be aware that Denmark does not participate in EU civil justice instruments based on Title V of Part III of the TFEU, because it has chosen such opt-out position in this policy area under Protocol 22 to the Treaties. However, exceptionally, the participation of Denmark in certain civil justice instruments, among which the Brussels I Regulation ([1]), based on Title V, Part III of the Treaty was arranged through the conclusion of an international EU-Denmark bilateral agreement in 2005.

Abolition of the exequatur procedure, namely the court's decision authorising the enforcement in that country of a judgment given in another Member State, for all judgments in civil and commercial matters is the ultimate objective of the mutual recognition programme adopted by the Commission and the Council in December 2000. In this respect the Commission proposal for the recast of the Brussels I Regulation provides for the abolition of all interim measures by court in the Member State of enforcement. This will facilitate the enforcement of judgments in the European Union by reducing costs, time and trouble of obtaining a declaration of enforceability in another Member State. The proposal also contains a series of standard forms which aim at facilitating the recognition or enforcement of the foreign judgment in the absence of the exequatur procedure as well as the application for a review.

The Commission proposal is currently under negotiations in the European Parliament and the Council. Based on the abovementioned bilateral EU-DK agreement, it is for Denmark to decide after the adoption of the proposal, if it wishes to implement or not the contents, including the rules for abolishing the exequatur procedure.

([1]) Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, OJ L 012, 16.1.2001, p. 1-23.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005034/12
à Comissão
Marisa Matias (GUE/NGL)
(16 de maio de 2012)

Assunto: Derrogações no uso de pesticidas

A Agência Europeia do Ambiente apresentou na semana passada uma revisão da literatura científica recente (*The impacts of endocrine disrupters on wildlife, people and their environments — The Weybridge+15* (1996/2011)). Esse trabalho confirmou que os disruptores endócrinos podem contribuir significativamente para o aumento de cancros, diabetes, obesidade, redução da fertilidade e um crescente número de problemas de desenvolvimento neurológicos em humanos e animais.

Um relatório da Pesticide Action Network (*Meet (chemical) agriculture, The world of backdoors, derogations, sneaky pathwyas and loopholes*), já de janeiro de 2011, revelou que em quatro anos se registou um aumento de 500 % das derrogações no uso de pesticidas (artigo 8.°, n.° 4, da Diretiva 91/414).

Os químicos disruptores endócrinos podem estar presentes em vários bens de uso quotidiano e em pesticidas. Face ao exposto e à gravidade do problema para a saúde pública, formulo as seguintes informações à Comissão:

1. Pode a Comissão fornecer dados mais recentes relativamente à concessão de derrogações no uso de pesticidas?

2. Qual a justificação para que um país pequeno como Portugal possa aparecer como o terceiro que mais concede derrogações a nível da UE?

3. Que justificação encontra a Comissão para o drástico aumento de derrogações? Face ao claro uso abusivo e crescente das derrogações, que medidas vai a Comissão adotar? Sendo a derrogação uma exceção às regras europeias, pode a Comissão garantir que as mesmas não aumentarão tornando-se a regra?

Resposta dada por John Dalli em nome da Comissão
(3 de Julho de 2012)

O artigo 53.° do Regulamento (CE) n.° 1107/2009 ([1]) relativo aos produtos fitofarmacêuticos prevê a possibilidade de os Estados-Membros concederem autorizações de emergência para controlar um perigo fitossanitário por um prazo máximo de 120 dias.

A maioria das autorizações concedidas durante os últimos cinco anos dizem respeito a substâncias ativas já aprovadas a nível da UE, para as quais a autorização dos produtos a nível nacional está pendente no que toca à utilização em causa, ou para os quais a aprovação ainda estava pendente no momento da autorização.

Foram concedidas várias autorizações para utilizações em culturas secundárias, relativamente às quais a indústria tem um incentivo económico reduzido para requerer uma autorização. No entanto, o novo Regulamento (CE) n.° 1107/2009 prevê um certo número de disposições que devem aumentar a disponibilidade de produtos fitofarmacêuticos para culturas secundárias.

Além disso, a Comissão gostaria de salientar que as autorizações baseadas no artigo 53.° do Regulamento (CE) n.° 1107/2009 são concedidas pelos Estados-Membros, sob a sua responsabilidade, e que a Comissão é informada assim que a autorização é emitida. O Comité Permanente toma nota das notificações e inclui-as sistematicamente no relatório de síntese disponível no sítio Web da Comissão ([2]). Desde o início do ano, foram concedidas 131 autorizações pelos Estados-Membros, das quais apenas 16 foram concedidas por Portugal.

Além disso, a Comissão está a trabalhar na elaboração de um documento de orientação, no âmbito do novo regulamento, a fim de estabelecer orientações mais harmonizadas relativamente ao processo decisório subjacente às autorizações e as informações a comunicar. Estas orientações deverão ser finalizadas em breve no âmbito do Comité Permanente da Cadeia Alimentar e da Saúde Animal.

([1]) JO L 309 de 24.11.2009.
([2]) (http://ec.europa.eu/food/committees/regulatory/index_en.htm).

(English version)

Question for written answer E-005034/12
to the Commission
Marisa Matias (GUE/NGL)
(16 May 2012)

Subject: Derogations for pesticide use

Last week, the European Environment Agency presented a review of recent scientific literature (*The impacts of endocrine disrupters on wildlife, people and their environments — The Weybridge+15 (1996-2011)*). This work confirmed that endocrine disruptors can significantly contribute to the increase of cancers, diabetes and obesity; to a decrease in fertility; and to a growing number of neurodevelopmental problems in humans and animals.

A report from the Pesticide Action Network (*Meet (chemical) agriculture — The world of backdoors, derogations, sneaky pathways and loopholes*), from January 2011, showed that in four years there was a 500% increase in derogations for the use of pesticides (governed by Article 8(4) of Council Directive (EEC) 91/414).

Chemical endocrine disruptors can be present in a number of everyday products and in pesticides.

In light of the above and given the severity of the problem for public health, can the Commission answer the following:

1. Can the Commission provide more recent data related to granting derogations for pesticide use?

2. What is the justification for a small country like Portugal being ranked as the country which grants the third highest number of derogations in the EU?

3. What reason can the Commission find for the sudden rise in the use of derogations? Given the clear and growing misuse of derogations, what measures will the Commission adopt? Derogations are an exception to the European rules; can the Commission guarantee that they will not continue to increase and thus become a general rule?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

Article 53 of Regulation (EC) 1107/2009 on plant protection products ([1]) provides for the possibility for the Member States to grant emergency authorisations to control a danger to plant health, for a maximum period of 120 days.

The majority of the authorisations granted within the last five years concern active substances already approved at EU level, for which the product authorisation at national level is still outstanding for the use concerned, or for which approval was still pending at the moment of authorisation.

Numerous authorisations have been granted for uses in minor crops, for which industry has a limited economic incentive to apply for an authorisation. However the new Regulation (EC) 1107/2009 lays down a number of provisions that should improve the availability of plant protection products for minor crops.

In addition, the Commission would like to highlight that authorisations based on Article 53 of Regulation (EC) 1107/2009 are granted by the Member States under their responsibility and that the Commission is informed once the authorisation has been issued. The Standing Committee takes note of the notifications and systemically includes them in the summary report available on the website of the Commission ([2]). From the beginning of the year, 131 authorisations were granted by Member States, from which only 16 by Portugal.

Furthermore, the Commission is working on the development of a guidance document in the framework of the new Regulation, in order to establish more harmonised guidelines concerning the decision-making process underlying these authorisations and the detailed information to be notified. These guidelines are expected to be finalised soon within the Standing Committee on the Food Chain and Animal Health.

([1]) OJ L 309, 24.11.2009.
([2]) http://ec.europa.eu/food/committees/regulatory/index_en.htm

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005035/12
à Comissão
Marisa Matias (GUE/NGL)
(16 de maio de 2012)

Assunto: Disrupção endócrina: relação dos químicos do dia-a-dia e problemas de saúde

Os químicos com disruptores do sistema hormonal, também conhecidos como disruptores endócrinos, podem ser um fator que contribui significativamente para o aumento de cancros, diabetes, obesidade, redução da fertilidade e um crescente número de problemas de desenvolvimento neurológicos em humanos e animais. As conclusões são da Agência Europeia do Ambiente após uma revisão da literatura científica recente (*The impacts of endocrine disrupters on wildlife, people and their environments — The Weybridge+15 (1996/2011)*).

A mesma agência realça que os químicos que potencialmente podem causar disrupção do sistema endócrino podem ser encontrados em alimentos, fármacos, pesticidas, produtos domésticos e caseiros.

Face ao exposto solicito as seguintes informações à Comissão:

Dispõe a Comissão de informações que permitam avaliar quantos cidadãos e de que forma são afetados por problemas gerados por estes químicos presentes em bens de uso quotidiano? Dispões a Comissão de informações que permitam avaliar o impacto social e económico destes problemas de saúde?

Resposta dada por Janez Potočnik em nome da Comissão
(5 de Julho de 2012)

A Comissão tem conhecimento da publicação Weybridge+15, que analisa o impacto dos disruptores endócrinos na fauna e flora selvagens, nos seres humanos e no ambiente.

As substâncias químicas presentes em produtos de uso quotidiano podem interferir com o sistema endócrino. No entanto, a Comissão não tem atualmente forma de avaliar o número de pessoas afetadas nem o impacto social e económico dos possíveis problemas para a saúde decorrentes das substâncias em causa.

A disrupção endócrina é uma questão importante, tendo a Comissão organizado em Bruxelas, em 11-12 de junho de 2012, uma conferência sobre os disruptores endócrinos. As apresentações e discussões abrangeram os efeitos dos disruptores endócrinos na saúde e no ambiente, os riscos, a identificação dos disruptores endócrinos e os objetivos políticos. Para mais informações, consultar: (http://ec.europa.eu/environment/endocrine/index_en.htm).

(English version)

Question for written answer E-005035/12
to the Commission
Marisa Matias (GUE/NGL)
(16 May 2012)

Subject: Endocrine disruption: relationship between everyday chemicals and health problems

Chemicals with hormone system disruptors, also known as endocrine disruptors, can significantly contribute to the increase of cancers, diabetes and obesity, to a decrease in fertility and to a growing number of neurodevelopmental problems in humans and animals. These are the conclusions of the European Environment Agency after a review of recent scientific literature (*The impacts of endocrine disrupters on wildlife, people and their environments — The Weybridge+15 (1996-2011)*).

The same agency states that chemicals with the potential to disrupt the endocrine system can be found in food, pharmaceuticals, pesticides, and household and homemade products.

Does the Commission have information on which to assess the number of citizens affected and how they are affected by problems related to the presence of these chemicals in everyday products?

Does the Commission have information on which to assess the social and economic impact of these health problems?

Answer given by Mr Potočnik on behalf of the Commission
(5 July 2012)

The Commission is aware of the Weybridge+15 publication which discusses the impacts of endocrine disruptors on wildlife, people and their environments.

Chemicals found in every day products have the potential to interfere with the endocrine system. However, the Commission has currently no way of assessing the number of people affected, nor of evaluating the social and economic impact of any likely health problems.

Endocrine disruption is an important issue and the Commission hosted a conference on Endocrine Disruptors in Brussels on 11-12 June 2012. The presentations and discussions covered the effects of endocrine disruptors on health and environment, the risks, the identification of endocrine disruptors and policy objectives. More information is available on http://ec.europa.eu/environment/endocrine/index_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005036/12
an die Kommission
Renate Sommer (PPE)
(16. Mai 2012)

Betrifft: Kennzeichnung von zugesetztem Wasser bei Fleischerzeugnissen und -zubereitungen

Bei den Beratungen über die neue Lebensmittelinformationsverordnung haben sich das Europäische Parlament, der Ministerrat und die Kommission darauf geeinigt (Anhang VI, Teil A, Nummer 6), dass künftig „bei Fleischerzeugnissen und Fleischzubereitungen, die als Aufschnitt, am Stück, in Scheiben geschnitten, als Fleischportion oder Tierkörper angeboten werden", das zugesetzte Wasser gekennzeichnet werden muss, wenn dieses mehr als 5 % des Gewichts des Enderzeugnisses ausmacht. Hintergrund der Forderung des Europäischen Parlaments war es, Verbraucher vor der irreführenden Praxis zu schützen, Fleischerzeugnissen wie z. B. vorverpacktem Geflügelfleisch durch die Zugabe von Wasser ein pralleres Aussehen zu verschaffen. Mit der schließlich im Verordnungstext getroffenen Formulierung gehen die Kennzeichnungsvorgaben für zugesetztes Wasser in Fleischerzeugnissen aber weit über dieses ursprüngliche Ziel hinaus und können zu einer Ungleichbehandlung von Fleischzubereitungen und zur Verwirrung der Verbraucher führen. Zubereitungen, z. B. Wurstwaren, enthalten zur Konservierung oder herstellungs- bzw. sortenbedingt Wasser bzw. Salzwasserlösung. Müsste dies künftig zusätzlich zur Auflistung des Wassers in der Zutatenliste gekennzeichnet werden, entstünde beim Verbraucher der Eindruck, dass es sich um eine Rezepturänderung handelt und nun absichtlich (mehr) Wasser zugesetzt wurde.

1. Ist der Kommission die beschriebene Problematik bekannt?

2. Plant die Kommission, bei der Ausarbeitung der Leitlinien zur Anwendung der Verordnung eine Klarstellung der entsprechenden Nummer vorzunehmen?

3. Wie könnte eine solche Klarstellung nach Ansicht der Kommission aussehen?

Antwort von Herrn Dalli im Namen der Kommission
(3. Juli 2012)

Die Kommission hat Kenntnis erhalten von den Bedenken einiger Vertreter der Branche hinsichtlich der Durchführung der Bestimmungen der Verordnung (EU) Nr. 1169/2011 ([1]) über die Kennzeichnung zugesetzten Wassers in Fleischzubereitungen und Fleischerzeugnissen. Die neuen Vorschriften, die ja betrügerische Praktiken verhindern sollen, gelten nur für Fleischzubereitungen und Fleischerzeugnisse, die „als Aufschnitt, am Stück, in Scheiben geschnitten, als Fleischportion oder Tierkörper angeboten werden", und nicht für andere Fleischzubereitungen oder —erzeugnisse mit anderem Aussehen.

Die Durchsetzung der Verordnung obliegt den Mitgliedstaaten, die selbst auch auf das Problem der einheitlichen und pragmatischen Durchsetzung hingewiesen haben. Zum gegenwärtigen Zeitpunkt beabsichtigt die Kommission nicht, Leitlinien zur Anwendung der Verordnung zu erstellen; mit solchen Leitlinien könnten Anwendungsbereich und Inhalt des Rechtsinstruments auch nicht geändert werden. Die Kommission wird sich jedoch dafür einsetzen, den Meinungsaustausch zwischen den Mitgliedstaaten zu fördern, damit die neuen Vorschriften einheitlich ausgelegt und angewandt werden.

([1]) ABl. L 304 vom 22.11.2011.

(English version)

Question for written answer E-005036/12
to the Commission
Renate Sommer (PPE)
(16 May 2012)

Subject: Including added water on the label for meat products and preparations

During their deliberations on the new food information regulation, the European Parliament, the Council of Ministers and the Commission agreed (Annex VI, Part A, Number 6) that in future it would be necessary to include added water on the label 'in the case of meat products and meat preparations which have the appearance of a cut, joint, slice, portion or carcase of meat' if the water accounts for more than 5% of the weight of the finished product. The European Parliament's aim was to protect consumers against the misleading practice of making meat products, such as pre-packed chicken, look more attractive by adding water. However, as finally worded in the regulation the labelling requirements for added water in meat products go far beyond this original aim and may lead to meat preparations being treated in different ways, confusing consumers. Depending on the manufacturing process or product type concerned, preparations such as sausages may contain water or a saltwater solution, in some cases as a preservative. Specifying that water must be included in the list of ingredients, would give consumers the impression that the recipe had been changed and that (more) water was now being added intentionally.

1. Is the Commission aware of this problem?

2. Does the Commission plan to clarify the point in question when it draws up guidelines for the application of the regulation?

3. In the Commission's view, what form could such a clarification take?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

The Commission has become aware of the concerns expressed by some industry stakeholders about the implementation of the provisions laid down in Regulation (EU) No 1169/2011 ([1]) concerning the labelling of added water in meat preparations and meat products. The new requirements, which are indeed routed on the need to prevent deceptive practices, apply only to meat preparations and meat products having 'the appearance of a cut, joint, slice, portion or carcase of meat' and not to other meat preparations or products with a different appearance.

Member States are responsible for the enforcement of the regulation and have, themselves, raised the problem of following a consistent and pragmatic approach in the enforcement. The Commission does not intend at this stage to adopt guidelines on the application of the regulation which in any event may not alter the scope and content of the legal instrument. However, the Commission is committed to facilitating exchanges of views between Member States in order to ensure uniform interpretation and implementation of the new rules.

([1]) OJ L 304, 22.11.2011.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005037/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Oreste Rossi (EFD)
(16 maggio 2012)

Oggetto: VP/HR — Profughi eritrei e lotta contro il traffico di esseri umani e organi: persistere della violazione dei diritti umani e delle garanzie per la protezione internazionale dei rifugiati

Da oltre un anno tra Sudan, Eritrea ed Egitto si consuma il calvario di centinaia di profughi e rifugiati, per la maggior parte eritrei, che fuggono dal loro paese alla ricerca di un futuro migliore, ma finiscono per diventare merce di scambio tra militari, predoni e trafficanti di esseri umani. Le incessanti denunce che arrivano da un sacerdote eritreo, impegnato nella cooperazione allo sviluppo, danno voce e testimonianza alle violenze inaudite cui sono sottoposti centinaia di profughi, in una rete di crimini che va dall'Eritrea all'Etiopia, dal Sudan al Cairo, al Sinai e a Israele.

Le statistiche condotte da un'agenzia eritrea tra il 2009 e il 2011 confermano che sono «sparite nel nulla» più di 3 000 persone e indicano solo la punta dell'iceberg di un fenomeno in continua diffusione. La situazione più drammatica del mercato clandestino di organi si registra in Egitto, dove a giugno 2011 è stata approvata una legge che lo contrasta, ma nel 2010 l'Organizzazione mondiale della sanità aveva già definito il paese uno snodo per il traffico verso il mondo arabo, classificandolo tra i primi cinque Stati attivi in questo mercato. Secondo le ricerche svolte dall'ONU, la maggior parte dei nuovi arrivati lascia i campi entro i primi due mesi per cercare opportunità economiche a Khartum, in Egitto o in Israele. Finendo però vittima della rete dei trafficanti. I rapitori chiedono fino a quarantamila dollari a persona per il rilascio, in caso contrario vendono i loro organi. In questo *business* sembrano coinvolti diversi attori: militari di frontiera tra i vari paesi e tribù locali di beduini e predoni. Il mercato dei sequestri si sarebbe così saldato con quello altrettanto florido degli organi umani. Il rischio è, infatti, pari a zero, poiché le ambasciate dei paesi di appartenenza non reclamano per la sparizione di disperati privi di documenti, e la polizia egiziana non interviene. L'Alto Commissario ONU per i rifugiati ha confermato questo quadro terrificante, sostenendo che la tratta di esseri umani ha inizio proprio nel campo profughi dell'ONU a Shagarab, a 100 km dal confine con l'Eritrea, dove giungono in media 2 000 profughi eritrei al mese, in fuga per scampare al servizio militare a vita imposto nel paese.

Considerato che la protezione internazionale dei diritti del rifugiato riceve espresso riconoscimento dalla Convenzione di Ginevra del 1951 e annesso Protocollo del 1967, dalla Convenzione contro la tortura e altre pene o trattamenti crudeli, disumani o degradanti in vigore dal 1987, dalla Dichiarazione universale dei diritti dell'uomo, nonché dalla Convenzione europea per la salvaguardia dei diritti dell'uomo, può l'Alto Rappresentante Catherine Ashton indicare quali misure concrete intende intraprendere l'UE per tutelare giuridicamente lo status di rifugiati degli eritrei vittime di tali soprusi?

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

L'UE vede con preoccupazione il traffico di esseri umani che colpisce i profughi nel Corno d'Africa e collabora con l'ACNUR[1] per affrontare il problema e offrire tutela legale a tali persone.

L'UE è impegnata in un dialogo politico con le competenti autorità egiziane e sudanesi e le esorta ad affrontare il problema e ad assicurare il pieno rispetto dei diritti umani dei migranti e dei profughi. Ad esempio l'UE ha ripetutamente invitato l'Egitto a migliorare la qualità dell'assistenza e della tutela offerte ai richiedenti asilo ed ai profughi che risiedono o transitano sul suo territorio. Essa ha esortato le autorità egiziane a garantire il rispetto del principio di non respingimento per tutti i migranti che necessitino di protezione internazionale. Nel corso del dialogo l'Unione ribadisce che all'ACNUR dovrebbe essere permesso di eseguire integralmente il proprio mandato in tutto il territorio egiziano, compresa la regione del Sinai.

Fino ad ora i progressi sono stati modesti. L'UE crede nell'importanza di migliorare la sicurezza della regione mediante una riforma del settore della sicurezza che permetterebbe alle autorità di contrastare i trafficanti e controllare i confini con maggiore efficienza, rispettando al contempo gli impegni assunti a livello internazionale in fatto di diritti umani. L'UE dichiara la propria disponibilità a sostenere l'Egitto in questo suo sforzo.

([1]) ACNUR = Alto commissariato delle Nazioni Unite per i rifugiati.

L'UE ha monitorato la situazione dei profughi del Sinai che hanno raggiunto Israele ed ha espresso preoccupazione per il rischio che la legislazione adottata di recente da questo Stato possa limitare la possibilità di ricevere protezione internazionale o assistenza umanitaria per i richiedenti asilo o migranti provenienti dal Sinai. L'UE ha sollevato tale problema in sede di dialogo bilaterale con Israele, da ultimo nella riunione del 20 e 21 giugno 2012 del sottocomitato UE-Israele sugli affari sociali e la migrazione.

(English version)

Question for written answer E-005037/12
to the Commission (Vice-President/High Representative)
Oreste Rossi (EFD)
(16 May 2012)

Subject: VP/HR — Eritrean refugees and the fight against human and organ trafficking: continuing violation of human rights and guarantees for international refugee protection

For over a year, Sudan, Eritrea and Egypt have been the theatre of an ordeal endured by hundreds of displaced people and refugees, mostly Eritreans, fleeing their country in search of a better future, but turning into a commodity to be exploited by the military, raiders and traffickers. Continuous protests coming from an Eritrean priest engaged in development cooperation give voice and testimony to the terrible violence inflicted on hundreds of refugees by a criminal network that reaches from Eritrea to Ethiopia, from Sudan to Cairo, Sinai and Israel.

Statistics collated by an Eritrean agency between 2009 and 2011 confirm that more than 3 000 people have 'vanished into thin air' and that they are only the tip of the iceberg of a phenomenon that continues to spread. The most dramatic example of the clandestine organ market is in Egypt, where a law was passed to combat it in June 2011; but in 2010, the World Health Organisation had already defined the country as a hub for trafficking into Arab countries, classifying it as one of the top five states active in this market. According to UN research, most newcomers leave camps within the first two months to seek employment in Khartoum, Egypt or Israel. This is when they fall into the hands of traffickers. Kidnappers demand up to USD 40 000 per person for release, otherwise their organs are sold. This trade seems to involve various players: the military on the frontiers between the various countries and local Bedouin tribes and raiders. The kidnapping market thus seems to have fused with the equally flourishing market in human organs. Indeed, there are no risks since the embassies involved do not complain about the disappearance of desperate people without documents, and the Egyptian police do not intervene. The UN High Commissioner for Refugees has confirmed this terrifying scenario, arguing that human trafficking begins in the Shagarab UN refugee camp, 100 km from the Eritrean border, where an average of 2 000 displaced Eritreans arrive each month, fleeing lifelong military service imposed by the country.

Given that international protection of refugee rights is expressly recognised by the Geneva Convention of 1951 and the annexed 1967 Protocol; by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in force since 1987; by the Universal Declaration of Human Rights and the European Convention for the Protection of Human Rights, can the High Representative Catherine Ashton indicate what concrete measures the EU intends to take in order to offer legal protection for the status of Eritrean refugees who are victims of this exploitation?

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

The EU is preoccupied with the cases of refugee trafficking in the Horn of Africa. The EU collaborates with the UNHCR ([1]) to address the issue and to offer these persons legal protection.

The EU engages in the political dialogue with relevant Egyptian and Sudanese authorities and urges them to address the problem and to ensure that the human rights of migrants and refugees are fully respected. For example, the EU has repeatedly invited Egypt to improve the quality of the assistance and the protection offered to asylum-seekers and refugees residing or transiting its territory. It has pressed the Egyptian authorities to ensure that the principle of non-refoulement is observed for all migrants in need of international protection. In the dialogue we emphasise that UNHCR should be given full possibility to implement its mandate on the entire territory of Egypt, including the Sinai region.

Progress has so far been limited. The EU believes in the importance of improving the security of the region through reform of the security sector, allowing the authorities to fight traffickers and to control the borders in a more efficient manner while fulfilling their international human rights commitments. The EU stands ready to support Egypt in this endeavour.

([1]) UNHCR = United Nations High Commissioner for Refugees.

The EU has monitored the situation of Sinai refugees arriving in Israel and has expressed concerns about the risk that recently adopted Israeli legislation is likely to restrict the possibility for asylum-seekers or migrants coming from Sinai to receive international protection or humanitarian assistance in Israel. The EU has raised the issue in its bilateral dialogue with Israel, most recently at the 20-21 June 2012 meeting of the EU-Israel sub-committee on social and migration affairs.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005038/12
alla Commissione
Oreste Rossi (EFD)
(16 maggio 2012)

Oggetto: Invecchiamento attivo — Nuovi percorsi assistenziali e nuove risorse per la prevenzione delle disabilità degli anziani

L'OMS ha dichiarato il 2012 anno dell'invecchiamento attivo. L'invecchiamento della popolazione rappresenta una sfida per i sistemi sanitari e per i modelli di assistenza consolidati in Europa e, di fatto, induce a concentrare l'attenzione sullo studio delle patologie croniche e su un modello di presa in carico coordinato e proattivo, che integri cure primarie e secondarie, sia a livello europeo che nazionale. Gli studi promossi dall'OMS dimostrano come in molte malattie croniche il processo disabilitante sia aggravato dalla sedentarietà, che diventa essa stessa causa di nuove menomazioni, limitazioni funzionali e ulteriore disabilità. Ciò comporta, evidentemente, un'offerta assistenziale diretta non solo a mitigare gli effetti della non autosufficienza, ma anche a realizzare azioni volte a prevenire il decadimento fisico e psichico dell'anziano. In particolare, alle cure primarie vengono assegnati i compiti di prevenzione della cronicità.

L'espressione «diritto alla salute» sintetizza una pluralità di diritti quali il diritto all'integrità psico-fisica e quello a un ambiente salubre, il diritto a ottenere prestazioni sanitarie, alle cure gratuite per gli indigenti nonché il diritto a non ricevere prestazioni sanitarie, a tutela, oltre che della persona del destinatario, di un interesse pubblico della collettività. I servizi sanitari nazionali sono sorti per dare attuazione al diritto a prestazioni sanitarie inclusive della prevenzione, della cura e della riabilitazione. La base giuridica su cui l'UE lavora per raggiungere un livello elevato di protezione della salute in tutte le politiche europee è costituita dall'articolo 168 del TFUE.

L'indice di vecchiaia e le malattie croniche sono in aumento in Europa; persistono inoltre diseguaglianze nell'accesso ai servizi a causa di fattori socioeconomici, di integrazione e di organizzazione dei territori nazionali. Per contrastare le patologie croniche, occorre ripensare l'approccio delle politiche europee per la salute nella comunità e per l'utilizzo razionale delle risorse disponibili.

Alla luce di quanto precede, può la Commissione far sapere se, in attuazione del programma pluriennale d'azione per la salute (2014-2020), intende predisporre azioni complementari e integrative volte a proporre modelli e percorsi di cura e di assistenza innovativi e incentrati sul paziente anziano e sul suo contesto socio-ambientale, a favorire il confronto e la conoscenza reciproca tra i professionisti e tra i diversi setting assistenziali per anziani e ad arricchire la comune comprensione dei problemi legati alle fragilità, in un'ottica di maggiore appropriatezza clinica?

Risposta di John Dalli a nome della Commissione
(9 luglio 2012)

Il 2012 è l'Anno europeo dell'invecchiamento attivo della solidarietà tra le generazioni. La Commissione è pienamente consapevole delle importanti sfide determinate dall'invecchiamento demografico nell'UE. La Commissione ha avviato l'iniziativa pilota «Partenariato europeo per l'innovazione sull'invecchiamento attivo e in buona salute» per consentire agli Stati membri di affrontare tali cambiamenti.

Il partenariato ha identificato, nel suo piano di attuazione strategica, le priorità d'azione a partire dal 2012 al fine di:

— migliorare le condizioni di salute e la qualità della vita dei cittadini europei, con una attenzione particolare per gli anziani;

— promuovere la sostenibilità di lungo periodo e l'efficienza dei sistemi sanitari e di assistenza sociale;

— accrescere la competitività dell'industria dell'UE grazie a un migliore contesto imprenditoriale.

La Commissione ha fornito il proprio sostegno al piano e alle sue priorità relative ad azioni specifiche. Tra le azioni specifiche da attuarsi rivestono un particolare rilievo la prevenzione del declino funzionale e della fragilità degli anziani e la necessità di sviluppare modelli più integrati di assistenza sanitaria e di migliorare l'aderenza alle terapie.

Nell'ambito del programma pluriennale d'azione per la salute 2014-2020 la Commissione ha proposto misure finanziarie a sostegno del Partenariato europeo per l'innovazione sull'invecchiamento attivo e in buona salute lungo le sue tre tematiche: innovazione in materia di sensibilizzazione, prevenzione e diagnosi precoce, innovazione nei modelli integrati di assistenza per le malattie croniche e innovazione per l'invecchiamento attivo e una vita indipendente.

(English version)

Question for written answer E-005038/12
to the Commission
Oreste Rossi (EFD)
(16 May 2012)

Subject: Active ageing — new care pathways and resources for the prevention of disabilities in the elderly

The WHO has declared 2012 the Year for Active Ageing. The ageing population represents a challenge for healthcare systems and for consolidated models of care in Europe. It has led to a focus on the study of chronic illnesses and on a coordinated and proactive model of care, which integrates primary and secondary care on a European and national level. Studies promoted by the WHO show that in many chronic illnesses, the process of disablement is exacerbated by a sedentary lifestyle, which in itself becomes the cause of new impairments, functional limitations and further disability. This clearly requires care provision aimed not only at mitigating the effects of a lack of self-sufficiency but also at implementing measures designed to prevent the physical and mental deterioration of elderly people. More specifically, primary care should be made responsible for preventing chronic conditions.

The expression 'right to health' sums up a number of rights, including the right to psychological and physical integrity and a healthy environment; the right to obtain healthcare services; the right to free care for those in need, and the right not to receive healthcare services. These rights should be to protect not only the individuals concerned, but also the public common interest. National health services were established to implement the right to healthcare services that included prevention, treatment and rehabilitation. The legal basis on which the EU is operating to attain a high level of health protection in all EU policies is Article 168 of the TFEU.

Both the old age index and chronic diseases are rising across Europe. Furthermore, inequalities arising from socio-economic factors, integration and the organisation of national territories persist with regard to access to services. In order to tackle chronic diseases, it is necessary to rethink the approach of EU policies in relation to health in the community and the rational use of available resources.

Can the Commission therefore state whether, in implementing the multi-annual programme of action for health (2014-2020), it will draw up complementary measures aimed at proposing innovative care models and pathways focusing on elderly patients and their socio-environmental background, to facilitate debate and reciprocal knowledge among professionals and in the various care settings for the elderly, and to enhance the common understanding of problems linked to frailty, with a view to improving medical services for the elderly?

Answer given by Mr Dalli on behalf of the Commission
(9 July 2012)

2012 is the European Year of Active Ageing and Solidarity between Generations. The Commission is fully aware of the significant challenges that are posed by demographic changes in the EU. The Commission has launched the pilot European Innovation Partnership on Active and Healthy Ageing, to enable Member States to address these challenges.

The Partnership has identified in its Strategic Implementation Plan the priorities for action starting in 2012, which aim to:

— improve the health status and quality of life of European citizens, with a particular focus on older people;

— support the long-term sustainability and efficiency of health and social care systems; and

— enhance the competitiveness of EU industry through an improved business environment.

The Commission supported the Plan and its priorities for specific actions. Among the specific actions to be implemented, the prevention of functional decline and frailty of elderly, the need to develop more integrated healthcare models and the need to improve the adherence to medical treatments are especially relevant.

The Commission in the multi-annual programme of action for health 2014-2020 has proposed financial measures to support for the European Innovation Partnership on Active and Healthy Ageing in its three themes: innovation in awareness, prevention and early diagnosis; innovation in integrated care models for chronic conditions and innovation for active ageing and independent living.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005039/12
alla Commissione
Oreste Rossi (EFD)
(16 maggio 2012)

Oggetto: Attuazione del regolamento (CE) n. 1/2005 del Consiglio sulla protezione degli animali durante il trasporto

L'articolo 22 del regolamento (CE) n. 1/2005 del Consiglio stabilisce che l'autorità competente prenda le misure necessarie per prevenire o ridurre al minimo i ritardi durante il trasporto e che disposizioni specifiche devono essere prese nel luogo di trasferimento, ai punti di uscita e ai posti d'ispezione frontalieri per dare priorità al trasporto di animali.

Tuttavia, in pratica, è stato dimostrato che i tempi di attesa per il trasporto di animali ai porti e punti di uscita UE spesso superano di gran lunga due ore. Per esempio, al porto e al punto di uscita UE Algeciras, in Spagna, per ragioni amministrative i trasportatori di animali che esportano in Marocco sono obbligati a presentarsi al posto di ispezione frontaliero almeno sei ore prima dell'imbarco. Ciò nonostante il fatto che tutta la documentazione necessaria è solitamente trasmessa 48 ore prima al servizio veterinario di confine e ai servizi doganali. Il servizio veterinario impiega dai 5 ai 10 minuti per effettuare il controllo visivo obbligatorio della partita prima dell'uscita dall'UE. Nonostante le elevate temperature della Spagna meridionale, al porto di Algeciras e in particolare nell'area d'ispezione frontaliera non vi sono punti in cui i trasportatori di animali possono parcheggiare all'ombra. In particolare, i bovini provenienti da una serie di Stati membri dell'UE, tra cui Francia, Paesi Bassi, Irlanda e Spagna, passano regolarmente dal porto di Algeciras per andare in Marocco.

Si vedano le relazioni degli Animals' Angels: JH.21.9.2010.EXT.ES.Heifers EU — MA, luglio — settembre 2010, e JH.18.7.2011.ES.Cattle from France to Morocco, 23-25.7.2011.

Quali sono le misure attualmente adottate dalla Commissione per garantire che i trasportatori di animali non siano trattenuti inutilmente nei punti di trasferimento, punti di uscita e posti d'ispezione frontalieri?

Su quali basi ritiene la Commissione che il trasporto a lunga distanza di questo tipo sia conforme all'articolo 13 del TFUE?

Risposta di John Dalli a nome della Commissione
(3 luglio 2012)

La responsabilità di assicurare che i trasporti di animali godano di priorità conformemente al disposto dell'articolo 22 del regolamento (CE) n. 1/2005 sulla protezione degli animali durante il trasporto[1]

incombe alle autorità competenti degli Stati membri.

La Commissione verifica l'ottemperanza degli Stati membri alle disposizioni della legislazione UE in tema di benessere degli animali per il tramite del proprio servizio d'ispezione facente capo alla Direzione generale Salute e consumatori (l'Ufficio alimentare e veterinario, UAV) sito a Grange, Irlanda. Qualora accertasse che uno Stato membro non ottempera alla legislazione dell'UE la Commissione dispone dei poteri per avviare un procedimento d'infrazione e, se del caso, può deferire la questione alla Corte di giustizia europea.

Finora le ispezioni menzionate sopra non fanno pensare che le autorità competenti degli Stati membri manchino al loro obbligo di dare attuazione a questo articolo specifico del regolamento.

Il regolamento (CE) n. 1/2005 è stato adottato conformemente alle regole stabilite nei trattati UE. La Commissione non individua alcun conflitto tra il trasporto di animali vivi eseguito conformemente alle regole dell'UE e l'articolo 13 del trattato sul funzionamento dell'Unione europea (TFUE).

([1]) Regolamento (CE) n. 1/2005 del Consiglio, del 22 dicembre 2004, sulla protezione degli animali durante il trasporto e le operazioni correlate e che modifica le direttive 64/432/CEE e 93/119/CE e il regolamento (CE) n. 1255/97; GU L 3, del 5.1.2005, pag. 1.

(English version)

Question for written answer E-005039/12
to the Commission
Oreste Rossi (EFD)
(16 May 2012)

Subject: Enforcement of Council Regulation EC 1/2005 on the protection of animals during transport

Article 22 of Council Regulation EC 1/2005 states that the competent authorities shall take the necessary measures to prevent or to reduce to a minimum any delay during transport and that special arrangements shall be made at the places of transfer, exit points and border inspection posts to give priority to the transport of animals.

However, in practice it has been shown that the waiting time for animal transport at harbours and EU exit points often exceeds two hours by far. For example, at the harbour and EU exit point Algeciras in Spain, for administrative reasons animal transporters arriving for export to Morocco are obliged to be at the border inspection post at least six hours before embarking. This is in spite of the fact that all necessary documents are usually sent 48 hours before to the Border Veterinary Service and to the customs services. The obligatory visual check of the consignment by the veterinary service before exiting the EU takes 5 to 10 minutes. In spite of the high temperatures in southern Spain, at Algeciras harbour and especially in the border inspection area, nowhere exists where animal transporters can park in the shade. In particular, bovines from a number of EU Member States including France, the Netherlands, Ireland and Spain regularly cross from Algeciras harbour to Morocco ([1]).

What measures are currently being taken by the Commission to ensure that animal transporters are not unnecessarily detained at transfer points, exit points and border inspection posts?

On what grounds does the Commission consider long-distance transport of this kind to be compliant with Article 13 TFEU?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

The responsibility to ensure that animal transports are given priority in accordance with the requirements of Article 22 of Regulation (EC) No 1/2005 on the protection of animals during transport ([2]), rests on the competent authorities of the Member States.

The Commission audits Member States' compliance with the requirements of EU animal welfare legislation via its inspection service of Directorate General for Health and Consumers (FVO, Food and Veterinary Office), located in Grange, Ireland. Should the Commission find that a Member State fails to comply with EC law, the Commission has powers to start an infringement procedure and, where necessary, may refer the case to the European Court of Justice.

Insofar, these inspections referred to above have not revealed that the competent authorities of the Member States are failing in implementing this specific Article of the regulation.

Regulation 1/2005 was adopted in accordance with the rules laid down in the EU treaties. The Commission does not see any conflict between transport of live animals, carried out in compliance with the EU rules, and Article 13 of the Treaty on the Functioning of the European Union (TFEU).

([1]) See the Animals' Angels reports: JH.21.09.2010.EXT.ES.Heifers EU — MA, July-September 2010, and JH.18.07.2011.ES.Cattle from France to Morocco, 23-25.7.2011. .

([2]) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation No 1255/97; OJ L 3, 5.1.2005, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005040/12
alla Commissione
Oreste Rossi (EFD)
(16 maggio 2012)

Oggetto: Libia e agenda di cooperazione UE — Sorte dello status giuridico dei rifugiati

Il graduale processo di regolamentazione della situazione dei diritti umani di rifugiati, richiedenti asilo e migranti in Libia e del controllo dei flussi migratori sembra aver subito una battuta d'arresto. L'esigenza di definire un quadro giuridico comune «a lungo termine» per la protezione internazionale dei diritti dei rifugiati si scontra con l'attuale mancanza di assistenza a fronte delle continue coercizioni subite.

Di fatto, negli ultimi anni la Libia è diventata un paese di transito e di destinazione per le persone in fuga dalle persecuzioni nei loro paesi. Migranti, rifugiati e richiedenti asilo in cerca di salvezza nei paesi dell'UE diventano in realtà vittime di arresti, detenzioni a tempo indeterminato e violenze. Secondo le autorità libiche vi sono tre milioni di «migranti irregolari», provenienti da Eritrea, Etiopia, Sudan, Somalia e altri paesi dell'Africa subsahariana e del Nord Africa. E nonostante ciò sono state sospese le attività dell'Alto Commissariato delle Nazioni Unite per i rifugiati a Tripoli, impedendo al personale dell'organizzazione di accedere ai centri di detenzione o di accettare nuove domande d'asilo e, quindi, lasciando i richiedenti asilo e i rifugiati in una «situazione di limbo» che si traduce nell'impossibilità di ricevere la protezione più adeguata. I dati forniti dalla Commissione evidenziano che il conflitto esploso in Libia a metà febbraio avrebbe provocato l'esodo di circa 800 000 persone di varia provenienza verso i paesi limitrofi, in particolare Tunisia ed Egitto.

La primavera araba e gli eventi verificatisi nel 2011 nel Mediterraneo meridionale hanno confermato la necessità che l'UE adotti una politica di migrazione coerente e globale, fondata su una rinnovata cooperazione con i paesi terzi. La comunicazione della Commissione del 24 maggio 2011 (COM(2011)0292) ribadisce che l'UE dovrebbe svolgere un ruolo di primo piano nel sostenere la condivisione delle responsabilità a livello globale, sulla base della convenzione di Ginevra relativa allo status dei rifugiati, in stretta cooperazione con l'UNHCR, con altre agenzie competenti e con i paesi terzi, conferendo una maggiore visibilità alla dimensione esterna dell'asilo nell'interazione con i suoi partner. L'UE ha messo a disposizione della Libia 50 milioni di euro in base all'Agenda per la cooperazione sulla gestione dei flussi migratori e sul controllo delle frontiere, valida fino al 2013.

Alla luce di quanto precede, può la Commissione indicare quali misure sono state adottate affinché questi accordi tengano conto della situazione dei diritti umani in Libia e includano una piena tutela giuridica per la salvaguardia e il rispetto dei diritti fondamentali di rifugiati, migranti e richiedenti asilo?

Risposta di Cecilia Malmström a nome della Commissione
(11 luglio 2012)

In risposta alla domanda posta dall'onorevole parlamentare, se gli accordi esistenti tra l'Unione europea e la Libia includano una piena tutela giuridica dei rifugiati, la Commissione fa notare che non esiste né è mai stato concluso alcun accordo al riguardo tra UE e Libia: l'agenda di cooperazione UE-Libia sull'immigrazione, concordata nell'ottobre 2010, è soltanto un documento di natura politica, che esprime l'intenzione delle parti di avviare un dialogo al fine di stabilire azioni comuni per prevenire la migrazione irregolare, affrontare in maniera più efficace le sue cause e conseguenze, promuovere l'uso dei canali regolari di migrazione e mobilità, evitare ulteriori perdite di vite umane e tutelare i diritti fondamentali dei migranti.

Tenuto conto di ciò e della situazione migratoria in Libia, la Commissione ritiene sia di fondamentale importanza per l'Unione europea avviare, non appena la situazione lo permetta, un dialogo con le autorità libiche su migrazione, mobilità e sicurezza al fine di stabilire una cooperazione costruttiva che permetta, tra l'altro, di migliorare la gestione delle frontiere e dei flussi migratori e rispettare le norme internazionali sulla protezione dei rifugiati.

L'UE è inoltre pronta a offrire la propria collaborazione e assistenza alle autorità libiche in tutti questi settori.

Inoltre, nell'ambito del programma di protezione regionale per l'Africa settentrionale, l'UE ha già stanziato dei fondi per sostenere lo svolgimento delle attività dell'Alto Commissariato delle Nazioni Unite per i rifugiati in Libia e attende con ansia il momento in cui le autorità libiche autorizzeranno quest'organismo a svolgere il suo mandato di protezione sul loro territorio.

(English version)

Question for written answer E-005040/12
to the Commission
Oreste Rossi (EFD)
(16 May 2012)

Subject: Libya and the EU cooperation agenda — fate of legal status for refugees

The gradual regulation process for the human rights of refugees, asylum-seekers and immigrants in Libya, and the control of migration flows, seems to have suffered a setback. The need to establish a long-term common legal framework for the international protection of the rights of refugees clashes with the current lack of support in the face of continued coercion.

In fact, in recent years, Libya has become a transit country and a destination for people fleeing from persecution in their own countries. Immigrants, refugees and asylum-seekers seeking refuge in EU countries are actually victims of arrest, indefinite confinement and violence. Libyan authorities state that there are 3 000 000 'irregular immigrants' coming from Eritrea, Ethiopia, Sudan, Somalia, and other countries in sub-Saharan and north Africa. Despite this, the activities of the United Nations High Commissioner for Refugees have been suspended in Tripoli, preventing UN personnel from entering detention camps or accepting new applications for asylum, therefore leaving asylum-seekers and refugees in a 'state of limbo' that makes it impossible for them to receive the most appropriate protection. Data provided by the Commission show that mid-February's clashes in Libya caused the exodus of about 800 000 people of varied backgrounds to neighbouring countries, mainly Egypt and Tunisia.

The 2011 Arab Spring and events in the southern Mediterranean confirmed the need for the EU to adopt a coherent global migration policy based on a renewed cooperation with third countries. The Commission's communication of 24 May 2011 (COM(2011)0292) reiterates that the EU should play a leading role in supporting the sharing of responsibilities at global level, on the basis of the Geneva Convention's clauses relating to the status of refugees, in close cooperation with the UN Refugee Agency, with other competent agencies and with third countries, giving greater visibility to the external dimension of asylum in its interaction with partners. The EU has made available EUR 50 000 000 to Libya on the basis of the Migration Cooperation Agenda for management of migration flows and border control, valid until 2013.

In view of the above, can the Commission indicate what measures have been taken to ensure that these agreements take into account Libya's human rights situation and include full legal protection for the safeguarding and application of fundamental rights of refugees, immigrants and asylum-seekers?

Answer given by Ms Malmström on behalf of the Commission
(11 July 2012)

In response to the question asked by the Honourable Member on whether the agreements which exist between the EU and Libya include full legal protection of refugees, the Commission notes that no agreements exist or were ever concluded between the EU and Libya on these matters, the EU-Libya Cooperation agenda on migration, agreed on October 2010, being only a document of political nature expressing the intention of the two sides to start a dialogue identifying common actions aimed at preventing irregular migration, addressing more effectively its consequences and root causes, promoting the use of the regular channels of migration and mobility, avoiding further loss of migrants' lives as well as protecting their fundamental rights.

In consideration of this, as well as of the migratory situation in Libya, the Commission believes that it is of key importance for the EU to start, as soon as the situation allows, a Dialogue on migration, mobility and security with the Libyan authorities in order to establish a constructive cooperation that will allow for, *inter alia*, improving their border and migration management and respect for the international standards on the protection of refugees.

The EU is also ready to offer cooperation and to provide assistance to the Libyan authorities in all these areas.

Furthermore, in the framework of its Regional Protection programme in North Africa, the EU has already allocated funds to support the development of the activities of UNHCR in Libya, and looks forward to the moment when the Libyan authorities will authorise this Agency to fulfil its protection mandate on their territory.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005042/12
alla Commissione
Oreste Rossi (EFD)
(16 maggio 2012)

Oggetto: Trasferimento a Camp Liberty

Circa 400 residenti di Camp Ashraf sono partiti per il nuovo campo. Il trasferimento è iniziato dopo ben due settimane di colloqui e negoziazioni con Martin Kobler, Rappresentante Speciale del Segretario Generale delle Nazioni Unite per l'Iraq. L'8 aprile, durante le ispezioni degli effetti personali del quarto gruppo dei residenti di Ashraf da trasferire a Camp Libery, le forze repressive irachene (SWAT) hanno ostacolato il caricamento delle cose attaccando i residenti e ferendone 29. Inoltre, all'indomani dell'attacco, i media del regime hanno rilasciato false dichiarazioni capovolgendo la situazione reale e accusando i membri del PMOI delle violenze accadute. Il Presidente Rajavi ha richiesto un intervento urgente e concreto delle Nazioni Unite per riuscire a ottenere una soluzione pacifica.

Dopo molte trattative, le autorità irachene hanno concesso l'accompagnamento del quinto convoglio verso Camp Liberty con sei veicoli di servizio, in particolare tre autobotti, due cisterne per le acque reflue e una cisterna per il carburante. Dal momento che a Camp Liberty non ci sono né acqua né servizi di base per la popolazione, tali veicoli rappresentano una necessità per gli abitanti. Tuttavia, poche ore dopo la partenza del convoglio e dei mezzi di servizio, i residenti di Ashraf si sono resi conto che non c'era alcun veicolo nella colonna. Gli osservatori dell'ONU sono stati immediatamente informati e, successivamente, si è scoperto che le autorità irachene avevano ordinato ai mezzi di servizio di rientrare a Camp Ashraf. L'episodio dimostra ancora una volta la continua violazione da parte del regime degli accordi raggiunti con tanta fatica sul trasferimento a Camp Liberty. Infine, nel nuovo campo, dove c'è il diritto di libera circolazione, vi sono veicoli blindati che lo limitano e rendono il luogo una vera e propria prigione.

Considerato che il trasferimento da Camp Ashraf rappresenta un grande sforzo per i residenti e che a Camp Liberty mancano i requisiti per una convivenza dignitosa, può la Commissione far sapere se, nell'ambito delle politiche di cooperazione, intende prevedere misure e/o interventi che possano migliorare le condizioni di vita di queste persone?

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

L'UE segue attentamente la situazione dei residenti di Camp New Iraq (ex Camp Ashraf), le cui prospettive continuano a destare preoccupazione. Trattandosi di una questione di protezione di rifugiati, l'UE e la comunità internazionale devono fare tutto il possibile per aiutare il governo iracheno a trovare una soluzione pacifica.

Per questo motivo l'Alta Rappresentante/Vicepresidente ha sottolineato ripetutamente il suo pieno sostegno al processo in atto, agevolato dalle Nazioni Unite, e all'azione del Rappresentante speciale del Segretario generale, Martin Kobler. L'Ufficio dell'Alto Commissario delle Nazioni Unite per i rifugiati (UNHCR) sta procedendo come previsto alla verifica e alla determinazione dello status di rifugiato dei residenti giunti nel sito temporaneo di Camp Hurriya in attesa di reinsediamento.

Le difficoltà verificatesi durante e dopo i trasferimenti da Camp New Iraq a Camp Hurriya dimostrano ulteriormente quanto sia importante sostenere tali sforzi. Prima che tali trasferimenti avessero luogo, l'UNHCR ha certificato che le condizioni di vita a Camp Hurriya erano conformi alle norme umanitarie internazionali. I residenti e il governo dell'Iraq devono cercare di colmare eventuali divergenze attraverso il dialogo. Il Rappresentante speciale Kobler e i suoi collaboratori stanno facendo tutto il possibile per facilitare questo processo e per aiutare le parti a risolvere i problemi in maniera costruttiva. Dobbiamo tutti impegnarci al massimo per promuovere e incoraggiare un atteggiamento cooperativo.

L'Unione europea intende fornire un contributo significativo al processo in corso seguendo l'appello, formulato dalle Nazioni Unite a Ginevra in marzo, a sostenere le operazioni di determinazione dello status di rifugiato e le attività di monitoraggio.

Tutti i gruppi o tutti coloro in grado di apportare un contributo in questa situazione devono considerare la protezione e la sicurezza dei residenti una priorità assoluta.

(English version)

Question for written answer E-005042/12
to the Commission
Oreste Rossi (EFD)
(16 May 2012)

Subject: Transfer to Camp Liberty

Approximately 400 residents of Camp Ashraf have left for the new camp. The transfer began after two full weeks of talks and negotiations with Martin Kobler, the Special Representative of the UN Secretary General for Iraq. On 8 April 2012, during an inspection of personal items belonging to the fourth group of Ashraf residents to be transferred to Camp Liberty, Iraqi special forces prevented the items from being loaded, attacked the residents and wounded 29 people. Furthermore, the following day, the regime's media released false statements that distorted the above facts and accused the People's Mujahedin of Iran (PMOI) of committing the violence. President Rajavi requested urgent, concrete intervention by the United Nations with a view to reaching a peaceful solution.

After lengthy negotiations, the Iraqi authorities agreed to allow the fifth convoy to Camp Liberty to be accompanied by six service vehicles: three tankers, two tanks for sewage and one for fuel. Since there is neither water nor basic services for the population of Camp Liberty, these vehicles are a necessity for the inhabitants. However, a few hours after the convoy and service vehicles departed, the Ashraf residents realised that they had disappeared. The UN observers were informed immediately, and it was subsequently discovered that the Iraqi authorities had ordered the service vehicles to return to Camp Ashraf. This episode demonstrates once again the regime's continuing violation of the hard-won agreements on the transfer to Camp Liberty. Finally, in the new camp, where there is a right to free movement, armoured vehicles are restricting such movement and turning the site into nothing less than a prison.

Bearing in mind that the transfer from Camp Ashraf is extremely arduous for the residents and that Camp Liberty lacks the necessary requirements for people to live together with dignity, can the Commission state whether, in the context of EU cooperation policies, it intends to take any measures and/or action that might improve the living conditions of these people?

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

The EU follows the issue of the residents of Camp New Iraq (formerly known as Camp Ashraf) closely. Their future continues to be a cause for concern. As a refugee protection issue, it requires the EU and the international community to do all we can to help the government of Iraq to pursue a peaceful solution.

This is why the HR/VP has repeatedly stressed her full support for the ongoing process facilitated by the UN and for Special Representative of the Secretary General, Martin Kobler. The Office of the UN High Commissioner for Refugees (UNHCR) is proceeding as foreseen with the verification and 'refugee status determination' of the residents who have arrived at the temporary transit location — Camp Hurriya — pending resettlement.

The challenges arising during and after the moves of residents from Camp New Iraq to Camp Hurriya serve only to underline the importance of supporting these efforts. Before the transfer of the residents to Camp Hurriya took place, UNHCR certified that the living conditions in the camp fulfilled international humanitarian standards. The residents and the government of Iraq must seek to bridge any differences through dialogue. UN SRSG Kobler and his staff have been doing all they can to facilitate this, and to help the parties resolve problems in a constructive manner. We must all do our utmost to promote and encourage a cooperative approach.

The EU will provide a significant contribution to the ongoing process in response to the appeal the UN made in March in Geneva, to support the 'refugee status determination' process, as well as the monitoring activities.

Every individual and group who can bring any influence to bear on this matter has a responsibility to place the security and safety of the residents as their utmost priority.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005043/12
aan de Commissie
Frank Vanhecke (EFD)
(16 mei 2012)

Betreft: Totaalbedrag overbruggingstoelagen oud-leden Commissie

Volgens de huidige regelgeving, vervat in de Verordeningen nr. 422/67/EEG en nr. 5/67/Euratom van 25 juli 1967 tot vaststelling van de geldelijke regeling voor de voorzitter en de leden van de Commissie, de president, de rechters en de griffier van alsmede de advocaten-generaal bij het Hof van Justitie en de president, de leden en de griffier van het Gerecht van Eerste Aanleg, is het zo dat bedoelde personen gedurende drie jaren een maandelijkse overbruggingstoelage krijgen die varieert tussen 40 en 65 % van het laatste basissalaris, rekening houdend met de duur van de ambtstermijn. Dit houdt in dat personen die bijvoorbeeld maar enkele maanden werkzaam waren als Europees commissaris niettemin gedurende drie jaren een riante vergoeding krijgen.

Indien de onder deze verordening bedoelde personen binnen de drie jaren een nieuwe functie uitoefenen, wordt de maandelijkse brutobezoldiging in mindering gebracht op de overbruggingstoelage voor zover deze bezoldiging, tezamen met de toelage hoger liggen dan het vroegere salaris. Indien de bezoldiging van de nieuwe functie, tezamen met de overbruggingstoelage, lager zijn dan het vroegere salaris, mogen de bedoelde personen én hun nieuwe bezoldiging én hun „overbruggingstoelage" behouden.

Kan de Commissie mij meedelen hoeveel oud-leden van de Commissie reeds van deze regeling gebruik hebben gemaakt en mij ook informeren over het totale bedrag?

Antwoord van de heer Šefčovič namens de Commissie
(15 juni 2012)

Bij de aanvaarding van zijn ambt heeft ieder lid van de Commissie recht op diverse toelagen, en na de nederlegging van zijn ambt op een overbruggingstoelage op grond van artikel 7 van Verordening nr. 422/67/EEG ([1]).

De Commissie zou het geachte Parlementslid willen verzoeken de werkdocumenten te raadplegen die de Commissie opstelt en jaarlijks aan de begrotingsautoriteit, het Europees Parlement en de Raad toezendt in het kader van de begrotingsprocedure van de Europese Unie. In die documenten zijn zeer gedetailleerde toelichtingen, samenvattingen en berekeningsgrondslagen opgenomen ([2]).

([1]) Verordening nr. 422/67/EEG, nr. 5/67/Euratom van de Raad van 25 juli 1967 tot vaststelling van de geldelijke regeling voor de voorzitter en de leden van de Commissie, de president, de rechters en de griffier van, alsmede de advocaten-generaal bij het Hof van Justitie en de president, de leden en de griffier van het Gerecht van eerste aanleg.

([2]) Zie bijvoorbeeld het werkdocument van de Commissie van 2012 met als titel „Ontwerpbegroting van de Europese Commissie voor het begrotingsjaar 2012. Werkdocument deel VI. Administratieve uitgaven onder rubriek 5", COM(2011) 300 definitief. In dat werkdocument (en in de werkdocumenten van andere jaren) worden de bedragen genoemd waarop de leden van de Commissie recht hebben, zoals hun basissalaris, gezinstoelagen en andere toelagen.

(English version)

Question for written answer E-005043/12
to the Commission
Frank Vanhecke (EFD)
(16 May 2012)

Subject: Overall amount of transitional allowances for former members of the Commission

According to current legislation, set out in Regulation No 422/67/EEC and No 5/67/Euratom of 25 July 1967 determining the emoluments of the President and Members of the Commission and of the President, Judges, Advocates-General and Registrar of the Court of Justice and of the President, Members and Registrar of the Court of First Instance, the persons concerned receive a monthly transitional allowance for three years which varies between 40% and 65% of their last basic salary, in keeping with the duration of their term of office. This means that persons who, for example, only worked as members of the European Commission for a few months nevertheless receive generous remuneration for three years.

If the persons referred to under this regulation take up a new post within three years, the monthly gross remuneration is deducted from the transitional allowance insofar as this remuneration, together with the allowance, is higher than the previous salary. If the remuneration for the new post, together with the transitional allowance, is lower than the previous salary, the persons concerned may keep both their new salary and their 'transitional allowance'.

Can the Commission tell me how many former members of the Commission have already availed themselves of this regulation, and also inform me of the total amount concerned?

Answer given by Mr Šefčovič on behalf of the Commission
(15 June 2012)

On taking up his duties and on ceasing to hold office every single Member of the Commission is entitled to transitional allowances under Article 7 of Regulation 422/67/EEG ([1]).

The Commission would moreover like to invite the Honourable Member to consult the working documents which the Commission prepares and sends each year to the budgetary authority, the European Parliament and the Council, in the context of the budgetary procedure of the European Union in which explanations, summaries and bases of calculations are set out in great detail ([2]).

([1]) Council Regulation No 422/67/EEC, No 5/67/Euratom of 25 July 1967 determining the emoluments of the President and Members of the Commission, of the President, Judges, Advocates-General and Registrar of the Court of Justice and of the President, Members and Registrar of the Court of First Instance.

([2]) By way of example, see the Commission's working document of 2012 entitled 'Draft general budget of the European Commission for the Financial Year 2012. Working document Part VI. Administrative expenditure under heading 5', COM(2011) 300 final. This budgetary working document (as well as documents from other years) cover, *inter alia*, entitlements for Members of the Commission such as basic salary, family allowances and other allowances.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005044/12
til Kommissionen
Dan Jørgensen (S&D)
(16. maj 2012)

Om: Olielager ved Fyns Hoved

Ifølge den danske avis »Fyens Stiftstidende« (d.13. og 14. maj) er der planer om at anlægge et stort olielager ud for Fyns Hoved. Det er en stor multinational oliegigant, der via en dansk agent har søgt det danske Transportministerium om at kunne placere et olielager her. Der er endnu ikke faldet en afgørelse i sagen.

Flere danske myndigheder, herunder Søfartsstyrelsen, SOK og Farvandsvæsenet, har i høringssvar advaret Transportministeriet mod at godkende ansøgningen. Både Danmarks Naturfredningsforening og Dansk Ornitologisk Forening er også meget bekymrede over sagen.

Området Fyns Hoved er en del af EU's Natura 2000-netværk. Området vurderes således som havende særlig værdifuld natur, som skal beskyttes.

På grund af det planlagte olielagers størrelse (150 000 kubikmeter olie) kan det ved et olieudslip ifølge eksperter forurene et meget stort areal. Et olieudslip vil med sikkerhed forurene Natura 2000-området Fyns Hoved. Det ligger meget kystnært og i et meget befærdet område, hvor risikoen for en påsejling af lageret er alt for stor.

Mener Kommissionen, at det er i strid med EU's bestemmelser om NATURA 2000, at man placerer et olielager lige ved siden af et NATURA 2000-område, som det er tilfældet med planlægningen af olielageret ved Fyns Hoved?

Hvad påtænker Kommissionen at foretage sig, i fald den vurderer, at planlægningen af oliefeltet ud for Fyns Hoved er i strid med gældende EU-regler?

Svar afgivet på Kommissionens vegne af Janez Potočnik
(27. juni 2012)

Kommissionen kan bekræfte, at Danmark har udpeget Fyns Hoved som Natura 2000-lokalitet. De proceduremæssige sikkerhedsforanstaltninger, der er fastsat i artikel 6, stk. 3 og 4, i Rådets direktiv 92/43/EØF ([1]) om bevaring af naturtyper samt vilde dyr og planter, gælder for dette område, for så vidt angår potentielt skadelige projekter. Dette omfatter blandt andet, at sådanne projekters virkninger på lokaliteten skal vurderes under hensyn til bevaringsmålsætningerne for lokaliteten med henblik på at sikre, at projekterne ikke har en negativ virkning på den pågældende lokalitets integritet. Det er imidlertid de danske myndigheders ansvar, at bestemmelserne i artikel 6, stk. 3 og 4, overholdes til fulde i forbindelse med det pågældende olielager, og i dette tilfælde bør der ligeledes tages nøje hensyn til potentielle olieudslip.

Såfremt Kommissionen har en begrundet mistanke om, at lovgivningen ikke anvendes korrekt, iværksættes der en undersøgelse, og der indledes om nødvendigt en retssag mod den medlemsstat, som ikke overholder EU-retten. Da der ikke foreligger nogen detaljerede oplysninger om en eventuel vurdering eller analyse foretaget af de danske myndigheder, er Kommissionen på nuværende tidspunkt ikke i stand til at udtale sig nærmere om, hvorvidt det planlagte olielager er i overensstemmelse med habitatdirektivet.

([1]) EUT L 206 af 22.7.1992.

(English version)

Question for written answer E-005044/12
to the Commission
Dan Jørgensen (S&D)
(16 May 2012)

Subject: Oil storage facility at Fyns Hoved

According to the Danish newspaper *Fyens Stiftstidende* (13 and 14 May), there are plans to build a large oil storage facility off Fyns Hoved. A large multinational oil company has approached the Danish Ministry of Transport, via a Danish agent, for permission to site an oil storage facility there. No decision in this matter has yet been taken.

Many Danish official bodies, including the Danish Maritime Authority, the Danish Naval Command and the Danish Maritime Safety Administration have made representations to the Danish Ministry of Transport advising against approval of the application. Both the Danish Society for Nature Conservation and BirdLife Denmark have also voiced serious concerns over this matter.

The Fyns Hoved area is part of the EU's Natura 2000 network. The area is therefore deemed to be an area of special natural interest which must be protected.

According to experts, due to the size of the planned oil storage facility (150 000 cubic metres of oil), any oil spill could contaminate a vast area. There is no doubt that an oil spill would pollute the Fyns Hoved Natura 2000 area. It is located very near to the coast and in a very busy area where the risk of a collision with the storage facility is unacceptably high.

Does the Commission believe that locating an oil storage facility so close to a Natura 2000 area, as is the case with the planned oil storage facility at Fyns Hoved, is in contravention of the EU's Natura 2000 provisions?

What does the Commission intend to do if it decides that planning the oil field off Fyns Hoved does indeed contravene applicable EU regulations?

Answer given by Mr Potočnik on behalf of the Commission
(27 June 2012)

The Commission can confirm that Fyns Hoved is designated as a Natura 2000 site by Denmark. The procedural safeguards laid down in Article 6(3) and (4) of Council Directive 92/43/EEC ([1]) on the conservation of natural habitats and of wild fauna and flora apply to this site in relation to any potentially damaging developments. This includes the need for such developments to be subject to an appropriate assessment of their implications for the site in view of the site's conservation objectives, to ensure that they will not adversely affect the integrity of the site. It is the responsibility of the competent authorities in Denmark to ensure that all the provisions of Article 6(3) and (4) are fully respected as regards the oil storage facility in question, and in this case any potential oil spills should also carefully be taken into account.

If the Commission gathers evidence that the legislation may not be correctly applied, an investigation is launched, and if necessary legal action is taken against the Member State not respecting EC law. In the absence of any detailed information on an assessment or analysis conducted by the Danish authorities, the Commission is not in the position at this stage to comment further as regards compliance of this planned oil storage facility with the Habitats Directive.

([1]) OJ L 206, 22.7.1992.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej P-005045/12
do Komisji
Bogusław Sonik (PPE)
(16 maja 2012 r.)

Przedmiot: Uwzględnienie sektora węgla & grafitu w aneksie II Wytycznych Komisji dotyczących pomocy Państwa w kontekście poprawek do „EU Emissions Trading Scheme"

Dla osiągnięcia nadrzędnego celu nisko węglowej gospodarki kluczowymi są produkty węglowo-grafitowe. Produkty te stanowią podstawowe komponenty np.: baterii litowych (magazynowanie energii) i lekkich struktur konstrukcyjnych (np.: budowa części samolotów, śmigieł dla elektrowni wiatrowych). Pomimo tego, że do procesu wytwarzania produktów węglowo-grafitowych niezbędna jest energia elektryczna o wysokich parametrach w celu osiągnięcia temperatury węgla 3 000°C, produkty te pozwalają na znaczące oszczędności energii i CO_2 zgodnie z niezależnymi analizami cyklu życia produktów.

W celu zapewnienia kontynuowania tej produkcji w Unii Europejskiej konieczne jest utrzymanie konkurencyjnych cen energii. Dlatego, dodanie tego sektora, jako energochłonnego procesu produkcji wyrobów (PRODCOM 26.82.14.00), w szczególności powinno zostać rozważone przez Komisję jako zgodne z rynkiem wewnętrznym w znaczeniu artykułu 107(3)(c) TFEU.

Jako uznany przez Decyzję Komisji 2010/2/EU i udokumentowany (PRODCOM 26.82.14.00: wyrażony w §15 i §16) sektor jest narażony na szczególne ryzyko carbon leakage (= zakwalifikowane do carbon leakage list), jako że wypełnia ilościowe kryteria (pośredni koszt CO_2 = 5.2 %; udział sprzedaży eksportowej = 42 %). Ta decyzja została oparta na danych dostarczonych przez odpowiednie sektory w 2009 r. Komisja traktuje te dane jako bazę do wyliczania prawa dla pomocy państwowej w nowych wytycznych. W tym znaczeniu sektor węglowo-grafitowy powinien być odpowiednio uwzględniony w Aneksie II. Natomiast ostatni projekt Komisji (DG Competition) nie uwzględnia sektora (PRODCOM: 26.82.14.00) w odpowiedniej tabeli Aneksu II wytycznych dla uzyskania pomocy Państwowej w kontekście poprawek „EU Trading Scheme".

— Czy Komisja podejmie kroki zapewniające, że nowe wytyczne będą w pełni w zgodzie z Decyzją Komisji 2010/2/EU i produkcja wyrobów z węgla i grafitu (PRODCOM: 26.82.14.00) włączona zostanie do Aneksu II zgodnie z regulacjami zawartymi na stronie 23, paragraf nr 2 ostatniego projektu?

Odpowiedź udzielona przez komisarza Joaquina Almunię w imieniu Komisji
(19 czerwca 2012 r.)

W odniesieniu do kwestii rekompensaty kosztów emisji CO_2 w cenach energii elektrycznej w dniu 22 maja 2012 r. Komisja przyjęła nowe wytyczne w sprawie pomocy państwa w odniesieniu do unijnego systemu handlu uprawnieniami do emisji gazów cieplarnianych po roku 2012 ([1]).

Na podstawie danych Eurostatu uzyskanych od państw członkowskich i wyników konsultacji społecznych oraz opierając się na jasnych kryteriach Komisja wskazała konkretne sektory, które uznaje się za narażone na znaczące ryzyko ucieczki emisji. W toku konsultacji Komisja przeanalizowała informacje z wielu różnych sektorów i rozpatrzyła oparte na dowodach wnioski na korzyść kwalifikowalności dodatkowych sektorów, w tym wnioski przedstawione przez przedstawicieli podsektora grafitu węglowego. Jednakże przedstawiciele tego podsektora nie zdołali poprzeć swoich twierdzeń dotyczących braku możliwości w tym podsektorze do przenoszenia pośrednich kosztów emisji CO_2 w związku z systemem handlu uprawnieniami do emisji gazów cieplarnianych w oparciu o zweryfikowane przez niezależne źródła dane dotyczące całej UE ani nie przedstawili wystarczających dowodów wskazujących, że podsektor ten jest biorcą cen. W związku z tym przedmiotowy podsektor nie może być uznany za kwalifikowalny, ponieważ nie spełnił kryteriów kwalifikowalności określonych szczegółowo we wspomnianych wytycznych.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

W tych nowych zasadach ujęto w sposób zrównoważony kilka kluczowych celów. Wytyczne te mają przyczynić się do złagodzenia skutków pośrednich kosztów emisji CO_2 w najbardziej wrażliwych sektorach, zapobiegając tym samym ucieczce emisji, co mogłoby zagrozić skuteczności unijnego systemu handlu uprawnieniami do emisji. Jednocześnie przepisy te mają na celu zachowanie sygnałów cenowych tworzonych przez EU ETS w celu wspierania opłacalnego obniżenia emisyjności Mają one także służyć ograniczeniu do minimum zakłóceń konkurencji na rynku wewnętrznym dzięki unikaniu tzw. „wyścigu na dotacje" w ramach UE w okresie niepewności ekonomicznej i dyscypliny budżetowej.

(English version)

Question for written answer P-005045/12
to the Commission
Bogusław Sonik (PPE)
(16 May 2012)

Subject: Including the carbon-graphite sector in Annex II to the Commission Guidelines for state aid in the context of amendments to the EU Emissions Trading Scheme

Carbon-graphite products are of key importance in achieving the overarching objective of a low-carbon economy. These products constitute fundamental components of, for example, lithium batteries (energy storage) and light engineering structures — they are used, for instance, in the manufacture of aircraft parts and of blades for wind generators. According to independent product life cycle analyses, although the process of producing carbon-graphite products requires high-parameter electricity to reach a carbon temperature of 3 000 °C, these products allow significant energy and CO_2 savings.

In order to ensure continuation of this type of production in the European Union, competitive energy prices must be maintained. Consequently, including this sector as an energy-intensive product manufacturing process (PRODCOM 26.82.14.00) should in particular be considered by the Commission as compliant with the internal market within the meaning of Article 107(3)(c) of the TFEU.

The sector, as recognised and documented in Commission Decision 2010/2/EU (PRODCOM 26.82.14.00: referred to in Articles 15 and 16), is exposed to a significant risk of carbon leakage (therefore qualified for the carbon leakage list) as it meets the quantitative criteria (indirect CO_2 cost = 5.2%; share of export sales = 42%). This decision was based on data provided by the relevant sectors in 2009. The Commission considers these data to be the basis for establishing the right to state aid under the new guidelines. Accordingly, it is appropriate for the carbon-graphite sector to be included in Annex II. The Commission's final draft (DG Competition), however, does not include the sector (PRODCOM: 26.82.14.00) in the relevant table of Annex II of the Guidelines for state aid in the context of amendments to the EU Trading Scheme.

— Will the Commission take steps to ensure that the new guidelines will be completely in line with Commission Decision 2010/2/EU and that the production of carbon and graphite products (PRODCOM: 26.82.14.00) will be included in Annex II in accordance with the provisions on page 20, Article 2 of the final draft?

Answer given by Mr Almunia on behalf of the Commission
(19 June 2012)

As regards compensation of CO_2 costs in electricity prices, on 22 May the Commission adopted new Guidelines for state aid in connection with the EU ETS after 2012 ([1]).

Based on Eurostat data collected from Member States and input from public consultations, the Commission identified certain sectors that are deemed to be at a significant risk of carbon leakage, based on clear criteria. During the consultation periods, the Commission analysed input from many different sectors and considered evidence-based claims in favour of eligibility of additional sectors, including claims from the subsector of carbon graphite. However, the latter failed to substantiate its claims on its inability to pass on the indirect CO_2 costs due to ETS on the basis of independently verified EU-wide data and did not provide sufficient evidence pointing that the subsector is a price-taker. Accordingly, the subsector in question cannot be considered eligible, as it did not fulfil the criteria for eligibility set out in detail in the Guidelines.

The new rules carefully balance several key objectives. They aim to mitigate the impact of indirect CO_2 costs for the most vulnerable industries, thereby preventing carbon leakage which would undermine the effectiveness of the EU ETS. At the same time, the rules have been designed to preserve the price signals created by the EU ETS in order to promote cost-effective decarbonisation. They are also designed to minimise competition distortions in the internal market by avoiding subsidy races within the EU at a time of economic uncertainty and budgetary discipline.

([1]) http://ec.europa.eu/competition/sectors/energy/legislation_en.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005047/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Lorenzo Fontana (EFD)
(16 maggio 2012)

Oggetto: VP/HR — Maltrattamenti nei confronti dei cristiani nel campo profughi di Shousha in Tunisia

Secondo quanto pubblicato dall'agenzia Habeshia per la cooperazione allo sviluppo, nel campo profughi di Shousha, situato al confine tra Libia e Tunisia, e che ospita rifugiati etiopi, eritrei, sudanesi e somali, si starebbero manifestando ripetuti episodi di intolleranza nei confronti dei cristiani. Tra questi episodi si segnalano: la distruzione della tenda adibita a luogo di preghiera per i cristiani ed il danneggiamento delle immagini sacre; le intimazioni rivolte ai profughi cristiani da parte dei militari di togliere la croce che portavano al collo; l'impedimento opposto ai missionari cristiani di entrare nel campo per assistere i profughi; aggressioni verbali e fisiche nei confronti dei cristiani, sia all'interno che all'esterno del campo profughi di Shousha.

Considerando che il campo è gestito dall'Alto Rappresentante delle Nazioni Unite per i Rifugiati e considerando l'alto grado di cooperazione tra l'UE e le Nazioni Unite, in particolare tra la Commissione e l'UNHCR, in materia di asilo e migrazione, può il Vicepresidente/Alto Rappresentante rispondere ai seguenti quesiti:

— È a conoscenza della situazione descritta?

— Intende intervenire, e come, per sollecitare il rispetto dei diritti religiosi dei profughi e, in particolare, della libertà religiosa dei cristiani presenti nel campo?

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

L'Unione europea segue attentamente gli sviluppi in Tunisia, e gli episodi d'intolleranza religiosa in particolare, ed è a conoscenza dei rapporti riguardanti il campo profughi di Shousha cui fa riferimento l'onorevole parlamentare.

L'Alta Rappresentante/Vicepresidente condanna qualsiasi atto di violenza e intimidazione, specialmente se per motivi legati alla religione o al credo, e qualsiasi restrizione della libertà di religione e di espressione.

Il processo di transizione democratica in Tunisia è inevitabilmente complesso, tuttavia l'Alta Rappresentante/Vicepresidente è convinta che i cittadini tunisini siano determinati a mantenere fede alle aspettative espresse durante la rivoluzione del gennaio 2011. L'Unione continuerà a fornire assistenza alla Tunisia al fine di raggiungere quest'obiettivo e assicurare la creazione di una società basata sul rispetto dei diritti fondamentali, compresi quelli delle minoranze, e dello Stato di diritto.

(English version)

Question for written answer E-005047/12
to the Commission (Vice-President/High Representative)
Lorenzo Fontana (EFD)
(16 May 2012)

Subject: VP/HR — Mistreatment of Christians in the Shousha refugee camp in Tunisia

The Habeshia Agency for Development Cooperation has indicated that repeated episodes of intolerance against Christians are occurring in the Shousha refugee camp situated on the border between Libya and Tunisia and hosting refugees from Ethiopia, Eritrea, Sudan and Somalia. These episodes include the destruction of the tent used as a place of Christian worship, with damage to sacred images; the military demanding that Christians remove crucifixes worn around the neck; preventing Christian missionaries from entering the camp to assist the refugees; and verbal and physical abuse against Christians, both inside and outside of Shousha refugee camp.

Given that the camp is managed by the United Nations High Representative for Refugees and considering the high degree of cooperation between the EU and the United Nations, particularly between the Commission and the UNHCR with regard to asylum and migration, would the Vice-President/High Representative reply to the following questions:

— Is she aware of the situation described?

— Does she intend to intervene, and how, to uphold respect for the religious rights of the refugees and above all the religious freedom of Christians in the camp?

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

The EU is following closely developments in Tunisia and in particular any episodes of religious intolerance. The EU is aware of the reports mentioned by the Honourable Member regarding the Shousha refugee camp.

The HR/VP condemns all acts of violence or intimidation directed towards people notably on account of their origins or beliefs as well as restrictions on respect for freedom of religion and expression.

The process of democratic transition in Tunisia is inevitably complex. However the HR/VP is confident of the determination of the Tunisian people to achieve the expectations expressed by them during the revolution of January 2011. The EU will continue to provide assistance to Tunisia in order to achieve this goal and ensure the establishment of a society based on respect for fundamental rights including those of minorities and the rule of law.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005048/12
adresată Comisiei
Corina Crețu (S&D)
(16 mai 2012)

Subiect: Drepturile lucrătorilor străini în Marea Britanie

Numeroși lucrători străini continuă să fie tratați inuman în Marea Britanie, conform unui raport privind starea muncitorilor migranți realizat de Fundația Joseph Rowntree, pe baza unor interviuri de profunzime realizate cu 62 de persoane care lucrează în industria alimentară.

Lucrătorii, deși aflați în mod legal pe teritoriul Marii Britanii, sunt supuși în mod constant unor discriminări, lucrând peste 50 de ore pe săptămână și fiind plătiți sub salariul minim de 5,83 £ pe oră.

Muncitorii migranți sunt victime ale unor invariabile agresiuni rasiste și sexiste și sunt obligați să plătească taxe intermediarilor de pe piața muncii care le asigură locuri de muncă cu venituri insuficiente, astfel încât să permanentizeze capacitatea acestora de a-și plăti restul datoriilor.

Deși, din 2009, munca forțată a devenit o infracțiune penală în Marea Britanie, lucrătorii migranți sunt în continuare exploatați în mod sever și repetat, iar libertățile lor fundamentale continuă să fie încălcate.

— Cum apreciază Comisia această situație gravă de încălcare constantă a drepturilor omului într-un stat membru al Uniunii Europene și care sunt acțiunile de ameliorare a acestui climat agresiv împotriva lucrătorilor străini?

Răspuns dat de dl Andor în numele Comisiei
(11 iulie 2012)

Legislația UE privind libera circulație a lucrătorilor ([1]) interzice discriminarea pe criteriul naționalității a cetățenilor UE în ceea ce privește ocuparea forței de muncă, remunerarea și celelalte condiții de muncă și de încadrare în muncă. Această legislație are efect direct, astfel încât orice lucrător migrant din UE care este supus unor discriminări și abuzuri profesionale din partea unui angajator privat în alt stat membru se poate baza pe aceasta în fața instanțelor naționale. Comisia intenționează să prezinte, până la sfârșitul anului 2012, o nouă inițiativă cu scopul de a furniza măsurile de sprijin necesare (de exemplu, informații și consiliere) pentru a permite lucrătorilor migranți din UE să își exercite drepturile de liberă circulație în mod eficace.

În 2011, Consiliul și Parlamentul au adoptat Directiva 2011/36/UE ([2]). Directiva prezintă o abordare globală cu privire la traficul de persoane și prevede o gamă largă de drepturi acordate victimelor în cadrul procedurilor penale. Aceasta definește munca forțată drept unul dintre aspectele traficului de persoane.

Comisia condamnă orice manifestare de rasism și xenofobie, inclusiv de violență împotriva migranților. Decizia-cadru 2008/913/JAI interzice instigarea publică intenționată la violență sau la ură împotriva grupurilor sau indivizilor definiți pe criterii de rasă, culoare, religie, descendență sau origine națională ori etnică ([3]). Motivația rasistă și xenofobă a oricărei infracțiuni trebuie să fie considerată drept o circumstanță agravantă. Comisia încurajează Regatul Unit să depună toate eforturile pentru a pune în aplicare în mod corect această legislație și pentru a completa, în cel mai scurt timp posibil, procedurile sale de notificare.

([1]) Articolul 45 din Tratatul privind funcționarea Uniunii Europene și Regulamentul (UE) nr. 492/2011 al Parlamentului European și al Consiliului din 5 aprilie 2011 privind libera circulație a lucrătorilor în cadrul Uniunii, JO L 141, 27.5.2011, p. 1.

([2]) Directiva 2011/36/UE a Parlamentului European și a Consiliului din 5 aprilie 2011 privind prevenirea și combaterea traficului de persoane și protejarea victimelor acestuia, precum și de înlocuire a Deciziei-cadru 2002/629/JAI a Consiliului, JO L 101, 15.4.2011, p. 1.

([3]) Decizia-cadru 2008/913/JAI a Consiliului din 28 noiembrie 2008 privind combaterea anumitor forme și expresii ale rasismului și xenofobiei prin intermediul dreptului penal, JO L 328, 6.12.2008.

(English version)

Question for written answer E-005048/12
to the Commission
Corina Crețu (S&D)
(16 May 2012)

Subject: Rights of foreign workers in the United Kingdom

A large number of foreign workers continue to be treated inhumanely in the United Kingdom, according to a report on the status of migrant workers carried out by the Joseph Rowntree Foundation, based on in-depth interviews conducted with 62 people who work in the food industry.

The workers, despite being in the United Kingdom legally, are constantly subjected to discrimination, working more than 50 hours a week and being paid below the minimum wage of GBP 5.83 per hour.

Migrant workers are victims of constant racist and sexist attacks and are forced to pay fees to labour market intermediaries who provide them with jobs with insufficient incomes, so that they can continue to pay off the rest of their debts.

Although forced labour became a criminal offence in the United Kingdom in 2009, migrant workers continue to be exploited severely and repeatedly, and their fundamental freedoms are still being violated.

— How does the Commission view this serious situation of constant human rights violations in a Member State of the European Union, and what action can be taken to improve this hostile climate for foreign workers?

Answer given by Mr Andor on behalf of the Commission
(11 July 2012)

EC law on free movement of workers ([1]), prohibits nationality-based discrimination of EU nationals with regard to their employment, remuneration and other conditions of work and employment. This legislation has direct effect so that any EU migrant worker who suffers discrimination and work-related abuse by a private employer in another Member State can rely on it before national courts. The Commission is planning to present by the end of 2012 a new initiative to provide the necessary support measures (i.e. information and advice) to enable EU migrant workers to exercise their rights of free movement effectively.

In 2011 the Council and Parliament adopted Directive 2011/36/EU ([2]). The directive takes a holistic approach to human trafficking and provides for a comprehensive range of rights for victims in criminal proceedings. It defines forced labour as one aspect of trafficking of persons.

The Commission condemns all manifestations of racism and xenophobia, including violence against migrants. Framework Decision 2008/913/JHA prohibits the intentional public incitement to violence or hatred against groups or individuals by reference to their race, colour, religion, descent or national or ethnic origin ([3]). Racist and xenophobic motivation of any offence must be considered an aggravating circumstance. The Commission encourages the UK to make all efforts to implement this legislation correctly and to complete its notification as soon as possible.

([1]) Article 45 TFEU and Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union, OJ L 141, 27.5.2011, p. 1.

([2]) Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, 15.4.2011, p. 1.

([3]) 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, OJ L 328, 6.12.2008.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005049/12
alla Commissione
Guido Milana (S&D)
(16 maggio 2012)

Oggetto: Definizione di pescaturismo

L'attività di «pescaturismo» è praticata e regolamentata in Italia da quasi venti anni, sta muovendo i primi passi in Spagna (vedi progetto Sagital) e più concretamente in Francia attraverso le iniziative della Regione PACA con l'associazione Marco Polo Echanger Autrement come attività di pesca.

Le caratteristiche che tale attività avrebbe mantenendola all'interno del contesto pesca e che perderebbe collocata al di fuori di essa sono:

— un reddito «integrativo» diretto e immediato per il pescatore;

— la tutela delle tradizioni e della cultura della pesca;

— la possibilità di indirizzare un numero maggiore di pescatori verso attività che avrebberoun maggiore effetto sulla riduzione dello sforzo di pesca.

I rischi che invece si creerebbero attivando il «PESCATURISMO» nel settore «TURISMO» sono:

— la creazione di un'attività poco trasparente perché in un contesto non chiaramentedefinito, dando luogo alla possibilità di pescare anche in settori diversi da quelli dellapesca;

— l'attività di pesca così istituita verrebbe anche sottratta al regolamento controlli ricadendosulla possibile attività di pesca IUU;

— il FEAMP non andrebbe a finanziare attività non della pesca; in questo caso, invece diusare fondi FEAMP, per uscire dalla pesca si dovrebbero autorizzare i pescatori adaccedere a finanziamenti di fondi del settore di destinazione.

Per queste ragioni e considerando la risposta della Commissione all'interrogazione E-002812/2012, che prevede per chi intendesse attivare l'attività di «pescaturismo» la fuoriuscita dal settore pesca e l'entrata in quello del turismo, può la Commissione far sapere se non sia utile proporre e inserire la definizione dell'attività di pescaturismo negli opportuni regolamenti dell'UE, come attività integrativa e non sostitutiva di quella di pesca, all'interno del settore della pesca?

Risposta di Maria Damanaki a nome della Commissione
(6 luglio 2012)

Per il periodo di programmazione in corso, il principale strumento di finanziamento disponibile per attività quali il pescaturismo è il Fondo europeo per la pesca (FEP). Tramite tale strumento possono essere finanziate attività di diversificazione, quali il pescaturismo, nell'ambito dell'asse 4, dedicato allo sviluppo sostenibile delle zone di pesca.

Per il periodo di programmazione 2014-2020, la proposta della Commissione relativa al Fondo europeo per gli affari marittimi e la pesca (FEAMP) prevede, al capo dedicato allo sviluppo sostenibile delle zone di pesca, la possibilità di continuare a finanziare attività quali il pescaturismo. Per le attività riguardanti la tutela e il ripristino degli ecosistemi marini esiste anche un apposito articolo al capo dedicato alla pesca. Se un pescatore intende abbandonare il settore della pesca, esiste la possibilità di ricevere un finanziamento per la riconversione del peschereccio.

Viene inoltre posto l'accento su un approccio comune in materia di sviluppo locale di tipo partecipativo, che in futuro potrà essere sostenuto congiuntamente da più Fondi in parallelo: il Fondo europeo di sviluppo regionale, il Fondo sociale europeo, il Fondo europeo agricolo per lo sviluppo rurale e il FEAMP. Nell'ambito di tale approccio il sostegno alle strategie di sviluppo locale può essere ampliato: se ad esempio una strategia per lo sviluppo di una zona di pesca usufruisce del sostegno di più Fondi, il FEAMP potrebbe sostenere progetti volti ad aggiungere valore ai prodotti della pesca (mediante vendite dirette, trasformazione su piccola scala ecc.) o ad adeguare i pescherecci per il pescaturismo; il FSE potrebbe finanziare progetti connessi alla formazione (ad esempio degli operatori turistici) e il FESR potrebbe essere impiegato per le infrastrutture (ad esempio il rifacimento di un porto).

(English version)

Question for written answer E-005049/12
to the Commission
Guido Milana (S&D)
(16 May 2012)

Subject: Definition of fishing tourism

'Fishing tourism', which has been practised and regulated in Italy for almost 20 years, is taking its first steps in Spain (see the Sagital project), and more tangibly in France through the initiatives of the PACA (Provence-Alpes-Côte d'Azur) region in partnership with the Marco Polo Echanger Autrement association.

The following features of this activity would be lost were it to be moved outside the fishing context:

— immediate and direct 'supplementary' income for fishermen;

— protection of fishing traditions and culture;

— the opportunity to direct a larger number of fishermen to activities that have a greater impact on reducing fishing effort.

On the other hand, the risks run by shifting 'fishing tourism' into the 'tourism' sector are:

— creation of an activity that lacks transparency because its context is not clearly defined, giving rise to the possibility that fishing will also take place in non-fishing sectors;

— fishing conducted in this way would also fall outside regulations that govern possible IUU fishing activities;

— the EMFF will not fund non-fishing activities. In this case, instead of using funds from the EMFF, fishermen who want to leave fishing would have to be authorised to access funding from the sector they wish to join.

For these reasons, and in view of the Commission's answer to Question E-002812/2012, where it was stated that a person intending to start up a 'fishing tourism' business may move from the fishing sector to the tourism sector:

Does the Commission consider that it would be a good idea to propose and include in the appropriate EU regulations a definition of fishing tourism as an activity within the fishing industry that is supplementary to fishing but does not replace it?

Answer given by Ms Damanaki on behalf of the Commission
(6 July 2012)

For the present programming period, the main financing instrument available for financing activities such as fishing tourism is the European Fisheries Fund (EFF). Within this instrument, diversification activities such as fishing tourism can be financed under Axis 4 of the EFF which is dedicated to the sustainable development of fisheries areas.

For the programming period 2014-2020, the Commission's proposal for a European Maritime and Fisheries Fund (EMFF), foresees the possibility to continue financing activities such as fishing tourism through the sustainable development of fisheries areas chapter. If the activities relate to the protection and restoration of marine ecosystems, there is a dedicated article in the fisheries chapter as well. If a fisherman wants to leave the fishing sector there is a possibility of receiving funding for the reconversion of the fishing vessel.

In addition, there is an emphasis on a common approach to community-led local development, which can in future be supported jointly by several Funds in parallel, namely the European Regional Development Fund, the European Social Fund, the European Agricultural Fund for Rural Development and the EMFF. Under this approach the support for local development strategies can be broadened. For instance, if a strategy for the development of a fisheries area receives support from several Funds, the EMFF could support projects linked to adding value to fisheries products (through direct sales, small-scale processing etc.) or adapting fishing vessels for fishing tourism, the ESF could finance projects linked to training (e.g. of tourist operators) and the ERDF could be used for infrastructure (e.g. renovation of a port).

(Versión española)

Pregunta con solicitud de respuesta escrita E-005050/12
a la Comisión
Ana Miranda (Verts/ALE)
(16 de mayo de 2012)

Asunto: Proyecto Castor de Almacenamiento de gas natural (1)

El proyecto Castor de almacenamiento de gas natural situado en Vinaròs (País Valencià) ha provocado las quejas del propio sector energético español, de la Comisión Nacional de Energía y, por ende, la alarma del conjunto de la ciudadanía y, especialmente, de los consumidores finales, pues de forma alarmante ha triplicado los costes asociados al mismo pasando de 500 M€ a 1 500 M€. Este hecho pone en serio entredicho la justificación que impulsó este proyecto inicialmente, no solo por el abuso que significa para los consumidores finales que deberán pagar el triple por el mismo servicio, sino también porque coincide con un claro descenso de la demanda a causa de la crisis económica.

Asimismo, cabe subrayar que, para la financiación de este proyecto, ha hecho falta la inyección económica del Banco Europeo de Inversiones y de 19 entidades nacionales e internacionales. «La construcción de este almacén a más de 1 750 metros de profundidad y 22 kilómetros de la costa de Vinaròs dispone de una inversión de 1 652 millones y tres tramos de deuda por un importe global de 1 318 millones de euros», informa el periódico económico *Cinco Días*, a partir de un teletipo de Europa Press ([1]).

La Directiva 2009/73/CE del Parlamento Europeo y del Consejo, de 13 de julio de 2009, sobre normas comunes para el mercado interior del gas natural por la que se deroga la Directiva 2003/55/CE, establece que «para garantizar la seguridad del suministro, es necesario supervisar el equilibrio entre la oferta y la demanda en los distintos Estados miembros (…). Esta supervisión debe llevarse a cabo con antelación suficiente para poder adoptar las medidas oportunas si peligra dicha seguridad».

— Tratándose de un proyecto financiado por el Banco Europeo de Inversiones, ¿qué medidas piensa tomar la Comisión ante esta situación?

— ¿Qué mecanismos de control va a adoptar la Comisión para garantizar el cumplimiento de la citada Directiva?

Respuesta del Sr. Oettinger en nombre de la Comisión
(10 de julio de 2012)

Por tratarse de un proyecto que podía subvencionar, el Banco Europeo de Inversiones (BEI) analizó en la fase de apreciación si este, además de ser económicamente viable, podía contribuir de forma efectiva a los objetivos de la política energética de la UE. El proyecto aumentará la limitada capacidad de almacenamiento subterráneo existente en el territorio español, reforzando la seguridad del suministro y dando flexibilidad al sistema. En la actualidad, la capacidad de almacenamiento subterráneo de España es de 2 300 MMC, lo que representa el 6 % del consumo total de gas, una cifra bastante baja si se la compara con la de la capacidad disponible en otros países de la UE, como, por ejemplo, Italia (14 700 MMC), Alemania (21 200 MMC) o Francia (11 900 MMC). Durante la evaluación realizada por el BEI, los costes de base se incrementaron un 2,5 %, lo que no resulta inusual en proyectos de esa envergadura. El BEI, en todo caso, consideró que el proyecto era económicamente viable habida cuenta de su capacidad para dar seguridad al suministro, permitir una reducción de los picos y extraer ventaja de los movimientos de precios estacionales del gas.

([1]) http://www.cincodias.com/articulo/empresas/acs-logra-financiacion-1652-millones-construir-almacen-gas-natural-mediterraneo/20101012cdscdsemp_3/.

En lo que atañe a los costes, dado que en el marco del ordenamiento jurídico español la actividad de almacenamiento que desarrollará Castor es un negocio regulado con un acceso de terceros también regulado, las autoridades españolas responsables de la fijación y aprobación de las tarifas y de los métodos aplicables deberán comprobar la oportunidad de los costes asociados a la construcción y funcionamiento del proyecto y su correspondencia con la información que facilite el gestor de la instalación de almacenamiento en los planes de inversión anuales y plurianuales que tendrá que presentar ([2]). El Gobierno español estableció a ese efecto en un decreto de diciembre de 2008 ([3]) una regulación específica para las instalaciones de almacenamiento subterráneo.

([2]) Se trata de una obligación que impone a los gestores de instalaciones de almacenamiento el artículo 68 de la Ley 34/1998, de 7 de octubre, del Sector de Hidrocarburos.

([3]) Las disposiciones más importantes del decreto son las siguientes:
— las inversiones reconocidas deben limitarse a los costes necesarios para el desarrollo de las instalaciones de almacenamiento subterráneo, y los promotores tienen que presentar cada año a los reguladores planes de inversión anuales y plurianuales;
— toda desviación de los costes o de los plazos de ejecución previstos en la planificación de esta infraestructura deben justificarse adecuadamente; el regulador está facultado para rechazar o revisar los planes de inversión;
— en caso de que se infrinjan estas disposiciones o de que el promotor incumpla los planes acordados, se impondrán las sanciones previstas por la Ley 34/1998, del Sector de Hidrocarburos.

(English version)

Question for written answer E-005050/12
to the Commission
Ana Miranda (Verts/ALE)
(16 May 2012)

Subject: Castor natural gas storage project (1)

The Castor natural gas storage project located in Vinaròs (Valencian region) has given rise to complaints from Spain's energy sector, from the Spanish National Energy Commission and to concern on the part of citizens in general and, in particular, from the end-users, as its associated costs have tripled alarmingly from EUR 500 million to EUR 1 500 million. This calls into serious question the initial justification for this project, not only in terms of its unfairness to end-users, who have to pay three times as much for the same service, but also because it coincides with a clear drop in demand caused by the economic crisis.

It should be noted that the funding of this project required a cash injection from the European Investment Bank and from 19 national and international funding bodies. 'The construction of a storage facility of more than 1 750 m in depth and 22 km from the coast of Vinaròs required an investment of 1 652 million and three tranches of debt with an overall total of EUR 1 318 million,' according to economic journal *Cinco Días*, based on a press release from Europa Press ([1]).

Directive 2009/73/EC of the European Parliament and Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC, states that, 'in the interests of security of supply, the balance of supply and demand in individual Member States should be monitored (…). Such monitoring should be carried out sufficiently early to enable appropriate measures to be taken if security of supply is compromised'.

— As this is a project funded by the European Investment Bank, what measures does the Commission intend to take in response to the above situation?

— What supervisory mechanisms does the Commission intend to adopt to ensure compliance with the aforementioned Directive?

Answer given by Mr Oettinger on behalf of the Commission
(10 July 2012)

As this is an eligible project funded by the European Investment Bank (EIB), the Bank is taking into consideration in the appraisal phase, in addition to the economic viability of the project, its contribution to the objectives of the EU energy policy. The referred project will increase the limited underground storage capacity in the territory of Spain enhancing security of supply and providing flexibility to the system,. Currently, the underground storage capacity in Spain is 2.3 bcm representing 6 % of total gas consumption, rather low compared to the capacity available in other EU countries such as Italy (14.7 bcm), Germany (21.2 bcm) or France (11.9 bcm). During the EIB appraisal the base costs increased by 2.5 %, which is not unusual for such a large project. Moreover, the EIB calculated that the project was economically viable based on its ability to provide security of supply, allow for peak shaving and take advantage of seasonal gas pricing.

In terms of costs, given that under the Spanish legal framework the activity of storage that will be developed by Castor is a regulated business with regulated third party access, the Spanish authorities responsible for fixing and approving tariffs and methodologies should verify the adequacy of the costs associated with the construction and operation of the project, and their consistency with the information provided by the storage operator in its annual and multiannual investment plans ([2]). In order to do this, the Spanish Government introduced regulation specific to underground storage facilities in a December 2008 decree ([3]).

([1]) http://www.cincodias.com/articulo/empresas/acs-logra-financiacion-1652-millones-construir-almacen-gas-natural-mediterraneo/20101012cdscdsemp_3/.

([2]) Obligation for storage operators set out in Article 68 Hydrocarbons Law 34/1998.

([3]) Key contents of the decree are:
—USD 1Recognised investment shall be limited to costs necessary prudent for the development of underground storage and the promoters must submit annual and multi-annual plans of investment every year to the regulators.
—USD 1Any deviation of cost or execution times relative to those considered in the planning of this infrastructure must be adequately justified. The regulator may reject or revise the investment plans.
—USD 1In the event of a breach of the provisions of these provisions or the failure of the promoter to complete the agreed plans, sanctions will be applied per the Hydrocarbon Law (34/1998).

(Versión española)

Pregunta con solicitud de respuesta escrita E-005051/12
a la Comisión
Ana Miranda (Verts/ALE)
(16 de mayo de 2012)

Asunto: Proyecto Castor de almacenamiento de gas natural (2)

En proyectos energéticos como el Castor de almacenamiento de gas natural, situado en el municipio de Vinaròs (País Valencià), es vital que haya una separación efectiva de las actividades de suministro y de generación de las actividades de red, para así fortalecer la independencia de los reguladores de energía. Para conseguir este objetivo, la Directiva 2009/72/CE establece las limitaciones en la participación en empresas y toma de control de las mismas, además de contemplar la designación de los gestores de redes de transporte, facultando a la autoridad reguladora para certificar con carácter previo a estos gestores en base al procedimiento que se establezca reglamentariamente. La Directiva 2009/73/CE establece que «cuando se haya designado un gestor de red independiente, los propietarios de redes de transporte y los gestores de almacenamientos que formen parte de una empresa integrada verticalmente serán independientes de las demás actividades no relacionadas con el transporte, la distribución y el almacenamiento, al menos en lo que se refiere a la personalidad jurídica, la organización y la toma de decisiones».

Sin embargo en el proyecto Castor de almacenamiento de gas natural no ha existido en ningún momento tal separación de actividades, pues ACS es parte interesada en su desarrollo e interviene como accionista con el mayor porcentaje. En diciembre de 2007, ACS aumentó su participación en Escal UGS S.L. (la compañía española que desarrolla el proyecto) desde el 5 % hasta el 66,67 %. Castor Limited Partnership (CLP), de la que Eurogas posee un 73,7 %, tendrá el 33,33 % de Escal UGS. Cuando entre en funcionamiento el almacenamiento subterráneo de Castor, ACS venderá a Enagás la mitad de su participación del 66,67 %. A partir de ese momento CLP, ACS y Enagás poseerán un 33,33 % de Escal UGS cada una. Así pues, cuando entre en funcionamiento el almacenamiento subterráneo de Castor, ACS venderá a Enagás la mitad de su participación del 66,67 %. A partir de ese momento CLP, ACS y Enagás poseerán un 33,33 % de Escal UGS cada una.

— ¿Qué mecanismos tiene la Comisión para garantizar el cumplimiento de la citada Directiva, ante esta falta de separación de actividades en el proyecto Castor de almacenamiento de gas natural?

Pregunta con solicitud de respuesta escrita E-005052/12
a la Comisión
Ana Miranda (Verts/ALE)
(16 de mayo de 2012)

Asunto: Proyecto Castor de almacenamiento de gas natural (3)

La Comisión Nacional de la Energía (CNE) del Estado español, en su informe de 7 de marzo de 2012, afirma que «en comparación con el sector eléctrico, en el sector del gas natural el problema del déficit es un problema reciente, hasta la fecha no había existido un problema de déficit relevante». «El déficit estructural surge cuando de forma continuada los costes son superiores a los ingresos por peajes, como es el caso, si no se adoptan medidas correctoras», proseguía. Dicho informe también sostiene que sería aconsejable analizar la posibilidad de reconocer por norma los efectos que en la retribución reconocida de las infraestructuras podría tener la asignación mediante mecanismos no concurrenciales de determinadas partidas de inversión. En este sentido, se ponen de manifiesto los resultados de la supervisión que la CNE realizó y que ha mostrado partidas adjudicadas directamente en el Proyecto Castor de almacenamiento de gas natural que pueden haber supuesto costes adicionales para el sistema.

La Directiva 2009/73/CE establece en su artículo 30 que «los Estados miembros o cualquier otro organismo competente que designen, incluidos las autoridades reguladoras a que se refiere el artículo 39, apartado 1, y las autoridades competentes para la resolución de conflictos mencionadas en el artículo 34, apartado 3, tendrán, en la medida en que resulte necesario para el ejercicio de sus funciones, el derecho de acceder a la contabilidad de las empresas de gas natural con arreglo a lo dispuesto en el artículo 31». En dicho artículo se establece que «las empresas de gas natural, cualquiera que sea su régimen de propiedad o su personalidad jurídica, establecerán, publicarán y someterán su contabilidad anual a una auditoría con arreglo a las normas de la legislación nacional sobre contabilidad anual de las sociedades de responsabilidad limitada, adoptadas en aplicación de la Cuarta Directiva 78/660/CEE del Consejo, de 25 de julio de 1978 (…)».

Las empresas de gas natural llevarán en su contabilidad interna cuentas separadas para cada una de sus actividades de transporte, distribución, GNL y almacenamiento, tal como se les exigiría si dichas actividades fueran realizadas por empresas distintas, a fin de evitar discriminaciones, subvenciones cruzadas y distorsión de la competencia.

— ¿Qué mecanismos tiene la Comisión para garantizar el cumplimiento de la citada Directiva, ante esta falta de transparencia en las adjudicaciones del proyecto Castor de almacenamiento de gas natural?

Respuesta conjunta del Sr. Oettinger en nombre de la Comisión
(5 de julio de 2012)

Las autoridades nacionales de regulación desempeñan un papel esencial a la hora de garantizar el cumplimiento de lo dispuesto en la Directiva 2009/72/CE ([1]). En especial, en el caso de las empresas de almacenamiento, tal como se establece en el artículo 41 de dicha Directiva, esas autoridades son responsables del seguimiento de las normas sobre separación, incluida la separación de las cuentas, así como del control y el examen de las condiciones de acceso a las instalaciones de almacenamiento. Los Estados miembros deben velar por que se conceda a los reguladores las competencias necesarias para que puedan cumplir esos cometidos.

En el caso de España, el marco jurídico vigente, constituido por el Real Decreto-Ley 13/2012, prevé un mecanismo de control *a posteriori*, que confía a la autoridad nacional de regulación de la energía (la CNE) el cometido de controlar la aplicación de las normas sobre separación y le concede la facultad de hacer cumplir esas disposiciones. La CNE debe controlar el cumplimiento de las disposiciones sobre separación y informar anualmente acerca de las actividades que haya llevado a cabo y, por consiguiente, sobre los resultados de sus actividades ([2]). Una violación de las normas sobre separación se considera una infracción grave y la CNE puede imponer sanciones efectivas, proporcionadas y disuasorias a las personas responsables de tales violaciones.

La Comisión está controlando estrechamente la manera en que los Estados miembros cumplen las disposiciones de las Directivas del tercer paquete sobre el mercado interior de la energía, especialmente las relativas a la separación y a la transparencia de las cuentas de las empresas de almacenamiento.

([1]) DO L 211 de 14.8.2009.
([2]) El Real Decreto-Ley 13/2012 modifica en consecuencia la disposición adicional 11.3.1 la Ley 34/1998 del sector de hidrocarburos (BOE n° 78, pp. 26917-26919).

(English version)

Question for written answer E-005051/12
to the Commission
Ana Miranda (Verts/ALE)
(16 May 2012)

Subject: The Castor natural gas storage project (2)

In energy projects such as the Castor natural gas storage project, located in Vinaròs (Valencia), it is vital to effectively separate supply and generation activities from network activities, in order, thereby, to strengthen the independence of energy regulators. To achieve this objective, Directive 2009/72/EC sets limits on shares in enterprises and on taking control of them, as well as providing for the designation of transmission system operators, empowering the regulatory authority to certify these operators using the established regulatory procedure. Directive 2009/73/EC states that 'A transmission system owner, where an independent system operator has been appointed, and a storage system operator which are part of vertically integrated undertakings shall be independent at least in terms of their legal form, organisation and decision making from other activities not relating to transmission, distribution and storage'.

However, in the Castor natural gas storage project this separation of activities has not existed at any time, since ACS is a party with an interest in its development and is involved as the largest shareholder. In December 2007, ACS increased its holding in Escal UGS S.L. (the Spanish company that is carrying out the project) from 5% to 66.67%. Castor Limited Partnership (CLP), of which Eurogas owns 73.7%, will hold 33.33% of Escal UGS. When the Castor underground storage facility goes into operation, ACS will sell half of its 66.67% holding to Enagás. As of that moment, CLP, ACS and Enagás will each own 33.33% of Escal UGS.

— What mechanisms does the Commission have to ensure compliance with the directive mentioned, given this lack of separation of activities in the Castor natural gas storage project?

Question for written answer E-005052/12
to the Commission
Ana Miranda (Verts/ALE)
(16 May 2012)

Subject: Castor natural gas storage project (3)

In its report dated 7 March 2012, the Spanish National Energy Commission (CNE) states that 'compared to the electricity sector, the deficit problem in the natural gas sector is a recent one — until now there had been no significant deficit problem', adding that 'a structural deficit occurs when costs are continuously higher than toll revenues, as is the case when no corrective action is taken'. The report also argues that it would be advisable to examine the possibility of making it a rule to recognise the effects that the allocation of certain investment items through non-competitive mechanisms could have on the recognised remuneration of infrastructures. In this respect, the results of monitoring carried out by the CNE have shown clearly that budget allocations made directly to the Castor natural gas storage project may have involved additional costs for the system.

Article 30 of Directive 2009/73/EC states that 'Member States or any competent authority they designate, including the regulatory authorities referred to in Article 39(1) and the dispute settlement authorities referred to in Article 34(3), shall, insofar as necessary to carry out their functions, have right of access to the accounts of natural gas undertakings as set out in Article 31'. This article states that 'natural gas undertakings, whatever their system of ownership or legal form, shall draw up, submit to audit and publish their annual accounts in accordance with the rules of national law concerning the annual accounts of limited liability companies adopted pursuant to the Fourth Council Directive 78/660/EEC of 25 July 1978'.

Natural gas undertakings shall, in their internal accounting, keep separate accounts for each of their transmission, distribution, LNG and storage activities as they would be required to do if the activities in question were carried out by separate undertakings, with a view to avoiding discrimination, cross-subsidisation and distortion of competition.

— What mechanisms does the Commission have to ensure compliance with this directive, given the lack of transparency of budget allocations to the Castor natural gas storage project?

Joint answer given by Mr Oettinger on behalf of the Commission
(5 July 2012)

National regulators play a key role in ensuring compliance with Directive 2009/72/EC ([1]). In particular for storage operators, as set out in Article 41 Directive 2009/72/EC, the regulators are responsible for monitoring unbundling rules, including unbundling of accounts, and monitoring and reviewing the access conditions to storages. Member States shall ensure that regulators are granted the powers enabling them to carry out the abovementioned duties.

In the case of Spain, the current legal framework under Royal Decree Law 13/2012 foresees an *ex-post* control mechanism, giving the Spanish energy regulator (CNE) the duties of monitoring the application of the unbundling rules and the power to enforce these provisions. CNE shall monitor compliance with the unbundling provisions and report annually on the activities it has carried out and consequently on the results of its activities ([2]). A violation of the unbundling rules is considered a severe infringement and CNE has the power to impose effective, proportionate and dissuasive penalties on the persons responsible for such violations.

The Commission is closely monitoring the Member States' compliance with the provisions included in the Third Internal Energy Market directives, in particular those regarding unbundling and transparency of accounts for storage operators.

([1]) OJ L 211, 14.8.2009.
([2]) Royal Decree Law 13/2012 amends accordingly additional provision 11.3.1 of Hydrocarbons Law 34/1998, BOE No 78, Pages 26917-26919.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005053/12
a la Comisión
Ana Miranda (Verts/ALE)
(16 de mayo de 2012)

Asunto: Proyecto Castor de almacenamiento de gas natural (4)

El proyecto Castor de almacenamiento de gas natural se califica como una actividad «potencialmente contaminante», afectando, además de Vinaròs, a otras poblaciones limítrofes como Alcanar. La empresa promotora ESCAL UGS señala que «en la fase de extracción, sin embargo, el gas contiene un alto porcentaje de azufre como consecuencia de los restos de petróleo presentes en el almacenamiento subterráneo, por lo que las emisiones de SO2 serán más elevadas», y añadiéndose que «en el caso de los incineradores no existe factor de emisión aplicable» y las emisiones de SO2 serán más elevadas de lo normal por el «arrastre» de restos de petróleo existentes en este yacimiento abandonado.

Es evidente, pues, que existe un impacto potencialmente grave por emisión de contaminantes a la atmósfera.

La Directiva 2004/35/CE instaura un sistema de responsabilidad objetiva e ilimitada, centrada en la recuperación de lo degradado, basada en los principios de prevención y de «quien contamina, paga». El principio de responsabilidad se aplica a los daños medioambientales y a las amenazas inminentes de tales daños cuando se produzcan por causa de actividades profesionales, cuando sea posible establecer un vínculo causal entre los daños y las actividades de que se trate. Las personas físicas o jurídicas que puedan verse adversamente afectadas por daños ambientales o las organizaciones cuyo objetivo es la protección del medio ambiente podrán pedir a las autoridades competentes actuar ante situaciones que pueden producir un daño. En este sentido, el proyecto Castor de almacenamiento de gas natural está calificado como una actividad potencialmente contaminante (EIA).

En el artículo 27 de la Directiva 2004/35/CE se señala que «los Estados miembros deben tomar medidas para animar a los operadores a utilizar seguros apropiados u otras formas de garantía financiera y para fomentar el desarrollo de instrumentos y mercados de garantía financiera, a fin de proteger de forma eficaz las obligaciones financieras que establece la presente Directiva».

— ¿Qué mecanismos tiene la Comisión para garantizar el cumplimiento de la citada Directiva, ante la elevada emisión de contaminantes a la atmósfera derivada de la actividad del proyecto Castor de almacenamiento de gas natural?

— ¿Qué medidas va a adoptar la Comisión al respecto?

Pregunta con solicitud de respuesta escrita E-005089/12
a la Comisión
Ana Miranda (Verts/ALE)
(16 de mayo de 2012)

Asunto: Proyecto Castor de Almacenamiento de Gas Natural (5)

El impacto que pudiera tener cualquier derrame accidental de hidrocarburos derivado de la actividad del proyecto Castor de almacenamiento de gas natural, teniendo en cuenta que en el depósito marino todavía hay una importante cantidad de petróleo de la antigua actividad de extracción que realizaba la empresa Shell en los años 70, podría afectar a zonas de especial protección del Delta del Ebro, donde conviven multitud de aves protegidas o en situación vulnerable. Un derrame accidental de hidrocarburos en la zona podría afectar a espacios de la Red Natura 2000, entre las que destaca el Delta del Ebro-Columbretes. Parte de este espacio se encuentra incluido en el Plan de espacios de interés natural y también está la Reserva Natural Parcial de la Punta de la Banya.

Según el estudio de impacto ambiental elaborado por la empresa promotora Escal UGS SL, el proyecto afecta a tres espacios incluidos en la Red Natura 2000 ubicados en Cataluña (Sección 6.3 páginas 4-16). Se trata de la Serra de Montsià, los Secanos de Montsià y el Delta del Ebro. Sin embargo, en el estudio de impacto ambiental no figura ningún estudio previo de la repercusión en todos estos espacios protegidos, aunque el impacto ambiental afecta, y muy claramente, a Cataluña.

El estudio de impacto ambiental no establecía medida preventiva, correctora ni indemnizatoria en caso de que este proyecto pudiera afectar a espacios de la Red Natura 2000 con prioridades de protección y restauración de hábitats en espacios naturales, recursos de pesca, fauna cinegética, etc., ni tampoco si afectara al río Sénia, incluido en el catálogo de zonas húmedas del País Valencià, como «ambientes fluviales y litorales asociados». Además, la Dirección General de Medio Natural de la Generalitat de Cataluña consideró que el principal espacio perteneciente a la Red Natura 2000 que podía resultar afectado era el LIC y ZEPA ES0000020 Delta del Ebro, incluido en la lista del Convenio Ramsar, el espacio de interés natural del Delta del Ebro, área de interés faunístico de Cataluña, la zona húmeda del inventario de zonas húmedas de Catalunya-Delta del Ebro-Punta de la Banya, y el parque natural y reservas naturales parciales la punta de la Banya y la Isla Sapinya (aprobados por Decreto 332/1986, de 23 de octubre, de la Generalitat de Catalunya).

— ¿Qué mecanismos tiene la Comisión para garantizar el cumplimiento de la mencionada Directiva, ante esta falta de medidas preventivas y de contención frente a posibles derrames accidentales procedentes de la actividad del proyecto Castor de almacenamiento de gas natural, una vez entre en funcionamiento?

— ¿Qué medidas piensa adoptar la Comisión para garantizar la protección de estos espacios altamente vulnerables?

Respuesta conjunta del Sr. Potočnik en nombre de la Comisión
(28 de junio de 2012)

La Directiva 2004/35/CE del Parlamento Europeo y del Consejo, de 21 de abril de 2004, sobre responsabilidad medioambiental en relación con la prevención y reparación de daños medioambientales ([1]), en su versión modificada ([2]), fue incorporada al Derecho interno español por la Ley 26/2007, de 23 de octubre, de Responsabilidad Medioambiental ([3]) y por el Real Decreto 2090/2008 de 22 de diciembre ([4]).

La Directiva sobre responsabilidad medioambiental se aplica a los daños medioambientales ocasionados por actividades profesionales. La Comisión puede confirmar que la legislación española mencionada es aplicable a la actividad en cuestión en caso de que esta, una vez iniciada, ocasione daños medioambientales significativos (a especies protegidas o hábitats naturales, a las aguas o a los terrenos).

En lo que se refiere al cumplimiento del Derecho de la UE en el contexto de los efectos probables del proyecto Castor sobre zonas Natura 2000, la Comisión ruega a Su Señoría se remita a sus numerosas respuestas a preguntas anteriores sobre este tema, entre otras la respuesta conjunta del Comisario Dimas, de octubre de 2009, a las preguntas escritas E-4260/09, E-4263/09, E-4262/09, E-4264/09, E-4265/09 y E-4261/09, así como la respuesta del Comisario Potočnik a la pregunta escrita E-11478/11 del diputado Raül Romeva i Rueda.

([1]) DO L 143 de 30.4.2004.
([2]) Por la Directiva 2009/31/CE del Parlamento Europeo y del Consejo, de 23 de abril de 2009, relativa al almacenamiento geológico de dióxido de carbono y por la que se modifican la Directiva 85/337/CEE del Consejo, las Directivas 2000/60/CE, 2001/80/CE, 2004/35/CE, 2006/12/CE, 2008/1/CE y el Reglamento (CE) n° 1013/2006 del Parlamento Europeo y del Consejo, DO L 140 de 5.6.2009.
([3]) BOE n° 255 de 24.10.2007, pp. 43229-43250.
([4]) BOE n° 308 de 23.12.2008, pp. 51626-51646.

(English version)

Question for written answer E-005053/12
to the Commission
Ana Miranda (Verts/ALE)
(16 May 2012)

Subject: Castor natural gas storage project (4)

The Castor natural gas storage project is regarded as a 'potentially contaminating' activity, affecting, in addition to Vinaròs, other neighbouring towns such as Alcanar. The company responsible for this project, ESCAL UGS, points out that 'in the extraction phase, however, the gas contains a high percentage of sulphur as a result of oil residues in the underground storage facility meaning that SO_2 emissions will be higher', adding that 'in the case of the incinerators there is no applicable emission factor' and the SO_2 emissions will be higher than normal due to 'leaching' of waste oil in this abandoned site.

It is therefore obvious that there is a potentially serious impact through the release of pollutants into the atmosphere.

Directive 2004/35/EC puts in place a system of objective and unlimited liability, focused on the recovery of what has been degraded, and based on the principles of prevention and 'the polluter pays'. The principle of liability is applied to environmental damage and the imminent threat of such damage when it is produced through professional activities, and when it is possible to establish a causal link between the damage and the relevant activities. Natural or legal persons who might be adversely affected by environmental damage and organisations whose aim it is to protect the environment can call on the relevant authorities to act in situations where damage may occur. In this regard, the Castor natural gas storage project is regarded as a potentially contaminating activity.

Article 27 of Directive 2004/35/EC states that 'Member States should take measures to encourage the use by operators of any appropriate insurance or other forms of financial security and the development of financial security instruments and markets in order to provide effective cover for financial obligations under this directive'.

— What mechanisms does the Commission have at its disposal to guarantee compliance with the abovementioned Directive given the high emission of pollutants into the atmosphere from the activity of the Castor natural gas storage project?

— What measures does the Commission intend to adopt in relation to this matter?

Question for written answer E-005089/12
to the Commission
Ana Miranda (Verts/ALE)
(16 May 2012)

Subject: Castor Natural Gas Storage Project (5)

The potential impact of any accidental spillage of hydrocarbons from the activity of the Castor natural gas storage project, given the existence of important quantities of oil in the marine deposit from the former extraction activity carried out by Shell in the 1970s, could affect Special Protection Areas of the Ebro Delta, where there are many protected or vulnerable birds. An accidental spillage of hydrocarbons in this zone could potentially affect areas of the Natura 2000 network, and in particular the Ebro-Columbretes Delta. Part of this area is within the Plan for Areas of Natural Interest and there is also the Partial Natural Reserve of Punta de la Banya.

According to the environmental impact assessment carried out by the company responsible for the project, Escal UGS SL, the project affects three areas included in the Natura 2000 network in Catalonia (Section 6.3 pages 4-16). These are: Serra de Montsià, Secanos de Montsià and the Ebro Delta. Nonetheless, the environmental impact assessment does not include any prior study of the impact on all these protected areas, although there is, very clearly, an environmental impact on Catalonia.

The environmental impact assessment did not establish any preventive, corrective or compensatory measures in relation to the project's effect on Natura 2000 sites important for the protection and restoration of habitats in natural areas, fishing and game resources, etc., or its effect on the River Sénia, which is included in the Wetlands Catalogue of the Valencia region under 'river environments and related coastal areas'. Furthermore, the Catalan Government's Directorate General of the Environment considered that the main parts of the Natura 2000 network likely to be affected were the Ebro Delta SCI and SPA ES0000020, which is included on the Ramsar Convention list; the Ebro Delta area of natural interest, listed as a Catalan area of wildlife interest; the Delta del Ebro-Punta de la Banya wetland listed in the inventory of wetlands of Catalunya, and the natural park and partial natural reserves of Punta de la Banya and Isla Sapinya (approved by decree 332/1986, of 23 October, of the Government of Catalonia).

— What mechanisms does the Commission have at its disposal with which to ensure compliance with this directive, given this lack of preventive and containment measures for potential accidental spillages caused by the activities of the Castor natural gas storage project once it becomes operational?

— What measures does the Commission intend to take to ensure the protection of these extremely vulnerable areas?

Joint answer given by Mr Potočnik on behalf of the Commission
(28 June 2012)

Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remediation of environmental damage ([1]), as modified ([2]) has been transposed into Spanish Law by Law 26/2007 of 23 October on Environmental Liability ([3]) and Royal Decree 2090/2008 of 22 December ([4]).

The Environmental Liability Directive applies to environmental damage caused by occupational activities. The Commission can confirm that the aforementioned Spanish legislation is applicable to the concerned activity in case the activity once taken up will cause significant environmental damage (damage to protected species or natural habitats, damage to water or damage to land).

With regard to the issues of compliance with EC law in the context of likely effects of the Castor project on Natura 2000 areas, the Commission would like to refer the Honourable Member to the many previous answers given on this issue, among others, in the joint answer given by Commissioner Dimas in October 2009 to WQs E-4260/09, E-4263/09, E-4262/09, E-4264/09, E-4265/09, E-4261/09, and also in the answer given by Commissioner Potočnik to WQ E-11478/11 by Raül Romeva i Rueda.

([1]) OJ L 143, 30.4.2004.
([2]) By Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006, OJ L 140, 5.6.2009.
([3]) Spanish Official Journal, BOE No 255 of 24.10.2007, p. 43229/43250.
([4]) Spanish Official Journal, BOE No 308 of 23.12.2008, p. 51626/51646.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005055/12
à Comissão (Vice-Presidente / Alta Representante)
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: VP/HR — Estratégia Europeia para a Região Atlântica

O Atlântico é hoje uma das fronteiras da Europa e foi uma das mais importantes vias de comunicação do continente Europeu com o mundo. A periferia de que a região Atlântica hoje se ressente face ao centro europeu pode e deve ser colmatada com a perceção de que o Atlântico e as relações com os parceiros mais importantes que o marginam, como o Brasil e os Estados Unidos da América, podem potenciar a reafirmação de uma centralidade geoestratégica entretanto preterida face à emergência dos países asiáticos.

A importância da região justificou plenamente o estabelecimento de uma Estratégia Europeia que, fiel ao papel historicamente reservado ao oceano que lhe dá o nome, não se feche sobre os Estados-Membros e antes saiba articular-se com essas outras margens.

Neste tocante, destaco o papel relevantíssimo e insubstituível das regiões ultraperiféricas para o seu sucesso. Estas devem continuar a merecer um apoio particular por parte da União que permita superar os custos da insularidade e potenciar os contactos externos.

Assim, pergunto à Vice-presidente/Alta Representante:

— Que avaliação faz das relações transatlânticas? Quais os seus principais desafios e oportunidades?

— Como pretende contribuir para reafirmar a centralidade geoestratégica do Oceano Atlântico?

— Que papel reserva para as regiões ultraperiféricas neste tocante?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(10 de Julho de 2012)

A região atlântica representa uma prioridade política e económica para a UE, que assenta nas nossas parcerias estratégicas com o Brasil, o Canadá, o México e os Estados Unidos.

A política de cooperação externa da UE com os EUA em todo o mundo é excelente e a UE mantém um diálogo político ativo com os EUA e o Canadá sobre o hemisfério ocidental. A cimeira UE-Brasil de 2011 confirmou o nosso compromisso mútuo de reforçar as relações políticas e económicas e a UE dispõe ainda de uma parceria construtiva com o México em questões multilaterais. Estão em curso negociações para aprofundar as relações entre a UE e o Canadá no âmbito do Acordo-Quadro.

A UE está a envidar esforços para explorar todas as potencialidades da economia transatlântica: está a negociar um acordo económico e comercial global com o Canadá enquanto procura uma forma de promover o comércio e o investimento entre a UE e os EUA, incluindo a possibilidade de um futuro acordo comercial entre a UE e os EUA, através do Grupo de Alto Nível UE-EUA para o Emprego e o Crescimento. A UE já tem acordos de associação com o México e o Chile e, em breve, com a América Central. Tem também acordos comerciais com a Colômbia, o Peru e as Caraíbas e está empenhada na celebração de um acordo de associação global ambicioso e equilibrado com o Mercosul.

No que diz respeito às regiões ultraperiféricas (RUP), a Comissão adotou uma comunicação em 20 de junho de 2012 ([1]) para estabelecer uma estratégia renovada de desenvolvimento das regiões ultraperiféricas, sublinhando nomeadamente que as RUP devem funcionar como postos avançados da UE nas zonas respetivas, não só através do desenvolvimento do seu próprio potencial, mas também contribuindo com o seu valor acrescentado para a UE. Define ainda um conjunto de ações a fim de alcançar este objetivo. Neste contexto, a União Europeia terá igualmente em consideração as RUP no desenvolvimento das relações políticas e económicas com a maior parte dos países terceiros acima referidos, sendo estes parceiros fundamentais da UE na região do Atlântico.

([1]) COM(2012)287 final de 20.6.2012.

(English version)

Question for written answer E-005055/12
to the Commission (Vice-President/High Representative)
Diogo Feio (PPE)
(16 May 2012)

Subject: VP/HR — European strategy for the Atlantic Region

Today the Atlantic forms one of Europe's frontiers whereas it used to be one of the most important communication channels between the European continent and the rest of the world. The Atlantic region now feels itself to be peripheral compared to central Europe. This can and must be addressed by realising that the Atlantic, and the relationship with the most important partners that border it, such as Brazil and the United States, can enable it to reaffirm its geostrategic importance, which has been marginalised by the emergence of the Asian nations.

The region's importance fully justifies the development of a European Strategy, which, in line with the role the ocean has played in the region which bears its name, does not stop at the borders of Member States and, as in the past, is able to work together with these other shores.

In this respect, I emphasise the highly relevant and irreplaceable role the outermost regions can play in its success. These need continuing extra support from the European Union to help them overcome the disadvantages of insularity and make the most of their external contacts.

I therefore ask the Vice-President/High Representative:

— What is her assessment of transatlantic relations? What are their main challenges and opportunities?

— How does she propose to reinforce the Atlantic Ocean's geostrategic centrality?

— What role does she see for the outermost regions in this respect?

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

The Atlantic region represents a political and economic priority for the EU, underpinned by our strategic partnerships with Brazil, Canada, Mexico and the United States.

EU foreign policy cooperation with the US around the globe is excellent, and the EU has an active political dialogue with both the US and Canada on the Western Hemisphere. The 2011 EU-Brazil Summit confirmed our mutual commitment to further strengthening political and economic relations, while the EU enjoys with Mexico a constructive partnership on multilateral issues. Negotiations are ongoing to reinforce EU-Canada relations via an upgraded Framework Agreement.

The EU is working to tap the full potential of the transatlantic economy, and the EU is negotiating a Comprehensive Economic and Trade Agreement with Canada while exploring how to boost EU-US trade and investment, including the possibility of a future trade agreement, via the EU-US High-Level Working Group on Jobs and Growth. The EU already has Association Agreements with Mexico, Chile, and shortly with Central America, as well as trade agreements with Colombia, Peru and the Caribbean, and is committed to concluding a comprehensive, ambitious and balanced association agreement with Mercosur.

As regards the outermost regions in particular (ORs), the Commission adopted a communication on 20 June 2012 ([1]) to set out a renewed strategy of development for the ORs underlining *inter alia*, that the ORs should serve as key outposts of the EU in their respective regional areas by not only developing the ORs' own potential, but also bringing their full added value to the EU. It also outlines a set of actions to achieve this goal. In this context the EU will take into account the ORs in the development of the political and economic relations with most of the third countries cited above, which are key partners for the EU in the Atlantic region.

([1]) COM(2012)287 final, 20.6.2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005056/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: UE-Rússia: intercâmbio de jovens, estudantes e profissionais

Ivan Krastev, Mark Leonard e Andrew Wilson em «What does Russia think?» são particularmente claros quanto a um dos problemas que afetam a Europa quando esta tenta interagir com a Rússia: «Se queremos influenciar e lidar com a Rússia, temos que a compreender. Mas se queremos compreender a Rússia, devemos interessar-nos por ela.»

De facto, parece não existir um genuíno interesse europeu pela Rússia ou existir apenas um interesse reativo e de comparação face aos nossos próprios padrões, que, apesar da sua importância, não devem fazer-nos esquecer a importância geoestratégica do maior país do mundo, nem a necessidade de estreitar laços interpessoais concretos.

Assim, pergunto à Comissão:

— Tem conhecimento de quantos jovens e estudantes europeus se encontram a estudar na Rússia? E quantos profissionais europeus trabalham naquele país e vice-versa?

— Está disponível para promover um maior intercâmbio entre cidadãos dos Estados-Membros e russos?

— E para procurar auxiliar os eventuais esforços russos de divulgação da sua cultura — parte importante e integrante da identidade europeia — na União?

Resposta dada por Androulla Vassiliou em nome da Comissão
(18 de Julho de 2012)

Os últimos dados sobre estudantes da UE em instituições de ensino superior russo datam de 2009/2010. Esses dados mostram que o número total de estudantes da UE nessas instituições ascendia a 8 475. Em anexo, podem consultar-se ainda dados por país e relativos a anos anteriores.

Por sua vez, os dados sobre o fluxo de cidadãos russos para a UE não são totalmente claros. No entanto, em 2010, cerca de 12 000 cidadãos russos receberam uma autorização de residência em Estados-Membros da UE para efeitos de ensino e cerca de 15 900 para efeitos de emprego.

A UE já faz a promoção dos contactos interpessoais, através dos seus programas de cooperação no domínio do ensino superior: Tempus, Erasmus Mundus e Marie Curie, que são ações que promovem o intercâmbio de estudantes, académicos e investigadores e a sua mobilidade nos dois sentidos; através do programa Juventude em Ação, que promove a mobilidade e a cooperação dos jovens voluntários e animadores de juventude; e através do programa Jean Monnet, que visa promover os estudos europeus e a integração europeia.

Além disso, estão em curso os trabalhos sobre a aplicação das medidas comuns com vista à isenção de vistos de viagem; a UE e a Rússia estão a finalizar a revisão do acordo UE-Rússia em matéria de isenção de vistos; e, por último, a UE e a Rússia lançaram um diálogo em matéria de migrações no ano passado.

Relativamente à promoção da cultura russa, em 2005, a UE e a Rússia concordaram com a criação de um espaço comum em matéria de cultura. Desde então, as duas partes têm trabalhado para melhorar o conhecimento e o entendimento mútuos, concedendo especial atenção ao reforço da identidade europeia e às possibilidades de sinergia.

(English version)

Question for written answer E-005056/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: EU-Russia: exchange between young people, students and professionals

In *What does Russia think?*, Ivan Krastev, Mark Leonard and Andrew Wilson are particularly clear on one of the problems facing Europe in its interactions with Russia: 'If we want to influence and deal with Russia, we need to understand it. But if we want to understand Russia, we should be interested in it'.

In fact, there does not seem to be genuine European interest in Russia, or even a reactive interest in comparing it to our own standards. Despite their importance, these standards should not make us forget the geostrategic importance of the largest country in the world nor the need to strengthen concrete interpersonal ties.

I therefore ask the Commission:

— Does it know how many young people and students from the EU are studying in Russia? How many professionals from the EU are working there and vice versa?

— Is it willing to foster a greater exchange between EU and Russian citizens?

— Is it willing to help Russians in their efforts to propagate their culture — an important and integral part of European identity — in the EU?

Answer given by Ms Vassiliou on behalf of the Commission
(18 July 2012)

The latest data on EU students studying in Russian Higher Education Institutions is for 2009/2010. It shows that the total number of EU students studying there was 8 475. The breakdown by country, plus data for earlier years, is annexed.

Data on flows of Russian citizens into the EU are not fully clear. However, it would appear that in 2010 around 12 000 Russian citizens received a residence permit in EU Member States for education purposes and around 15 900 for employment purposes.

The EU is already promoting people to people contacts through its higher education cooperation programmes: Tempus, Erasmus Mundus and Marie Curie Actions, which promote exchange and mobility of students, academics and researchers (in both directions); through the Youth in Action programme which promotes the mobility and cooperation of young people, volunteers and youth workers; and the Jean Monnet programme, which promotes European studies and integration.

In addition, work is ongoing on the implementation of the 'Common Steps towards visa-free travel'; the EU and Russia are finalising the upgraded EU-Russia Visa Waiver Agreement; finally, the EU and Russia launched a Migration Dialogue last year.

On the promotion of the Russian culture, the EU and Russia agreed in 2005 to create a common space on culture. Since then, the two sides have been working to improve mutual knowledge and understanding, with a special focus on strengthening the European identity and opportunities for synergy.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005057/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Europeana — balanço e perspetivas

Mesmo nos períodos em que foi mais nítida a divisão, e mesmo a hostilidade, entre os estados do continente, a cultura e a ciência europeias sempre tiveram o condão de ultrapassar esses limites e de se estender por todo o espaço que hoje integra a União e ainda mais além.

Neste particular, é de elementar justiça realçar o papel das universidades que, tendo origem religiosa, contribuíram decisivamente para religar as partes desavindas daquilo que chegou a ser a *respublica Christiana* e relembrar todos aqueles que foram capazes de transpor as divisões e afirmar o seu pensamento em todo o continente e, daí, para o mundo.

Como português, herdeiro de uma língua e cultura europeias que se espalharam pelo mundo, não posso deixar de apoiar os esforços desenvolvidos no sentido de tornar a cultura e ciência europeias mais visíveis e acessíveis a todos os que delas quiserem usufruir. A Europeana é, a esse título, herdeira da melhor tradição europeia.

Assim, pergunto à Comissão:

— Como avalia o atual estado do portal e do projeto Europeana?

— Quantos visitantes «on-line» já teve? Em quantos projetos participa? Qual o seu orçamento? Que dificuldades enfrenta?

— Como antevê o futuro da Europeana? Que desafios lança aos Estados-Membros no que toca a este assunto?

— Que iniciativas tomou ou prevê tomar para divulgar este veículo de conhecimento e difundir a sua utilização?

Resposta dada por Neelie Kroes em nome da Comissão
(22 de Junho de 2012)

O projeto Europeana constitui hoje uma montra excecional da cultura europeia, que permite aceder, de forma única e plurilingue, a mais de 23 milhões de rubricas digitais de mais de 2 000 fornecedores. O conteúdo profícuo, que inclui livros em papel, textos e registos de arquivo, material audiovisual e quadros e esculturas, atrai atualmente mais de quatro milhões de utilizadores individuais por ano. A Fundação Europeana é membro de seis projetos cofinanciados pelo Programa de Apoio à Política de Tecnologias da Informação e da Comunicação. O financiamento atinge 4,9 milhões de euros por ano, 80 % dos quais provenientes de projetos e os restantes de Estados-Membros.

Segundo o relatório do «Comité des Sages» ([1])

A estratégia da Comissão está definida na proposta relativa ao CEF ([2]), que assegura a implantação sustentável do serviço Europeana e promove a reutilização criativa de materiais culturais, e na Recomendação sobre digitalização ([3]), que insta os Estados-Membros a acelerar os esforços de digitalização e a fomentar a criação de parcerias público-privadas para o efeito.

O projeto Europeana é promovido entre a comunidade do património cultural, em vários agrupamentos que praticam a partilha de conhecimento. O projeto «EAwareness» ([4]) ([5]).

([1]) (http://ec.europa.eu/information_society/activities/digital_libraries/doc/refgroup/final_report_cds.pdf).
([2]) (http://ec.europa.eu/budget/reform/documents/com2011_0665_en.pdf).
([3]) (http://ec.europa.eu/information_society/activities/digital_libraries/doc/recommendation/recom28nov_all_versions/en.pdf).
([4]) (http://pro.europeana.eu/web/europeana-awareness).
([5]) (http://www.europeana1914-1918.eu/en).

(English version)

Question for written answer E-005057/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Europeana — stocktaking and future prospects

Even during periods when divisions and even hostility between European countries were most evident, European culture and science have always been able to cross those borders and spread throughout and beyond the area that today makes up the EU.

It is more than fair to highlight the role of universities. With their religious origins, they played a decisive role in reconnecting the warring parties of what became the *res publica christiana* and in remembering all those who were able to rise above divisions and make their ideas heard throughout the continent and, from there, the world.

As a Portuguese and heir to a language and culture that has spread around the world, I support the efforts that are being made to make European culture and science more visible and accessible to those who would like to enjoy them. In that respect, Europeana is heir to the best European tradition.

I would therefore ask the Commission:

— How does it evaluate the current state of the Europeana portal and project?

— How many online visitors has it had? In how many projects is it participating? What is its budget? What difficulties does it face?

— How does the Commission view the future of Europeana? What challenges does it present the Member States with regard to this matter?

— What initiatives has it taken or will it take to market this knowledge-sharing platform and to make its use more widespread?

Answer given by Ms Kroes on behalf of the Commission
(22 June 2012)

Europeana today is a unique showcase for European culture by providing a single, multilingual access point to more than 23 million digital items from over 2000 providers. This rich content, covering printed books, archival texts and records, audiovisual material, paintings and sculpture, currently attracts over 4 million individual users per year. Europeana Foundation is a partner in 6 projects co-funded through the ICT PSP programme. Its funding is EUR 4.9 million per year, 80 % of which is derived from projects while the rest is received from individual Member States.

Increasing access to and innovative uses of public domain material, stimulating availability of in-copyright items, positioning itself as *the* reference point to Europe's culture online are among Europeana's key challenges, as identified by the 'Comité des Sages' ([1]) report.

Commission's strategy is laid down in the CEF ([2]) proposal, which ensures a sustainable deployment of the Europeana service and promotes creative re-use of cultural material, and in a recommendation on digitisation ([3]), which calls upon the Member States to step-up digitisation efforts and encourage public-private partnerships for that purpose.

Europeana is promoted among the cultural heritage community through various knowledge-sharing communities of practice. The wider public is targeted by the EU-funded 'EAwareness' project ([4]) which will cover the entire EU within 3 years. In addition to raising awareness, it engages users in new ways of generating and re-using cultural content, a good example of which is the WWI initiative ([5]).

([1]) http://ec.europa.eu/information_society/activities/digital_libraries/doc/refgroup/final_report_cds.pdf
([2]) http://ec.europa.eu/budget/reform/documents/com2011_0665_en.pdf
([3]) http://ec.europa.eu/information_society/activities/digital_libraries/doc/recommendation/recom28nov_all_versions/en.pdf
([4]) http://pro.europeana.eu/web/europeana-awareness.
([5]) http://www.europeana1914-1918.eu/en.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005058/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Parceria Euro-Mediterrânica

Historicamente, o mar Mediterrâneo uniu mais do que separou. As culturas que se criaram em seu redor constituíram o núcleo daquilo que foi a civilização ocidental e ambas as margens contribuíram para forjar identidades com afinidades que ainda hoje são evidentes.

Qualquer observador isento dirá que a Parceria Euro-Mediterrânica não tem progredido tanto quanto seria desejável e que ainda muito há a fazer para que esta adquira uma verdadeira forma e um conteúdo concreto e produtivo. Os recentes problemas na margem sul do Mediterrâneo podem constituir uma oportunidade para estreitar este relacionamento.

Assim, pergunto à Comissão:

— Como avalia o atual estado da Parceria Euro-Mediterrânica?

— Como antevê o seu futuro?

— Que iniciativas tomou ou prevê tomar para estreitar o relacionamento entre os Estados e os povos de ambas as margens do Mediterrâneo?

Resposta dada por Štefan Füle em nome da Comissão
(3 de Julho de 2012)

A resposta da União Europeia a acontecimentos históricos nos países vizinhos do Sul é orientada pelos princípios estabelecidos na nova Política Europeia de Vizinhança. Neste contexto, a UE identificou uma série de objetivos nos domínios das reformas políticas, do crescimento económico, da mobilidade e da cooperação setorial.

A UE aumentou substancialmente os fundos disponíveis para os parceiros empenhados em implementar reformas. Subvenções adicionais que ascendem aos 1 000 milhões de euros estão a ser disponibilizadas para a política de vizinhança. Neste contexto, foi adotado em setembro de 2011 o programa Spring, com um orçamento de 390 milhões de euros de fundos adicionais para 2011 e 2012. Os limites máximos para a concessão de empréstimos do BEI aos países parceiros foram aumentados em 1 000 milhões de euros. O mandato do BERD foi alargado aos países do Mediterrâneo do Sul e procurou-se iniciar negociações sobre zonas de comércio livre abrangentes e aprofundadas com o Egito, a Jordânia, Marrocos e a Tunísia a fim de aumentar a integração económica com a UE. A UE aumentou o apoio financeiro a organizações da sociedade civil, nomeadamente através da Fundação Anna Lindh e do fundo de apoio à sociedade civil.

A UE também tenciona continuar a promover a cooperação regional. Assumiu, em março de 2012, a copresidência setentrional da União para o Mediterrâneo. Neste contexto, a Comissão pretende relançar o diálogo setorial em domínios como a energia, os transportes, a agricultura e o comércio. Continuará a apoiar o Secretariado da União para o Mediterrâneo e os projetos da União para o Mediterrâneo que possam ter um valor acrescentado.

A Comissão e a Alta-Representante apresentaram, em 15 de maio de 2012 ([1]), um roteiro pormenorizado para a execução das políticas da UE no Mediterrâneo do Sul. A União Europeia está igualmente a desenvolver relações políticas mais estreitas e a melhorar a cooperação estrutural com intervenientes regionais como a Liga dos Estados Árabes e procura aumentar as sinergias com o Fórum 5+5.

([1]) JOIN(2012)14 final e SWD(2012)121 final.

(English version)

Question for written answer E-005058/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Euro-Mediterranean Partnership

Historically, the Mediterranean Sea united rather than divided. The cultures that emerged on its shores constituted the nucleus of what was Western civilisation, and both sides contributed to forging identities with clear affinities that are still apparent today.

Any impartial observer would say that the Euro-Mediterranean partnership has not made as much progress as is desirable, and that there is still much to do before it really takes shape and acquires real productive content. The recent problems on the southern shores of the Mediterranean may provide an opportunity to strengthen this relationship.

I would therefore ask the Commission:

— How does it evaluate the current state of the Euro-Mediterranean Partnership?

— How does it view its future?

— What initiatives has it taken or is it going to take to strengthen the relationship between the countries and the populations on both sides of the Mediterranean?

Answer given by Mr Füle on behalf of the Commission
(3 July 2012)

The EU response to the historical events in the Southern Neighbourhood is guided by the principles set out in the new European Neighbourhood Policy. In this context, the EU has identified a number of objectives in the areas of political reforms, economic growth, mobility and sectoral cooperation.

The EU substantially increased funding available to the partners committed to reforms. EUR 1 billion of additional grant funding is being made available for the Neighbourhood. In this context, the *SPRING* programme with a budget of EUR 390 million in additional funds for 2011 and 2012 was adopted in September 2011. Lending ceilings to partner countries from the EIB were increased by EUR 1 billion. The EBRD's mandate has been enlarged to the Southern Mediterranean countries and negotiations on Deep and Comprehensive Free Trade Areas were offered to Morocco, Jordan, Egypt and Tunisia in order to increase economic integration with the EU. The EU has increased financial support to civil society organisations including through the Anna Lindh foundation and the civil society facility.

The EU intends also to continue to foster regional cooperation. It has taken over the Northern co-presidency of the Union for the Mediterranean in March 2012. In this context, the Commission intends to relaunch sectoral dialogue in fields such as energy, transport, agriculture and trade. It will continue to support the UfM secretariat and UfM projects that can have a concrete added value.

A detailed roadmap for the implementation of EU policies in the Southern Mediterranean was presented on 15 May 2012 ([1]) by the Commission and the High Representative. The EU is also developing closer political relations and more structural cooperation with regional actors such as the League of Arab States and seeks to increase synergies with the 5+5 forum.

([1]) JOIN(2012)14 finaland SWD(2012)121 final.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005059/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Línguas europeias de comunicação universal

Em novembro de 2006 o Parlamento aprovou uma resolução no qual era reconhecida «a importância estratégica das línguas europeias de comunicação universal» — inglês, espanhol, português e francês, por ordem do número de falantes —"como veículo de comunicação e como forma de solidariedade, cooperação e investimento económico" e a Comissão Europeia reconheceu em 2008 que estas línguas são «uma ponte importante entre os povos e as nações das diferentes regiões do mundo».

No momento em que assistimos aos primeiros anos de funcionamento do Serviço Europeu de Ação Externa, é fundamental que este tire o máximo partido da aptidão comunicacional das línguas europeias globais referidas. O regime linguístico por que se rege dirá se efetivamente aposta na sua vertente externa e de comunicação com o exterior ou se persistirá nos erros de funcionamento patentes na maioria das instituições europeias.

Assim, pergunto à Vice-presidente / Alta Representante:

— Está disponível para adotar as principais línguas europeias de comunicação universal como línguas de trabalho? Que motivos presidem à sua decisão?

— Não considera que a sua adoção permite ao Serviço Europeu de Ação Externa tirar o máximo partido da sua aptidão comunicacional?

— Tendo em conta a importância estratégica que lhe foi amplamente reconhecida, que lugar reserva a estas línguas?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(8 de Agosto de 2012)

O regime linguístico da UE foi estabelecido pelo Regulamento 1/1958 e quaisquer alterações a este regulamento exigem uma decisão unânime do Conselho. O SEAE está vinculado por este regulamento e totalmente empenhado na sua aplicação.

O SEAE considera que a diversidade linguística da Europa constitui parte integrante da sua identidade cultural e política e envida todos os esforços necessários para comunicar ativamente com os cidadãos na sua própria língua.

As propostas de atos jurídicos elaboradas pelo SEAE, que devem ser apresentadas a outras instituições, são traduzidas em todas as línguas oficiais da UE (em conformidade com as atuais obrigações jurídicas). Além disso, às questões colocadas ao SEAE pelos cidadãos é dada resposta na mesma língua da pergunta (em total respeito do artigo 2.° do Regulamento 1/58 do Conselho, bem como do artigo 20.°, n.° 2, alínea d), e do artigo 24.°, quarto parágrafo, do Tratado sobre o Funcionamento da União Europeia).

Nos seus contactos com países terceiros, e através da sua rede de 141 delegações em todo mundo, o SEAE utiliza, sempre que possível e adequado, a língua local, nomeadamente para comunicar com os cidadãos. Neste contexto, as línguas europeias de difusão mundial, tal como definido na Resolução 2006/2083(INI) do Parlamento, desempenham um papel importante nos países em que são línguas oficiais do país de acolhimento.

(English version)

Question for written answer E-005059/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: European world languages

In November 2006, the European Parliament adopted a resolution (2006/2083(INI)) recognising 'the strategic importance of European World Languages as a communication vehicle and as a means of solidarity, cooperation and economic investment' (specifically, English, Spanish, Portuguese, and French, listed according to the number of speakers). In 2008, the European Commission acknowledged that these languages constitute 'an important link between peoples and nations of different regions in the world'.

After several years of operation, it is vital that the European External Action Service (EEAS) takes full advantage of the communicational ability afforded by these European world languages. The language regime that governs the EEAS will determine whether it effectively invested in its external dimensions and communication or whether it continues to make the same procedural errors common in the majority of EU institutions.

In view of this, I ask the Vice-President/High Representative:

— Are you willing to adopt the major European world languages as working languages? What are the reasons for your decision?

— Do you believe that by adopting them, the EEAS will be able to take maximum advantage of their communicational ability?

— Bearing in mind the widely recognised strategic importance of these languages, what position would they occupy?

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

The language regime of the EU was laid down in Regulation 1/1958 and any change to this regulation requires a unanimous decision by the Council. The EEAS is bound by this regulation and is fully committed to its implementation.

The EEAS believes that Europe's linguistic diversity is an integral part of its cultural and political identity and is making all necessary effort to communicate actively with citizens in their own language.

Proposals for legal acts produced by the EEAS to be submitted to other institutions are translated into all official EU languages (in line with existing legal obligations). Moreover, inquiries from citizens to the EEAS are replied to in the same language as the inquiry (in full respect of the provisions of Article 2 of Council Regulation 1/58, and Articles 20 (2)(d) and 24 (4) of the Treaty on the Functioning of the European Union).

In its contacts with third countries, and through its network of 141 Delegations around the world, the EEAS uses whenever possible and appropriate, local languages, in particular to communicate with citizens locally. In this context, European World Languages as defined in the Parliament's resolution 2006/2083(INI) play a significant role in coutnries where they are official languages of the host country.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005061/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Relações UE-Macau: ponto da situação

Pergunto à Comissão:

— Como caracteriza as relações da União Europeia com a Região Administrativa Especial de Macau?

— Que balanço faz da cooperação UE-Macau?

— Quais são as prioridades e principais apostas da União Europeia neste domínio?

— Atendendo às suas ligações históricas com a Europa, admite apoiar iniciativas visando a manutenção e divulgação das línguas e culturas europeias na Região e a preservação do legado histórico comum?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(5 de Julho de 2012)

As relações da União Europeia com Macau baseiam-se em valores comuns, num importante património europeu e em interesses partilhados nos domínios da economia, ambiente, educação e cultura. As atividades de cooperação existentes incluem o programa de cooperação jurídica, um programa de formação em curso para intérpretes de Macau, várias atividades no âmbito do programa de informação económica da União Europeia para Hong Kong e Macau (EUBIP), bem como cooperação em questões fiscais.

Em 29 de junho de 2011, foi rubricado o acordo horizontal entre Macau e a União Europeia sobre certos aspetos dos serviços aéreos. Esta etapa marcou um reforço das relações bilaterais no domínio dos transportes aéreos.

No que diz respeito ao comércio entre a UE e Macau, os fluxos bilaterais do comércio de mercadorias modificaram-se desde 2008, exportando a UE mais para Macau do que inversamente. Em 2011, a UE foi o segundo maior fornecedor das importações de Macau após a China, representando 24 % do total das suas importações. Os investimentos e outras atividades empresariais estão a progredir.

A UE aumentou seus esforços de diplomacia pública a fim de promover os contactos entre as populações e promover intercâmbios educativos incluindo através do programa Erasmus Mundus. Em 2012/2015 decorrerá em Macau um programa académico da UE com o objetivo de desenvolver atividades de sensibilização para reforçar a visibilidade da UE e reforçar a cooperação académica com as instituições de ensino superior da UE.

A UE reconhece que a execução da política regida pelo princípio «um país, dois sistemas» em Macau foi satisfatória em 2011, em conformidade com a Lei Básica. Os direitos e as liberdades fundamentais da população de Macau foram respeitados. A UE espera assistir a novos progressos no sentido de uma maior democracia em Macau, no quadro da sua Lei Básica e dos desejos da população.

(English version)

Question for written answer E-005061/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: EU-Macao relations: the state of play

I ask the Commission:

— How does it describe relations between the European Union and the Special Administrative Region of Macao?

— What is its assessment of EU-Macao cooperation?

— What are the EU's chief priorities and concerns in this area?

— Regarding its historical links with Europe, does the EU support initiatives to maintain and promote European languages and cultures in the region and to preserve the shared historical legacy?

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

The EU's relations with Macao are based on common values, a major European heritage and shared interests in economy, environment, education and culture. Existing cooperation activities include the Legal Cooperation Programme, an ongoing training programme for Macao interpreters, various activities under the EU Business Information Programme for Hong Kong and Macao (EUBIP) as well as cooperation in tax matters.

On 29 June 2011, the Horizontal Agreement between Macao and the European Union on Certain Aspects of Air Services was initialled. This marked a strengthening in bilateral relations in the field of air transport.

Regarding EU-Macao trade, bilateral merchandise trade flows have reversed since 2008, with the EU exporting more to Macao than vice versa. In 2011, the EU was Macao's second largest import supplier after China, accounting for 24 % of its total imports. Investment and other business activities are on the increase.

The EU has increased its public diplomacy efforts to enhance people-to-people contacts and promote educational exchanges including through the Erasmus Mundus programme. An EU Academic Programme will run in Macao during 2012-2015 with the aim of developing outreach activities to enhance the visibility of the EU and of strengthening academic cooperation with EU higher education institutions.

The EU acknowledges the satisfactory implementation of the 'one country, two systems' policy in Macao during 2011 in accordance with its Basic Law. The fundamental rights and freedoms of Macao's people have been respected. The EU hopes to see further progress towards greater democracy in Macao in the framework of its Basic Law and the wishes of the people of Macao.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005062/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Bancos Alimentares Europeus — apoio europeu

Em 9 de setembro de 2011, em resposta à minha pergunta escrita E-006772/2011, o senhor comissário John Dalli afirmou que «embora existam muitos exemplos de programas de redistribuição alimentar nos Estados-Membros, os referidos programas continuam a ser predominantemente de pequena escala, existindo, assim, uma oportunidade concreta de aumentar essas atividades. A Comissão está em contacto com a "European Federation of Food Banks" e tenciona visitar o "Brussels Food Bank" no âmbito do "EU Food Safety Day on Food Waste", em 15 de setembro de 2011.»

Assim, pergunto à Comissão:

— Que conclusões retirou dos contactos efetuados e das visitas realizadas?

— Que sugestões recolheu e quais pretende pôr em prática?

— Em que medida, e com que meios, crê ser possível aumentar concretamente as atividades de redistribuição alimentar na União Europeia?

— De que forma pretende envolver-se nesse aumento e no apoio à ação meritória dos Bancos Alimentares Europeus?

Resposta dada por John Dalli em nome da Comissão
(20 de Agosto de 2012)

A Comissão está a analisar, em conjunto com as partes interessadas, com os Estados-Membros e com peritos, a melhor forma de reduzir o desperdício de alimentos sem comprometer a segurança alimentar. A redistribuição alimentar constitui um importante aspecto deste trabalho.

Está previsto que o Programa de Distribuição de Géneros Alimentícios às Pessoas mais Necessitadas da União termine em 2013 ([1]). A Comissão trabalha actualmente numa proposta para um novo regime de ajuda às pessoas necessitadas destinado a vigorar no período seguinte. Neste contexto, estão a ser estudadas diferentes questões problemáticas, assim como a criação de sinergias com actividades europeias e nacionais nesta área.

No que se refere às outras fontes de recolha para os bancos alimentares (retalhistas, indústria, doações privadas) parece haver um problema com a interpretação da «data de durabilidade mínima» constante dos rótulos (menção «*best before …*», «consumir de preferência antes de …»). Nalguns Estados-Membros, é proibido vender ou dar alimentos após esta data de durabilidade mínima. A Comissão encetou o debate com os Estados-Membros a fim de esclarecer o significado da «data de durabilidade mínima» constante dos rótulos dos alimentos e clarificar a distinção entre esta e a «data-limite de consumo» (menção «*use by …*», «consumir até …»).

Além disso, a Comissão pretende promover a troca de boas práticas em matéria de iniciativas para a redução do desperdício de alimentos — onde se incluem os programas de redistribuição alimentar.

([1]) Artigo 3.° do Regulamento (UE) n.° 121/2012. .

(English version)

Question for written answer E-005062/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: European Food Banks — EU support

On 9 September 2011, in answer to my Written Question E-006772/2011, Mr Dalli stated that 'While there are many examples of food redistribution programmes in the Member States, they remain predominantly on a small scale and there is definitely an opportunity to increase these activities. The Commission is in contact with the European Federation of Food Banks and intends to visit the Brussels Food Bank in the framework of the EU Food Safety Day on Food Waste on 15 September 2011'.

I therefore ask the Commission:

— What conclusions has it drawn from the contacts made and visits carried out?

— What suggestions have been made and which of these will it implement?

— To what extent and by what means does it believe it possible to increase food redistribution activities specifically in the EU?

— How will it get involved in this increase and support the commendable work of European Food Banks?

Answer given by Mr Dalli on behalf of the Commission
(20 August 2012)

The Commission is analysing with relevant stakeholders, Member States and experts how to reduce food waste without compromising food safety. Food redistribution is an important aspect of this work.

The EU Food Distribution Programme for the Most Deprived Persons is due to end in 2013 ([1]). The Commission is working at a proposal for a new aid scheme for deprived people for the following period. In this context different issues are being investigated and the creation of synergies with European and national activities in this area.

Concerning other collection sources for food banks (retailers, industry, private donations) there seems to be a problem with the interpretation of the 'best before' date labels. In some Member States it is forbidden to sell or to give food after the expiry of this 'best before' date. The Commission started discussions with Member States to clarify the meaning of 'best before' date on food labels and to clarify the distinction between 'best before' and 'use by' date.

Furthermore, the Commission intends to facilitate the exchange of good practices on food waste reduction initiatives — including food redistribution programmes.

([1]) Article 3 of Regulation (EU) No 121/2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005063/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Banco Alimentar de Lisboa — Visita de Viviane Reding

A senhora vice-presidente Viviane Reding visitou recentemente o Banco Alimentar de Lisboa. Na ocasião, declarou à imprensa que instituições como aquela são «a Europa que gostaríamos de ver em todo o lado. A Europa da solidariedade. A Europa em que o ser humano está no centro» e que «todos os que ajudam os cidadãos a terem dignidade são aqueles que, para mim, são os verdadeiros europeus.»

Assim, pergunto à Comissão:

— Que conclusões retirou dos contactos efetuados e das visitas realizadas em Lisboa?

— Que sugestões recolheu e quais pretende pôr em prática?

— Pretende manter o Programa Europeu de Ajuda Alimentar aos Mais Desfavorecidos para além de 2014? De que forma e com que base jurídica? Tem consciência dos problemas sociais graves que o fim de um programa desta natureza pode acarretar para as instituições de solidariedade social e, sobretudo, para os cidadãos europeus que dele beneficiam?

— Admite envolver os Bancos Alimentares Europeus mais diretamente no seu acompanhamento e gestão?

— Ciente da crise que a União Europeia atravessa e que, infelizmente, se materializa muitas vezes no desemprego das populações e na incapacidade de sustento autónomo das famílias, admite reforçar o montante do Programa Europeu de Ajuda Alimentar aos Mais Desfavorecidos e considerar novos instrumentos para a distribuição gratuita de alimentos aos mais carenciados na União?

Resposta dada por László Andor em nome da Comissão
(20 de Junho de 2012)

O principal instrumento da UE para apoiar a empregabilidade, lutar contra a pobreza e promover a inclusão dos grupos mais vulneráveis continua a ser um Fundo Social Europeu (FSE) forte. Por este motivo, a Comissão propôs reservar ao FSE um orçamento mínimo garantido, que represente, pelo menos, 25 % da política de coesão, bem como atribuir pelo menos 20 % da dotação de cada Estado-Membro para medidas de inclusão social.

Contudo, a coesão social também necessita de um programa para ajudar as pessoas mais desfavorecidas, especialmente numa altura em que a Europa atravessa uma grave crise.

Na sua proposta relativa ao próximo quadro financeiro plurianual de 29 de junho de 2011, a Comissão prevê um montante de 2,5 mil milhões de euros (preços de 2011) no âmbito da rubrica 1 (crescimento inteligente e inclusivo) para a criação de um novo instrumento para os cidadãos mais desfavorecidos da União.

Isto é também referido na proposta legislativa relativa à política de coesão ([1]) de 6 de outubro de 2011.

Em 29 de março de 2012, o Vice-Presidente Rehn confirmou ao Parlamento que a Comissão apresentaria uma proposta sobre a forma como o orçamento da UE também poderia apoiar a ajuda alimentar no futuro.

Por último, por ocasião do Conselho Assuntos Gerais de 29 de maio de 2012, a Comissão reiterou a sua posição de que o futuro orçamento de coesão deveria financiar o novo instrumento.

A Comissão está a desenvolver várias opções para estruturar o futuro programa no quadro da política de coesão, de modo a maximizar o impacto do apoio. Será apresentada uma proposta legislativa concreta durante o segundo semestre deste ano.

([1]) COM(2011)615.

(English version)

Question for written answer E-005063/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Lisbon Food Bank — visit by Viviane Reding

Vice-President Viviane Reding recently visited the Lisbon Food Bank. During the visit, she stated to the press that this type of institution represents 'the Europe we should like to see everywhere. A Europe of solidarity. A Europe with humanity at its heart,' and that 'all those who help citizens to maintain their dignity are, for me, true Europeans.'

I therefore ask the Commission:

— What conclusions has it drawn from the visit to Lisbon and the contacts made there?

— What suggestions were made and which of these does it intend to put into practice?

— Does it intend to maintain the European Food Aid Programme for the Most Deprived beyond 2014? If so, in what form and on what legal basis? Is it aware of the serious social problems ending a programme of this type might create for charitable institutions and the European citizens who benefit from it?

— Will it allow the European Food Banks to become more directly involved in monitoring and managing the programme?

— In the knowledge that the European Union is experiencing a crisis which unfortunately, in many cases, takes the form of unemployment and of families being unable to provide for themselves, does the Commission intend to increase funding for the European Food Aid Programme for the Most Deprived and consider new instruments for distributing free food to the EU's most needy citizens?

Answer given by M. Andor on behalf of the Commission
(20 June 2012)

The main EU instrument to support employability, fight poverty and promote inclusion of the most vulnerable will remain a strong European Social Fund (ESF). That is why the Commission proposed to reserve a guaranteed minimum budget for the ESF representing at least 25 % of cohesion policy and to allocate at least 20 % of the envelope of each Member State for social inclusion measures.

However, social cohesion also calls for a programme for assisting the most deprived people, especially as Europe is experiencing such a strong crisis.

In its proposal for the next multi-annual financial framework of 29 June 2011, the Commission foresees an amount of EUR 2.5 billion (in 2011 prices) under heading 1 (smart and inclusive growth) to create a new instrument for deprived citizens of the Union.

This has also been referred to in the legislative proposal for the cohesion policy ([1]) of 6 October 2011.

On 29 March 2012 Vice-President Rehn confirmed to the Parliament that the Commission will make a proposal on how the EU budget could support food assistance in the future too.

Finally at the occasion of the General Affairs Council of 29 May 2012, the Commission has reiterated its position that the future cohesion budget should finance the new instrument.

The Commission is developing various options for shaping the future programme within the cohesion policy framework in a way that maximises the impact of the support. A concrete legislative proposal will be made in the second half of the year.

([1]) COM(2011) 615.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005064/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Inflação na Alemanha — Recuperação económica

Numa entrevista ao jornal *Der Spiegel*, o economista alemão Peter Bofinger advoga que o seu país poderia permitir-se ter uma taxa de inflação mais elevada e que este aumento dos preços na maior economia da Europa poderia colocar os Estados-Membros que enfrentam maiores dificuldades no caminho da recuperação económica.

Assim, pergunto à Comissão:

— Que comentário lhe merecem estas declarações?

— Considera ser este um caminho viável para a recuperação da estabilidade económica da União Europeia?

— Que caminhos alternativos propõe?

Resposta dada por Olli Rehn em nome da Comissão
(4 de Julho de 2012)

Os desenvolvimentos da inflação acima ou abaixo da média em alguns Estados-Membros refletem os necessários processos de ajustamento e não são problemáticos desde que os desenvolvimentos da inflação para a área do euro no seu conjunto permaneçam em conformidade com o objetivo da política monetária do BCE (que pretende atingir uma taxa de inflação um pouco menor do que 2 % a médio prazo para a área do euro no seu conjunto).

Com 2,3 % em 2012, a inflação dos preços no consumidor na Alemanha, o país com mais peso na área do euro, deverá exceder ligeiramente este valor, mas não de modo preocupante. As pressões sobre os preços internos na Alemanha refletem, nomeadamente, condições cíclicas mais favoráveis do que na maior parte dos outros parceiros da área do euro e o bom desempenho do mercado de trabalho. A crescente racionalização do mercado de trabalho implica também que os salários aumentem um pouco mais do que antes, o que deverá ajudar a procura interna na Alemanha e, por conseguinte, contribuir para reduzir os desequilíbrios externos na área do euro.

Um maior aumento dos salários, por sua vez, contribui para a existência de pressões sobre os preços internos alemães. Como sinal dos processos de ajustamento que estão em curso, esses desenvolvimentos são bem-vindos, mas o seu benefício para os ajustamentos necessários nos países com défices da balança de transações correntes tem de ser completado pelos esforços de ajustamento dos próprios países. Estes esforços são ainda apoiados pela estratégia coordenada de resposta à crise que foi desenvolvida pelas instituições europeias em estreita colaboração com os Estados-Membros. O pacote de governação reforçada (o chamado «six-pack») e o reforço da supervisão no contexto do Semestre Europeu, a criação de mecanismos financeiros (FEEF, MEEF, MEE), assim como os programas de assistência financeira para Estados-Membros são elementos fundamentais para apoiar os esforços de ajustamento necessários e para ultrapassar a crise.

(English version)

Question for written answer E-005064/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Inflation in Germany — economic recovery

In an interview in *Der Spiegel*, German economist Peter Bofinger claims that his country could afford to have a higher inflation rate, and that this price increase in Europe's biggest economy could put Member States facing greater difficulties on the road to economic recovery.

I therefore ask the Commission:

— How does it view these claims?

— Is this a viable way to recover the EU's economic stability?

— What alternatives does it propose?

Answer given by Mr Rehn on behalf of the Commission
(4 July 2012)

Inflation developments above or below average in some Member States (MS) reflect necessary adjustment processes and are not problematic as long as inflation developments for the euro area as a whole remain in line with the ECB's monetary policy objective (aiming at an inflation rate just under 2 % in the medium term for the euro area as a whole).

At 2.3 % in 2012, consumer price inflation in Germany, the euro area country with the largest weight in the aggregate, is projected to slightly exceed this value — but not to a worrisome extent. Domestic price pressures in Germany *inter alia* reflect more favourable cyclical conditions than in most of its euro area peers and the good performance of the labour market. The increasing tightness in the labour market also entails somewhat higher wage growth than before, which should support domestic demand in Germany and thereby contribute to reducing external imbalances in the euro area.

Higher wage growth in turn contributes to German domestic price pressures. As a sign of ongoing adjustment processes, such developments are welcome, but their benefit for the necessary adjustment in the countries with current account deficits needs to be supplemented by those countries' own adjustment efforts. These efforts are further supported by the coordinated crisis response strategy that has been developed by the European institutions and MS in close cooperation. The reinforced governance package (six-pack) and the reinforcement of surveillance in the context of the European Semester, the creation of financial backstops (EFSF, EFSM, ESM) as well as financial assistance programmes for individual MS are key elements to support necessary adjustment efforts and overcome the crisis.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005065/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Combate ao terrorismo — Papel da Comissão Europeia

Em resposta à minha pergunta escrita E-1849/10, de 26 de maio de 2010, a Comissão Europeia, por intermédio da senhora comissária Cecilia Mallström — reconhecendo que «a Comissão não tem as prerrogativas de uma autoridade responsável pela aplicação da lei nem tem competências operacionais» quanto ao combate ao terrorismo —, declarou que estava «determinada a continuar a atuar como importante mediador e catalisador para promover a evolução das políticas, a cooperação concreta e a aproximação do quadro jurídico e operacional, respeitando plenamente as responsabilidades exclusivas dos Estados-Membros em matéria de aplicação da lei.»

Assim, pergunto à Comissão:

— Pode apontar os principais resultados do seu papel de mediação?

— Em seu entender, quais são os principais desafios que se apresentam à União Europeia nesta matéria?

— Quais os obstáculos ainda por vencer no tocante à aproximação dos quadros jurídicos e operacionais dos Estados-Membros?

— Que políticas e que medidas concretas preconiza para promover esta melhor articulação?

Resposta dada por Cecilia Malmström em nome da Comissão
(21 de Junho de 2012)

A Comissão apoia e continuará a apoiar os Estados-Membros no seus esforços de longo prazo para combater o terrorismo. O trabalho da Comissão neste domínio baseia-se na Estratégia de Segurança Interna ([1]) que coloca a tónica na prevenção da radicalização e do recrutamento. Visa igualmente reforçar a segurança dos transportes públicos e bloquear o acesso dos terroristas a fontes de financiamento, controlando as transações efetuadas e dificultando a aquisição de explosivos e de substâncias químicas, biológicas, radiológicas e nucleares (QBRN).

Remeto também o Senhor Deputado para a consulta do primeiro relatório anual sobre a aplicação da Estratégia de Segurança Interna da UE ([2]), que faz um levantamento dos principais problemas em matéria de segurança e apresenta as ações e medidas concretas de reforço da cooperação operacional adotadas pela Comissão e os Estados-Membros.

Por último, no que respeita à aproximação dos quadros jurídicos dos Estados-Membros, até 1 de dezembro de 2014 as competências atribuídas à Comissão ao abrigo do artigo 258.° ([3]) não serão aplicáveis e as competências do Tribunal de Justiça permanecerão inalteradas no que respeita aos atos da União no domínio da cooperação policial e judiciária em matéria penal. Após o período de transição, o Tribunal de Justiça terá competências plenas e a Comissão poderá instaurar processos por infração contra qualquer Estado-Membro que viole o direito da UE no domínio da cooperação policial e judiciária em matéria penal.

([1]) COM(2010)673 final.
([2]) COM(2011)790 final.
([3]) Tratado sobre o Funcionamento da União Europeia.

(English version)

Question for written answer E-005065/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Combating terrorism — the Commission's role

In its answer to my Written Question E-1849/10 of 26 May 2010, the Commission, through Commissioner Malmström — recognising that 'the Commission is not a law enforcement authority and has no operational powers' — stated that it was 'determined to continue to act as an important facilitator and catalyst for further policy developments, practical cooperation and approximation of the legal and operational framework, respecting fully Member States' exclusive responsibilities for law enforcement'.

I therefore ask the Commission:

— Can it state the main results of its role as facilitator?

— What does it believe are the main challenges facing the EU in this area?

— What obstacles are yet to be overcome in approximating the legal and operational framework in Member States?

— What policies and practical measures does it recommend to promote this improved coordination?

Answer given by Ms Malmström on behalf of the Commission
(21 June 2012)

The Commission supports and will continue to support the Member States in their long term efforts in counter terrorism. The Commission's work in this respect is guided by the Internal Security Strategy ([1]) which emphasises the prevention of radicalisation and recruitment. It also aims at strengthening the security of public transport and cutting off terrorists' access to funding, monitoring their transactions and making it difficult to acquire explosives and chemical, biological, radioactive and nuclear (CRBN) substances.

The Honourable Member is also invited to consult the First Annual Report on the implementation of the EU Internal Security Strategy ([2]), which highlights the main security challenges and presents concrete actions and measures strengthening operational cooperation taken by the Commission and the Member States.

Finally, with regards to the approximation of the legal framework in Member States, until 1 December 2014 the powers of the Commission under Article 258 ([3]) are not applicable and the powers of the Court of Justice remain the same as prior to the entry into force of the Treaty concerning acts of the Union in the field of police and judicial cooperation in criminal matters. After the transitional period the Court of Justice will have full jurisdiction and the Commission will be able to launch infringement proceedings against any Member State in breach of EC law in the field of police and judicial cooperation in criminal matters.

([1]) COM(2010)673 final.
([2]) COM(2011)790 final.
([3]) Treaty on the Functioning of the European Union.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005066/12
à Comissão
Diogo Feio (PPE)
(16 de maio de 2012)

Assunto: Contrafação de medicamentos

Em 2009, o então comissário para a Indústria, Günter Verheugen, declarou ao jornal diário alemão *Die Welt* que a circulação de medicamentos contrafeitos na União Europeia ultrapassava os piores receios de uma Comissão Europeia «extremamente preocupada».

Recentemente, um artigo na revista americana *Foreign Affairs* dava conta de que o *Center for Medicine in the Public Interest* estimava que, em 2010, o tráfico destes medicamentos aumentara 75 mil milhões de dólares, ou seja, 90 % desde 2005. No mesmo período, o *Pharmaceutical Security Institute* identificou um aumento de 100 % no número de deteções de produtos deste tipo.

A Organização Mundial de Saúde estima que 15 % dos medicamentos em circulação no mundo podem ser contrafeitos.

Estas notícias dão conta de um risco crescente para a saúde dos consumidores que urge continuar a combater.

Assim, pergunto à Comissão:

— Está ao corrente destes dados?

— Mantém a preocupação extrema face a esta situação veiculada em 2009?

— Dispõe de informações quanto ao volume e à percentagem de medicamentos contrafeitos potencialmente em circulação na União Europeia?

— Que medidas tomou para dificultar a circulação de medicamentos contrafeitos na UE? Que resultados obteve?

— Face ao acréscimo de circulação destes medicamentos reportado nos últimos cinco anos, pondera estudar e aplicar novas formas de combater a sua produção e difusão? Quais são as suas prioridades neste domínio?

— Estaria disponível para, juntamente com outros parceiros, procurar elaborar informação sistemática e aprofundada sobre o fenómeno da contrafação de medicamentos que permita conhecer melhor o fenómeno e atacar as suas causas?

Resposta dada por John Dalli em nome da Comissão
(10 de Julho de 2012)

As informações mais recentes de que a Comissão dispõe e a última análise efetuada constam do relatório de avaliação de impacto da Comissão de 2008 ([1]), que foi publicado juntamente com a proposta da Comissão relativa à Diretiva 2011/62/UE ([2]).

A Organização Mundial de Saúde estima que, na maioria dos países industrializados com sistemas reguladores e mecanismos de controlo do mercado eficazes (incluindo a União Europeia), a incidência de medicamentos contrafeitos seja inferior a 1 % do valor de mercado ([3]).

A Comissão participa numa ampla variedade de atividades destinadas a combater a contrafação dos medicamentos. Para mais informações, deverá o Senhor Deputado consultar as respostas às perguntas anteriores E-007509/2011 e E-011871/2011 ([4]) de Antonyia Parvanova.

([1]) (http://ec.europa.eu/health/files/pharmacos/pharmpack_12_2008/counterfeit-ia_en.pdf).
([2]) JO L 174 de 1.7.2011, p. 74.
([3]) (http://www.who.int/mediacentre/factsheets/fs275/en/).
([4]) (http://www.europarl.europa.eu/QP-WEB/application/home.do?language=PT).

(English version)

Question for written answer E-005066/12
to the Commission
Diogo Feio (PPE)
(16 May 2012)

Subject: Counterfeit medicines

In 2009, the then Commissioner for Enterprise and Industry, Günter Verheugen, told the German newspaper *Die Welt* that the circulation of counterfeit medicines in the EU exceeded the worst fears of an 'extremely concerned' European Commission.

Recently, an article in the US magazine *Foreign Affairs* reported that the Center for Medicine in the Public Interest estimated that the trafficking of such medicines had risen by USD 75 billion in 2010, or, by 90% since 2005. During the same period, the Pharmaceutical Security Institute identified a 100% increase in the number of detections of these products.

The World Health Organisation estimates that 15% of medicines in global circulation could be counterfeit.

These reports indicate a growing risk to consumer health, that must be continuously fought.

I therefore ask the Commission:

— Is it aware of this information?

— Is it still extremely concerned about the situation reported in 2009?

— Does it have information on the volume and percentage of counterfeit medicines which are likely to be in circulation in the EU?

— What steps has it taken to hinder the circulation of counterfeit medicines in the EU? What were the results?

— In view of the increased circulation of these medicines reported in the last five years, does it intend to study and apply new measures to combat their production and distribution? What are its priorities in this regard?

— Would it be willing, with other partners, to produce systematic and thorough information on the phenomenon of counterfeit medicines to allow a better understanding of it and to address its causes?

Answer given by Mr Dalli on behalf of the Commission
(10 July 2012)

The most recent information available to the Commission and the latest analysis undertaken are contained in the Commission impact assessment report ([1]) of 2008 which was published alongside the Commission proposal for Directive 2011/62/EU ([2]).

The World Health Organisation estimates that in most industrialized countries with effective regulatory systems and market control (including the European Union), the incidence of falsified medicines counts for less than 1 % of market value ([3]).

The Commission is engaged in a wide series of activities to combat falsification of medicines. For further details, the Commission would refer the Honourable Member to its responses to previous questions E-007509/2011 and E-011871/2011 ([4]) by Ms Parvanova.

([1]) http://ec.europa.eu/health/files/pharmacos/pharmpack_12_2008/counterfeit-ia_en.pdf
([2]) OJ L 174, 1.7.2011, p. 74.
([3]) http://www.who.int/mediacentre/factsheets/fs275/en/.
([4]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-005067/12
to the Commission
Sir Graham Watson (ALDE)
(16 May 2012)

Subject: Directive 78/52/EEC and bovine tuberculosis (TB)

The EU's policy on the eradication of bovine TB has been based on two fundamental principles: first, that Member States are primarily responsible for the eradication of bovine TB; and secondly, the eradication of bovine TB must be the final target for Member States to aim for.

The international rules on TB vaccinations, laid down by the OIE (Office International des Epizooties/World Organisation for Animal Health) and codified in the EU under Directive 78/52/EEC, do not allow the use of anti-TB vaccines in the case of cattle. The main reasons for this are potential interference with the only official test (skin test) and the suboptimal effectiveness of existing vaccines.

In the UK and Ireland the spread of bovine TB has been linked to badgers. Vaccination has the potential to reduce bovine TB without the negative perturbation effects arising from a badger cull. Since 1998, the UK Government has invested GBP 30 million in developing TB vaccines for cattle and badgers.

Is the Commission aware of the development of an injectable badger vaccine, which has been available since March 2010? In addition, oral badger vaccine is predicted to be available from 2015: is the Commission aware of this development, and what steps is it taking to support this initiative?

A cattle vaccine is also expected by the end of this year: is the Commission following this development?

Will the Commission consider making changes to Directive 78/52/EEC to allow the vaccination of cattle?

Answer given by Mr Dalli on behalf of the Commission
(29 June 2012)

The Commission follows the bovine tuberculosis (bTB) eradication process in Ireland and the UK very closely.

The Commission is aware of the research progress in the field of vaccine development for different animal species. Indeed, the EU provides financial support to these activities through its 7th Framework programme by means of project TB-step — Strategies for the eradication of bTb (FP7-KBBE-2007-212414 [1]) that focuses in particular on the study of the effect of vaccination in cattle and goats, the assessment of the safety and immunogenicity of vaccine in wildlife and the suitability of these vaccines in wildlife. In the framework of this project, problems such as the interference of vaccination with the prescribed diagnostic test and the suboptimal effectiveness of vaccines, mentioned by the Honourable Member, will be addressed.

Once new vaccines with the desired characteristics are available, the Commission will consider amending relevant EU legislation. However, developments in EU legislation must also duly consider relevant international standards.

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[1] http://www.vigilanciasanitaria.es/tb-step/index.php.

(English version)

Question for written answer E-005068/12
to the Commission
Sir Graham Watson (ALDE)
(16 May 2012)

Subject: Directive 2010/64/EU

1. The UK Government has awarded a public services contract to Applied Language Solutions (ALS) to provide interpreting and translation services in criminal courts as well as in HM Tribunals in England and Wales. Is the Commission satisfied that the award of this contract was in line with the obligations and framework set out in Directive 2004/18/EC?

2. Directive 2010/64/EU ensures translation and interpretation rights in criminal proceedings. Under Article 2(8) of this directive, Member States must ensure that the quality of translation and interpretation is sufficient to allow the persons concerned to understand the case against them and to exercise the right of defence. Whilst noting that Member States have until 27 October 2013 to implement these requirements, can the Commission indicate whether it is satisfied that, with its current systems in place for criminal proceedings, the UK will meet these new obligations?

Answer given by Mrs Reding on behalf of the Commission
(28 June 2012)

The Commission is not aware of the contract award that is referred to by the Honourable Member. Therefore, it is not in a position to make a statement on whether this contract was awarded in compliance with EU public procurement law. However, should the Honourable Member be in a possession of any information regarding the case at stake and pass it to the Commission, its services will duly examine it.

The Commission, in its role as guardian of the treaties, has deployed all the necessary resources to make sure that directive 2010/64/EU is fully transposed and implemented by all Member States before the deadline set by the directive. Member States are under a binding obligation to ensure interpretation and translation services of sufficient quality to safeguard the fairness of criminal proceedings, whilst enjoying a margin of appreciation in the choice of the means used to achieve this aim. The Commission will verify compliance with this requirement in due course upon the expiry of the transposition period.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005069/12
a la Comisión
Esther Herranz García (PPE)
(16 de mayo de 2012)

Asunto: Usurpación de la denominación de Rioja

La justicia de Argentina acaba de autorizar la utilización del término de Rioja para los vinos producidos en la región argentina del mismo nombre. La usurpación de esa denominación acarrea importantes perjuicios económicos a los productores de vinos riojanos en España. Los caldos argentinos se benefician así del prestigio de que goza la denominación de calidad española, provocando confusión en el consumidor. De acuerdo con las normas de la OMC, los términos homónimos no pueden ser utilizados cuando dan lugar a confusión en el consumidor sobre su origen geográfico. De acuerdo con un estudio reciente realizado por la consultora Nielsen, el 60 % de los consumidores identifican los vinos de La Rioja argentina con los españoles.

¿Qué medidas cree la Comisión que podrían ser adoptadas para evitar esa usurpación? ¿Tiene intención de abrir un procedimiento contra Argentina ante la OMC? ¿Podría conseguir la protección de las indicaciones geográficas y denominaciones de origen ante la OMC? ¿Tiene previsto tratar este asunto en las negociaciones con Mercosur?

Respuesta del Sr. Cioloş en nombre de la Comisión
(10 de julio de 2012)

La denominación de origen «Rioja» está protegida en la UE por el artículo 118 *quaterdecies* del Reglamento (CE) n° 1234/2007 ([1]). Por lo tanto, el nombre geográfico de «Rioja Argentina» no puede utilizarse para los vinos en el mercado de la UE dado que con ello se infringiría la protección que en él se concede a la denominación de origen protegida (DOP) europea «Rioja».

En el mercado de algunos países terceros (como Australia, Canadá, Chile y otros), la DOP «Rioja» se encuentra protegida por acuerdos bilaterales entre esos países y la UE.

Dado que con Argentina no se ha celebrado ningún acuerdo para la protección de las indicaciones geográficas, dicha protección en el marco de las relaciones entre ese país y la UE está regulada por el Acuerdo ADPIC de la OMC, que establece una serie de disposiciones específicas para la regulación de las indicaciones geográficas homónimas utilizadas en los vinos.

La pregunta hace referencia a un reciente estudio según el cual el 60 % de los consumidores identifican los vinos de la «Rioja Argentina» con el producto español. La Comisión toma nota de que las autoridades judiciales argentinas desestimaron, por no encontrar ningún riesgo de confusión para los consumidores, una denuncia presentada por el Consejo de Supervisión de la DOP española «Rioja» en la que se reclamaba la supresión de esa denominación argentina.

Una posible vía de resolución de este problema se encuentra en las negociaciones que están teniendo lugar actualmente para la celebración entre la UE y Mercosur —organización esta de la que es miembro Argentina— de un acuerdo de libre comercio con disposiciones para la protección de las indicaciones geográficas.

([1]) DO L 299 de 16.11.2007, p. 1.

(English version)

Question for written answer E-005069/12
to the Commission
Esther Herranz García (PPE)
(16 May 2012)

Subject: Usurpation of the Rioja appellation

The Argentinean legal authorities have just authorised the use of the term Rioja for wines produced in the Argentinean region of the same name. The usurpation of this appellation causes serious economic damage to the producers of Rioja wines in Spain. It allows Argentinean wines to benefit from the prestige enjoyed by the Spanish quality label, creating confusion for the consumer. In accordance with World Trade Organisation (WTO) rules, homonyms cannot be used when there is the likelihood of creating confusion for the consumer over geographical origin. According to a recent study by the consultancy firm Nielsen, 60% of consumers identify wines from the Argentinean La Rioja with Spanish wines.

In the view of the Commission, what measures could be adopted to avoid this usurpation? Does it intend to open proceedings against Argentina with the WTO? Could it secure the protection of geographical indications and designations of origin from the WTO? Does it plan to raise this issue in negotiations with Mercosur?

Answer given by Mr Cioloș on behalf of the Commission
(10 July 2012)

The designation of origin 'Rioja' is protected in the EU in accordance with Article 118m of Regulation (EC) No 1234/2007 ([1]). Therefore, the geographical name 'Rioja Argentina' cannot be used for wines on the EU market, since it would infringe the protection granted to the European protected designation of origin (PDO) 'Rioja'.

On certain third countries markets (e.g. Australia, Canada, Chile, etc.), the PDO 'Rioja' is protected in accordance with bilateral agreements between these third countries and the EU.

As there is no agreement on protection of geographical indications with Argentina, therefore the protection of geographical indications between Argentina and the EU is governed by the WTO-TRIPS Agreement, which provides specific conditions regulating homonymous geographical indications for wines.

The question refers to a recent study according to which 60 % of consumers identify the wines of 'Rioja Argentina' with the Spanish product. The Commission notes that the Argentinean judicial authorities dismissed a complaint lodged by the Supervisory Council for the Spanish Rioja PDO requesting the suppression of the corresponding Argentinean denomination as they found no risk of consumer confusion.

One avenue to address this issue is the ongoing negotiation of a free trade agreement between the EU and Mercosur, of which Argentina is a member, which foresees provisions on protection of geographical indications.

([1]) OJ L 299, 16.11.2007, p. 1.

(Version française)

Question avec demande de réponse écrite E-005071/12
à la Commission
Gaston Franco (PPE)
(16 mai 2012)

Objet: Réglementation européenne sur les brumisateurs et prévention des risques sanitaires

Avec l'arrivée de l'été, les installations de brumisateurs vont se développer. On a constaté ces dernières années la multiplication de ces systèmes dans les établissements publics ainsi que dans la sphère privée. Les brumisateurs ont différents usages correspondant à différentes attentes: rafraîchissement, humidification, décor, abattage de poussières et traitement d'odeurs. Ces systèmes sont amenés à se démocratiser davantage avec les fortes variations climatiques, le changement des comportements des consommateurs et les rénovations urbaines.

Cependant, il n'existe aujourd'hui pas de réglementation au niveau européen régissant le contrôle et les normes sanitaires de ces appareils. Ainsi, s'il est possible d'éviter les crises sanitaires majeures, notamment grâce aux spécificités du droit des États membres, rien n'assure la prévention des problèmes ponctuels graves pour le consommateur attablé à une terrasse de café, un promeneur à proximité de ces installations ou un riverain. Comme tout système utilisant de l'eau, un des problèmes majeurs est la légionellose. Selon la technique utilisée et la qualité du matériel, il est montré que le risque de légionellose peut être maîtrisé. Néanmoins aucune norme ne favorise et ne certifie l'achat d'un matériel de qualité.

Ce besoin de qualité est également essentiel pour les entreprises afin d'assurer la confiance dans le secteur et d'éviter la concurrence déloyale entre les entreprises responsables et celles qui ne le sont pas.

Ces observations rendent nécessaire une réflexion profonde sur ce sujet. La Commission a-t-elle l'intention de faire des propositions pour le secteur, et plus particulièrement sur la prévention des risques?

Réponse donnée par M. Dalli au nom de la Commission
(3 juillet 2012)

Les brumisateurs ou humidificateurs à courant électrique basse tension sont régis par la directive «basse tension» 2006/95/CE ([1]) (lorsqu'ils sont destinés à un usage domestique) ou par la directive «machines» 2006/42/CE ([2]) (lorsqu'ils sont destinés à un usage industriel ou commercial).

Le CENELEC ([3]) a défini deux normes harmonisées pour les humidificateurs: la norme EN 60335-2-88 pour les humidificateurs destinés à être utilisés avec des appareils de chauffage, de ventilation ou de conditionnement d'air, à usage à la fois domestique et commercial, qui appuie les deux directives susmentionnées; et la norme EN 60335-2-98 pour les humidificateurs à usage domestique, qui appuie la directive basse tension.

La Commission ne dispose à l'heure actuelle d'aucun élément probant de la dangerosité des humidificateurs pour la santé. Toutefois, étant donné que les directives susmentionnées exigent que les produits relevant de leur domaine d'application soient conçus de manière à éviter tout risque pour la santé ou la sécurité des personnes exposées, la Commission prendra contact avec le Cenelec pour garantir que les risques signalés par l'honorable Parlementaire sont dûment évalués et que les normes harmonisées applicables tiennent compte des exigences fondamentales à prévoir. La Commission invite également l'Honorable Parlementaire à transmettre au Cenelec tout élément de preuve qu'il aurait à sa disposition.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:374:0010:0019:fr:PDF.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:157:0024:0086:fr:PDF.
([3]) Comité européen de normalisation électrotechnique, 17, avenue Marnix, B-1000 Bruxelles. Téléphone: +32 2 519 68 71.

(English version)

Question for written answer E-005071/12
to the Commission
Gaston Franco (PPE)
(16 May 2012)

Subject: EU regulation on misting systems and prevention of health risks

The use of misting systems is set to increase with the arrival of summer. In recent years, it has been reported that these systems have become more popular in both public and private establishments. Misting systems have various uses, corresponding to different expectations: air conditioners, humidifiers, scenery, dust and odour control. These systems are required to accommodate extreme climatic variations, changes in consumer behaviour and urban renewal.

However, there is currently no EU regulation governing the inspection and health standards of these systems. Although the prevention of major health problems is indeed possible, especially thanks to the specific provisions of the law of the Member States, there is no guarantee that serious isolated cases can be prevented among customers sitting outside a café, passers-by who come into close contact with these systems or neighbouring residents. As is the case with all water-based systems, one of the major concerns is legionellosis. It has been proven that the risk of legionellosis can be contained if the right technology is used and the equipment is of a high standard. However, the purchase of high-quality equipment is neither promoted nor regulated.

Quality is also a vital factor for businesses in ensuring that confidence is instilled in the sector and preventing unfair competition between businesses that act responsibly and those that do not.

These observations confirm that this matter requires some serious thought. Does the Commission intend to put forward proposals for the sector, and more specifically on risk prevention?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

Mist sprayers or humidifiers with a low voltage electricity supply are subject either to the Low Voltage Directive 2006/95/EC ([1]) (when intended for domestic use) or to the Machinery Directive 2006/42/EC ([2]) (when intended for commercial or industrial use).

There are two harmonised standards for humidifiers developed by CENELEC ([3]): EN 60335-2-88 — Humidifiers intended for use with heating, ventilation, or air-conditioning systems — for both domestic and commercial appliances, that supports both of the above Directives; and EN 60335-2-98 — Humidifiers — for domestic appliances that supports the Low Voltage Directive.

The Commission has so far no evidence indicating health risks from humidifiers. However, since the above Directives require products in their scope to be designed to prevent any risks for the health or safety of exposed persons, the Commission will contact CENELEC to ensure that the risks reported by the honourable Member are duly assessed and that the necessary requirements are included in the relevant harmonised standards. The Commission also invites the Honourable Member to forward any evidence he has on this to CENELEC.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:374:0010:0019:en:PDF.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:157:0024:0086:en:PDF.
([3]) European Committee for Electrotechnical Standardisation, 17, Avenue Marnix, B-1000 Brussels. Phone: +32 2 519 68 71.

(Version française)

Question avec demande de réponse écrite E-005072/12
à la Commission
Gaston Franco (PPE)
(16 mai 2012)

Objet: TVA sur les véhicules dans l'Union européenne

Le marché intérieur a favorisé, pour les citoyens européens et les entreprises, les achats transfrontaliers de véhicules et la comparaison des prix dans les différents États membres. Cependant, si le prix à l'achat d'un véhicule est connu, les mesures fiscales accompagnant ces achats sont plus difficiles à comprendre. Si pour les achats courants l'impact de la TVA est négligeable, l'impact est plus important pour les achats plus onéreux comme les voitures.

— La Commission a-t-elle prévu de mettre à disposition des informations claires grâce à un site internet reprenant les dispositions communautaires et nationales?

— La Commission peut-elle indiquer quel(s) texte(s) s'applique(nt) pour l'exonération de TVA concernant les véhicules de tourisme et les véhicules utilitaires?
— La Commission peut-elle indiquer quel(s) texte(s) s'applique(nt) pour la déductibilité de TVA concernant les véhicules de tourisme et les véhicules utilitaires?

Réponse donnée par M. Šemeta au nom de la Commission
(28 juin 2012)

Le site web de la Direction Générale Fiscalité et union douanière présente des informations générales sur la TVA dans l'Union européenne. Des informations spécifiques relatives au régime TVA applicable à l'acquisition de biens dans un autre État membre se trouvent à l'adresse suivante:

Acquisition de biens dans d'autres États membres — Commission européenne

Il existe aussi une page web dédiée à l'achat de véhicules à moteur neufs:

Acquisition de véhicules à moteur neufs — Commission européenne

Ce site propose également un lien vers les dispositions applicables dans les différents États membres en matière de TVA:

La TVA dans l'Union européenne — Commission européenne — voir le «Vademecum concernant les obligations TVA».

L'article 138 de la directive 2006/112/CE du Conseil relative au système commun de taxe sur la valeur ajoutée prévoit l'exonération de TVA pour les livraisons de moyens de transport neufs au sein de l'UE, expédiés ou transportés à destination de l'acquéreur, par le vendeur, par l'acquéreur ou pour leur compte. Les dispositions générales régissant le droit à déduction de la TVA (articles 167 à 192 de la directive 2006/112/CE du Conseil) s'appliquent aux voitures particulières et aux véhicules utilitaires.

Ces dispositions se trouvent aux adresses suivantes:
http://eur-ex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006L0112:20110101:FR:PDF
http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2011:077:SOM:FR:HTML

(English version)

Question for written answer E-005072/12
to the Commission
Gaston Franco (PPE)
(16 May 2012)

Subject: Levying of VAT on vehicles in the European Union

The internal market has facilitated cross-border purchases of vehicles and price comparisons in the different EU Member States for European citizens and businesses. However, although the purchase price of a vehicle can be ascertained, the tax provisions covering such purchases are more difficult to understand. Although the impact of VAT on everyday purchases is negligible, the impact on more expensive purchases such as cars is far greater.

— Does the Commission have any plans to publish clear information online that sets out Community and national VAT provisions?

— Can the Commission say which directive(s) apply to VAT exemptions for passenger cars and commercial vehicles?

— Can the Commission say which directive(s) apply to VAT deductions for passenger cars and commercial vehicles?

Answer given by Mr Šemeta on behalf of the Commission
(28 June 2012)

In the website of the Directorate-General Taxation and Customs Union, general information on VAT in the European Union is available. Specific information related to the VAT treatment when buying goods in other Member States can be found under the link:

Buying goods in other Member States — European Commission.

There is a specific web page related to new motor vehicles:

Buying new motor vehicles — European Commission.

In this website, there is also a link to the relevant provisions on VAT in the different Member States:

VAT in the European Union — European Commission — see 'Vademecum on VAT obligations'.

Article 138 of Council Directive 2006/112/EC on the common system of value added tax provides for VAT exemption applying to supplies of new means of transport within the EU, dispatched or transported to the customer by or on behalf of the vendor or the customer. General provisions ruling the right of VAT deduction (Articles 167 to 192 of Council Directive 2006/112/EC) apply to passengers cars and commercial vehicles.

The links to these provisions are:
http://eur-ex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006L0112:20110101:EN:PDF
http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2011:077:SOM:EN:HTML

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005073/12
aan de Commissie
Lucas Hartong (NI)
(16 mei 2012)

Betreft: Begrotingspost 15 02 22 Lifelong learning programme

1. Wat zijn de doelstellingen van het Comenius-programma (2007-2013), welke budgetten zijn per doelstelling toegekend en hoeveel daarvan zijn reeds besteed?

2. Wat is de voortgang van het programma en wat zijn de tot nu toe bereikte resultaten?

3. Hoe wordt de doelmatigheid van het bestede budget gemeten voor, na en tijdens de uitvoering deze programma's.

4. Is de Commissie met de PVV van mening dat een doelstelling als „active citizenship" niet thuishoort in educatie, daar het burgerschap enkel te bezien valt vanuit de nationale identiteit en niet vanuit een niet bestaande „Europese identiteit"?

Antwoord van mevrouw Vassiliou namens de Commissie
(5 juli 2012)

1. De doelstellingen van het Comenius-programma (2007-2013) en de criteria voor de verdeling van financiële middelen zijn vastgesteld in artikel 17 en in de bijlage „Administratieve en financiële bepalingen" bij het besluit tot vaststelling van het programma Een Leven Lang Leren. De tabel ([1]) hieronder toont het budget per jaar en de in totaal bestede bedragen. De middelen kunnen niet worden opgesplitst per actie omdat de nationale agentschappen die het programma uitvoeren, vrij zijn om de verdeling van de middelen over verschillende acties aan te passen aan de kwaliteit en de omvang van de vraag.

2. De belangstelling van scholen en onderwijsgevenden voor Comenius is groot in geheel Euro.a. Het programma ligt op schema wat de verwezenlijking betreft van de doelstelling om drie miljoen leerlingen aan de acties te laten deelnemen. Meer gedetailleerde gegevens zijn te vinden in „Comenius in figures" ([2]).

3. De criteria om het succes te meten van het programma Een Leven Lang Leren, met inbegrip van Comenius, zijn gespecificeerd in het besluit tot vaststelling van het programma. Nationale agentschappen geven regelmatig feedback betreffende het belang en het effect van de acties in het kader van Comenius. De Commissie heeft voor de verschillende acties verscheidene effectbeoordelingen uitgevoerd, die online kunnen worden geraadpleegd ([3]).

Aan andere beoordelingen over eTwinning, partnerschappen tussen scholen en gecentraliseerde acties wordt nog gewerkt. Tegen het einde van 201. en 2013 zullen studies worden gestart om het effect te beoordelen van de in 200. en 2009 gestarte acties Comenius Regio en Comenius Mobiliteit Van Individuele Leerlingen.

4. Het in artikel 20 VWEU bedoelde burgerschap van de Unie vult het nationale burgerschap aan, maar vervangt het niet. De participatieve dimensie van burgerschap of „actief burgerschap" omvat „participatie in de civiele samenleving, de gemeenschap en/of het politieke leven op lokaal, regionaal, nationaal en Europees niveau".

([1]) Een tabel zal het geachte parlementslid en het secretariaat van het Parlement rechtstreeks worden toegezonden.
([2]) http://comeniuspartnerships.teamwork.fr/docs/comenius-in-figures_2012edition_web.pdf
([3]) http://ec.europa.eu/education/more-information/reports-and-studies_fr.htm

(English version)

Question for written answer E-005073/12
to the Commission
Lucas Hartong (NI)
(16 May 2012)

Subject: Budget item 15 02 22 Lifelong Learning Programme

1. What are the objectives of the Comenius Programme (2007-2013), what funds have been allocated per objective and how much of those funds has already been spent?

2. What progress has the programme made and what results have been achieved to date?

3. How is the effectiveness of the outlaid funds being measured before, during and after the implementation of these programmes?

4. Does the Commission agree with the PVV that there is no place in education for such an objective as 'active citizenship', as citizenship can only be seen in the context of national identity and not in the context of a non-existent 'European identity'?

Answer given by Ms Vassiliou on behalf of the Commission
(5 July 2012)

1. The objectives of the Comenius Programme (2007-2013) and criteria for distribution of funds are fixed in Article 17 and the annex 'Administrative and Financial Provisions' of the decision establishing the Lifelong Learning Programme ([1]). The table below provides the budget per year and the total amounts engaged. No separation of funds per action can be provided, as National Agencies which implement the Programme have the freedom to adjust funding between actions, according to the quality and level of demand.

2. The interest of schools and teachers in Comenius is consistently high across Europe. The programme is on track to meet its target of involving 3 million pupils in its actions. More detailed data can be found in 'Comenius in figures' ([2]).

3. The criteria for measuring the success of the Lifelong Learning Programme (LLP), including Comenius, are detailed in the decision establishing the Programme. National Agencies provide regular feedback on the interest in and impact of Comenius actions. The Commission has undertaken several impact analyses of the different actions that are available online ([3]).

Other analyses are ongoing: on eTwinning, school partnerships, and centralised actions. Impact studies on actions introduced in 2008 and 2009 — Comenius Regio and Comenius Individual Pupil Mobility — will be launched by the end of 2012 and 2013.

4. Citizenship of the Union, as provided for in Article 20 of TFEU, complements but does not replace national citizenship. The participatory dimension of Citizenship or 'active citizenship' covers 'participation in civil society, community and/or political life at local, regional, national and European levels'.

([1]) A table is sent directly to the Honourable Member and the Parliament's Secretariat.
([2]) http://comeniuspartnerships.teamwork.fr/docs/comenius-in-figures_2012edition_web.pdf
([3]) http://ec.europa.eu/education/more-information/reports-and-studies_fr.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005074/12
alla Commissione
Matteo Salvini (EFD)
(16 maggio 2012)

Oggetto: Chiarimenti sul regolamento trasporto merci su strada

Il regolamento (CE) n. 1071/2009 stabilisce una serie di requisiti da rispettare per esercitare l'attività di trasportatore su strada; tra questi si inserisce l'idoneità professionale.

Nell'articolo 8 del Capo II si specifica che per soddisfare tale requisito è necessario superare un esame scritto obbligatorio che può essere integrato, se uno Stato membro decide in tal senso, da un esame orale. Il mancato superamento di questo esame comporta la chiusura dell'attività, anche per imprese operanti da molti anni e con ottimi risultati.

Alla luce di quanto precede, può la Commissione rispondere ai seguenti quesiti:

— È consapevole dei danni che tale regolamento può provocare, soprattutto alle piccole e medie imprese?

— Quali azioni intende intraprendere per semplificare le procedure per il sostenimento degli esami e per ridurre i costi che le piccole imprese operanti nel settore dell'autotrasporto devono sostenere, tenuto presente che, per esempio, in Italia ogni azienda per regolarizzarsi deve pagare circa 3000 euro per corsi di formazione ed esami organizzati dalle associazioni di categoria autorizzate dal Governo?

— Quali strumenti pensa di mettere in atto per favorire lo scambio di informazioni fra PMI e Stati membri?

Risposta di Siim Kallas a nome della Commissione
(29 giugno 2012)

1. La Commissione è del parere che un livello elevato di qualificazione professionale per i gestori dei trasporti potenzi l'efficienza socioeconomica del settore del trasporto stradale. Ciò vale anche per le PMI che esercitano la professione di trasportatore su strada.

2. Gli Stati membri devono provvedere sia ad autorizzare, secondo criteri da essi definiti, gli organismi in grado di fornire ai candidati al posto di gestore dei trasporti una formazione di qualità elevata, sia a verificare periodicamente che tali organismi rispondano in ogni momento ai criteri sulla base dei quali sono stati autorizzati. Uno dei modi possibili per semplificare le procedure per il sostenimento degli esami potrebbe essere il ricorso alla disposizione che prevede la possibilità per gli Stati membri di dispensare dall'esame in alcune materie i titolari di taluni diplomi di istruzione superiore o di istruzione tecnica, limitatamente alle materie già oggetto di tali diplomi. Inoltre uno Stato membro può dispensare da determinate parti degli esami i titolari di attestati di idoneità professionale validi per operazioni di trasporto nazionale (articolo 8, paragrafo 7, del regolamento). Inoltre, ai sensi dell'articolo 9, (la cosiddetta clausola del «diritto acquisito»), gli Stati membri possono anche decidere di dispensare dagli esami coloro che abbiano diretto in maniera continuativa un'impresa di trasporti di merci su strada o un'impresa di trasporti di persone su strada in uno o più Stati membri nei dieci anni precedenti il 4 dicembre 2009.

3. Il regolamento (CE) n. 1071/2009 ([1]) istituisce una serie di canali di comunicazione tra i trasportatori su strada (incluse le PMI) e le autorità nazionali competenti, attraverso l'istruzione e la registrazione delle domande (articolo 11), i controlli (articolo 12), la procedura di sospensione e di revoca delle autorizzazioni (articolo 13), il diritto di ricorrere contro le decisioni delle autorità competenti (articolo 15) e le norme che disciplinano la gestione dei registri elettronici nazionali delle imprese di trasporto su strada (articolo 16).

([1]) Regolamento (CE) n. 1071/2009 del Parlamento europeo e del Consiglio, del 21 ottobre 2009, che stabilisce norme comuni sulle condizioni da rispettare per esercitare l'attività di trasportatore su strada e abroga la direttiva 96/26/CE del Consiglio; GU L 300 del 14.11.2009, pag. 51.

(English version)

Question for written answer E-005074/12
to the Commission
Matteo Salvini (EFD)
(16 May 2012)

Subject: Clarification of the road transport regulation

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator sets a series of requirements for those intending to operate in the road transport business, including professional competence.

Article 8 of Chapter II specifies that to meet this requirement, applicants must pass a compulsory written examination which may be supplemented by an oral examination if a Member State so decides. Failure to pass this examination leads to closure of the business, even for enterprises that have been operating for many years and with good results.

In view of this:

— Is the Commission aware of the damage that may be caused by this regulation, above all to SMEs?

— What actions does it intend to take to simplify examination procedures and reduce costs for small road transport companies, bearing in mind, for example, that each company in Italy must pay around EUR 3 000 for the training courses and examinations required, which are organised by professional associations authorised by the Government?

— What actions does it think can be taken to facilitate the exchange of information between SMEs and Member States?

Answer given by Mr Kallas on behalf of the Commission
(29 June 2012)

1.The Commission takes the view that a high level of professional qualification of managers increases the socioeconomic efficiency of the road transport sector, including for SMEs which are road transport operators.

2.It is the responsibility of Member States to authorise, in accordance with criteria defined by them, bodies to provide applicants to the position of transport manager with high-quality training and to regularly verify that these bodies at all times fulfil the criteria on the basis of which they were authorised. One possible way of simplifying the examination procedure could be the use of the provision offering to Member States the possibility to exempt the holders of certain higher education qualifications or technical education qualifications from the examinations in the subjects covered by those qualifications, and to exempt the holders of certificates of professional competence valid for national transport operations from specified parts of the examination (Article 8(7) of the regulation). Moreover, according to Article 9 (the so-called 'grandfather right' provision), Member States may also decide to exempt from the examination persons that have continuously managed a a road haulage undertaking or a road transport undertaking in one or more Member States for the period of 10 years before 4 December 2009.

3.Regulation 1071/2009 ([1]) provides for several channels of communication between road transport operators (including SMEs) and national competent authorities, through the examination and registration of applications procedure (Article 11), checks (Article 12), procedure for the suspension and withdrawal of authorisations (Article 13), the right to appeal of decisions taken by the competent authorities (Article 15) and the rules governing the management of national electronic registers of road transport undertakings (Article 16).

([1]) Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC; OJ L 300, 14.11.2009, p. 51-71.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005076/12
an die Kommission
Andreas Mölzer (NI)
(16. Mai 2012)

Betrifft: Entwicklungszusammenarbeit (EZA) und Rücknahme von Asylwerbern

Die Schweiz setzt Entwicklungshilfe künftig als Druckmittel ein, um abgelehnte Asylbewerber leichter in deren Herkunftsländer abschieben zu können. Hilfsgelder für die betreffenden Staaten werden nach Angaben von Justizministerin Simonetta Sommaruga nur noch fließen, wenn diese bei der Rückführung ihrer Bürger kooperieren. Das habe die Regierung in Bern so vereinbart, sagte die sozialdemokratische Politikerin in einem am Montag veröffentlichten Interview mit Schweizer Zeitungen. Als erstes Land soll Tunesien mit dem Entwicklungshilfehebel zu einer erleichterten Rücknahme von in der Schweiz abgewiesenen Flüchtlingen bewegt werden. Die Schweiz werde die neue Regierung in Tunis in ihren Bemühungen unterstützen, ein demokratisches Land aufzubauen.

Die Länder der arabischen Revolution erhalten ja auch von der Europäischen Union massive finanzielle Hilfe für den Demokratisierungsprozess. Zum Zeitpunkt der Beantwortung meiner Anfrage E-009454/2011 vom 28.11.2011 gab es weder ein Rückübernahmeabkommen zwischen der EU und Tunesien, noch wurde die Kommission ermächtigt, mit diesem Land entsprechende Verhandlungen aufzunehmen.

1. Gibt es mittlerweile ein EU-weites Rücknahmeabkommen mit Tunesien bzw. Pläne, ein solches Abkommen abzuschließen?

2. Sind weitere Rücknahmeabkommen für die Länder der arabischen Revolution geplant?

3. Wenn ja, mit welchen Staaten ist man bereits im Gespräch?

4. Wenn nein, warum nicht?

Antwort von Frau Malmström im Namen der Kommission
(24. Juli 2012)

Bezüglich der südlichen Mittelmeerländer hat die Europäische Kommission nur ein Mandat zur Aushandlung von Rückübernahmeabkommen mit Marokko und Algerien erhalten.

Im Falle Tunesiens erwägt die Kommission, dem Rat, abhängig vom Ergebnis und dem Abschluss der laufenden Verhandlungen mit der tunesischen Regierung über die Einrichtung einer Mobilitätspartnerschaft, einen Entwurf für Verhandlungsdirektiven zur Aushandlung eines Rückübernahmeabkommens vorzulegen.

Sollte es zu einer Ausweitung der gegenwärtig auf Marokko und Tunesien beschränkten Dialoge über Migration, Mobilität und Sicherheit kommen, könnte sich die Kommission um Mandate für weitere Länder des südlichen Mittelmeerraums bemühen.

(English version)

Question for written answer E-005076/12
to the Commission
Andreas Mölzer (NI)
(16 May 2012)

Subject: Development cooperation and readmission of asylum-seekers

In future, Switzerland is going to use development aid as a means of exerting pressure, so that asylum-seekers whose applications have been rejected can be deported more easily to their countries of origin. According to the Minister for Justice, Simonetta Sommaruga, the countries concerned can only expect to receive aid if they cooperate in the readmission of their citizens. This had been agreed by the Bern government, according to the Social Democrat politician in an interview with Swiss newspapers published on Monday. The lever of development aid is to be applied to Tunisia first to ease the readmission of refugees who have been refused authorisation to stay in Switzerland. Switzerland will support the efforts of the new Tunisian Government in establishing a democratic regime.

The countries of the Arab Revolution also receive enormous amounts of financial aid from the European Union to support the democratisation process. At the time when my Question E-009454/2011 (dated 28 November 2011) was answered, there was no readmission agreement between the EU and Tunisia, nor was the Commission authorised to initiate negotiations in this direction with the country.

1. Does an EU-wide readmission agreement now exist with Tunisia or do plans exist for the conclusion of such an agreement?

2. Are further readmission agreements planned for the countries of the Arab Revolution?

3. If so, with which countries are talks already in progress?

4. If not, why not?

Answer given by Ms Malmström on behalf of the Commission
(24 July 2012)

In the Southern Mediterranean region, the European Commission has only received mandate to negotiate readmission agreements with Morocco and Algeria.

As regards Tunisia, the Commission will consider proposing draft negotiating Directives for the negotiation of a readmission agreement to the Council, depending on the outcome and conclusion of the ongoing negotiations with the Tunisian government on the establishment of a Mobility Partnership.

The Commission may consider seeking mandates with other Southern Mediterranean countries as a result of the possible expansion of its Dialogues on migration, mobility and security, currently limited to Morocco and Tunisia.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005077/12
an die Kommission
Andreas Mölzer (NI)
(16. Mai 2012)

Betrifft: Datenschutz in sozialen Netzwerken

Millionen Europäer tummeln sich mittlerweile in sozialen Netzwerken. Häufig werden die User jedoch mangelhaft bis gar nicht über Änderungen hinsichtlich der Datenschutzrichtlinien der betreffenden Plattform informiert. Man weiß häufig auch nicht, welche Daten wie gespeichert oder sogar weitergegeben werden.

In einer aktuellen Studie der österreichischen Zeitschrift „Konsument" teilen 67 Prozent der Befragten Bedenken in Hinblick auf Datenschutz in sozialen Netzwerken. Auch die gegenwärtigen Medienberichte weisen auf zahlreiche Lücken in Bezug auf Datenschutz hin.

Gemäß den EU-Datenschutzvorschriften ist die Verarbeitung personenbezogener Daten nur zulässig, wenn sie zu einem bestimmten rechtmäßigen Zweck geschieht. In der Beantwortung meiner Anfrage E-00672/2012 teilte die Kommission am 19.3.2012 zudem mit, dass mit der EU-Datenschutzreform ein „Recht auf Vergessenwerden" (damit persönliche Daten beispielsweise in Facebook nicht noch Jahre später mit einem Mausklick anzeigbar sind) eingeführt werden soll.

1. Sind die bestehenden Maßnahmen bezüglich Datenschutz in sozialen Netzwerken auf europäischer Ebene aus Sicht der Kommission ausreichend?

2. Wenn ja, warum?

3. Wenn nein, was ist geplant, um dies zu verbessern?

4. Wie können vor allem Minderjährige und Kinder besser geschützt werden?

Antwort von Frau Reding im Namen der Kommission
(17. Juli 2012)

Wie die Kommission in ihrer Folgenabschätzung zur am 25. Januar 2012 verabschiedeten Datenschutzreform berichtete, macht laut einer kürzlich durchgeführten Eurobarometer-Umfrage die Weitergabe personenbezogener Daten zwei Dritteln der Bürger große Sorgen, und 60 % der Bürger sind der Meinung, dass sie heutzutage gezwungen sind, personenbezogene Daten offenzulegen, wenn sie Produkte oder Dienstleistungen erhalten wollen ([1]). 75 % der Bürger haben das Gefühl, dass sie keine oder nur teilweise Kontrolle über ihre personenbezogenen Daten in sozialen Netzwerken haben ([1]).

Bei der Ausarbeitung des Reformpakets wurde daher die Frage des Datenschutzes in sozialen Medien sorgfältig geprüft. Um die Kontrolle von Personen über ihre Daten zu verbessern, werden mit dem Reformpaket die Rechte des Einzelnen gestärkt und spezielle Rechte eingeführt, z. B.:

— das Recht auf Vergessenwerden und das Recht auf Datenübertragbarkeit, die insbesondere für die Nutzer sozialer Medien relevant sind;

— spezielle Vorschriften für Kinder wie die Gewährleistung, dass an Kinder gerichtete Informationen für diese verständlich sind, und dass bei der Verarbeitung personenbezogener Daten von Kindern unter 13 Jahren die Zustimmung der Eltern eingeholt wird.

Der Vorschlag stellt außerdem sicher, dass Unternehmen, die in der EU Dienstleistungen anbieten, den EU-Datenschutzbestimmungen unterliegen, und sieht stärkere Durchsetzungsbefugnisse für Datenschutzbehörden vor, einschließlich der Möglichkeit, in grenzüberschreitenden Fällen gemeinsame Ermittlungen durchzuführen. Außerdem sind bei Verstößen gegen die Vorschriften strenge Verwaltungssanktionen vorgesehen.

([1]) EB 2011.

Die Kommission geht davon aus, dass dieser umfassende Ansatz die Durchsetzung der Datenschutzvorschriften im Bereich der sozialen Medien wirksam und konsequent stärken wird. Wir bitten Sie, die erforderlichen Anstrengungen zu unternehmen, um sicherzustellen, dass das Reformpaket so schnell wie möglich rechtswirksam wird.

(English version)

Question for written answer E-005077/12
to the Commission
Andreas Mölzer (NI)
(16 May 2012)

Subject: Data protection in social networks

Millions of Europeans are now involved in social networks. However, users often receive little or no information about changes to the data protection guidelines of the relevant platform. People are also often unaware of what data is stored and how, or even what data is forwarded to others.

In a recent study by Austrian magazine *Konsument* 67% of those surveyed expressed concerns in relation to data protection in social networks. Current media reports also point to numerous shortcomings in that area.

Under EU data protection rules, the processing of personal data is permissible only for a specific lawful purpose. In answer to my Question E-00672/2012, the Commission stated on 19 March 2012 that the EU data protection reform would introduce a 'right to be forgotten' (so that personal data, for example on Facebook, cannot be displayed years later simply at the click of a mouse button).

1. Does the Commission consider the existing EU measures in relation to data protection in social networks to be adequate?

2. If so, why?

3. If not, what plans are there to improve the situation?

4. How can children and minors in particular be protected more effectively?

Answer given by Mrs Reding on behalf of the Commission
(17 July 2012)

In its impact assessment related to the Data Protection Reform adopted on 25 January 2012, the Commission reported that according to a recent Eurobarometer survey, 2/3 of citizens feel that the disclosure of personal data is a major concern for them and six in ten citizens consider that nowadays there is no alternative to disclosing personal data in order to obtain products and services ([1]); 75 % of citizens feel that they have either no or only partial control of their personal data on social networking sites ([1]).

Therefore the issue of data protection in social media has been carefully considered while drafting the Reform Package. In order to improve control of individuals over their data the Reform Package reinforces individual rights and introduces specific rights such as:

— the right to be forgotten and the right to data portability, particularly relevant for social media users;

— specific provisions concerning children such as making sure that information addressed to them is understandable by them and that parental consent is sought when processing of personal data from children under 13.

The proposal also makes sure that companies who are offering services to EU individuals are subject to EU data protection rules, and foresees stronger enforcement powers for data protection authorities, including the possibility to make joint investigations in cross border cases. Finally, it foresees significant administrative sanctions in case the rules are breached.

The Commission expects that this comprehensive approach will lead to an effective and consistent enforcement of the data protection rules in the field of social media. We call on your efforts to ensure that the Reform Package becomes law as quickly as possible.

([1]) EB 2011.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005078/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(16 Μαΐου 2012)

Θέμα: Στα ύψη η τιμή των καυσίμων στην ακτοπλοΐα

Στα ύψη έχει εκτοξευθεί το ημερήσιο λειτουργικό κόστος των πλοίων της ακτοπλοΐας στην Ελλάδα, λόγω των υψηλών τιμών των καυσίμων. Τα δυο τελευταία έτη η τιμή των καυσίμων έχει αυξηθεί κατά 56,8 % για τα συμβατικά πλοία και κατά 63 % για τα ταχύπλοα. Δεδομένου ότι το κόστος καυσίμων για τα συμβατικά πλοία αποτελεί περίπου το 55 % του ημερήσιου λειτουργικού κόστους, ενώ για τα ταχύπλοα αγγίζει το 65 %, ένα πλοίο το οποίο εκτελεί φέτος δρομολόγιο από τον Πειραιά προς τα νησιά των Κυκλάδων αναμένεται να επιβαρυνθεί ετησίως κατά 2 εκατ. ευρώ από την αύξηση στην τιμή των καυσίμων, σε σχέση με πέρυσι.

Υπό αυτές τις συνθήκες, οι εκπρόσωποι των ακτοπλοϊκών εταιρειών εμφανίζονται προβληματισμένοι για το μέλλον, εκτιμώντας ότι σε περίπτωση που δεν βρεθεί λύση στο πρόβλημα του κόστους των καυσίμων, ελλοχεύει ο κίνδυνος, από τον ερχόμενο Σεπτέμβριο να αναγκαστούν πολλά πλοία να σταματήσουν τα δρομολόγια.

Ερωτάται η Επιτροπή:

1. Γνωρίζει ότι πολλά νησιά της Ελλάδος, και οι κάτοικοι τους, έχουν σοβαρό πρόβλημα ανεφοδιασμού και μεταφοράς λόγω της αδυναμίας των ακτοπλοϊκών εταιριών να καλύψουν το κόστος των καυσίμων;

2. Πώς σκοπεύει να αντιμετωπίσει το αυξανόμενο κόστος του πετρελαίου και τις επιπτώσεις του στην ακτοπλοΐα;

Απάντηση του κ. Kallas εξ ονόματος της Επιτροπής
(21 Ιουνίου 2012)

1. Η Επιτροπή λαμβάνει υπό σημείωση τις ανησυχίες που εξέφρασε το Αξιότιμο Μέλος του Κοινοβουλίου σχετικά με την αύξηση του κόστους των καυσίμων για την ακτοπλοΐα στην Ελλάδα.

Η Επιτροπή θα ήθελε να σημειώσει ότι ο κανονισμός (ΕΟΚ) αριθ. 3577/92 του Συμβουλίου ([1]) προβλέπει σύνολο κανόνων για την προστασία των θαλάσσιων συνδέσεων που δεν εξυπηρετούνται επαρκώς από την αγορά. Ειδικότερα, επιτρέπει στα κράτη μέλη να επιβάλουν υποχρεώσεις παροχής δημόσιας υπηρεσίας και να συνάπτουν συμβάσεις δημόσιας υπηρεσίας για τα τακτικά δρομολόγια πλοίων προς, από και μεταξύ των νησιών. Εναπόκειται στην αρμοδιότητα των εθνικών αρχών να διαπιστώνουν αν υφίσταται πραγματική ανάγκη για τη δημόσια υπηρεσία και για τη χρηματοδότηση αυτών των υπηρεσιών, όπου είναι αναγκαίο.

2. Στη Λευκή Βίβλο για τις μεταφορές ([2]) αναγνωρίζεται η ανάγκη να μειωθεί η εξάρτηση των μεταφορών από το πετρέλαιο, τόσο με την αύξηση του βαθμού απόδοσης των οχημάτων και σκαφών, όσο και με την αξιοποίηση εναλλακτικών καυσίμων. Υπό το πρίσμα αυτό, η Επιτροπή προωθεί ενεργώς την έρευνα με αντικείμενο την καινοτόμο τεχνολογία πλοίων, καθώς και την παροχή και χρήση καθαρότερων εναλλακτικών καυσίμων, μέσω του προγράμματος Marco Polo ή της χρηματοδότησης των ΔΕΔ-Μ. Επιπλέον, η τιμή του υγροποιημένου φυσικού αερίου (LNG) ως καυσίμου για τη ναυτιλία αναμένεται να αυξηθεί πολύ λιγότερο από την αντίστοιχη του πετρελαίου.

([1]) Κανονισμός (ΕΟΚ) αριθ. 3577/92 του Συμβουλίου της 7ης Δεκεμβρίου 1992 για την εφαρμογή της αρχής της ελεύθερης κυκλοφορίας των υπηρεσιών στις θαλάσσιες μεταφορές στο εσωτερικό των κρατών μελών (θαλάσσιες ενδομεταφορές- καμποτάζ) ΕΕ L 364 της 12.12.1992.
([2]) COM(2011)144 τελικό.

(English version)

Question for written answer E-005078/12
to the Commission
Nikolaos Salavrakos (EFD)
(16 May 2012)

Subject: Soaring fuel prices for coastal shipping

The daily operating costs of coastal shipping vessels in Greece have soared due to the rise in fuel costs. Over the last two years the cost of fuel has risen by 56.8% for conventional vessels and 63% for high-speed craft. Given that the cost of fuel comprises around 55% and nearly 65% of the daily operating costs of conventional ships and high-speed craft, respectively, a vessel plying a route from Piraeus to the Cyclades islands can expect to be burdened with an additional EUR 2 000 000 over last year's costs, due to the rise in the price of fuel.

Under these conditions, representatives of coastal shipping companies are evidently concerned about the future, judging that if a solution is not found for the problem of fuel costs, there is a danger that from next September many vessels will cease plying their routes.

In view of the above, will the Commission say:

1. Is it aware that many Greek islands, and their inhabitants, have serious provisioning and transport problems on account of the inability of coastal shipping companies to cover the cost of fuel?

2. How does it intend to deal with the increasing cost of fuel and its consequences for coastal shipping?

Answer given by Mr Kallas on behalf of the Commission
(21 June 2012)

1. The Commission takes note of the concerns of the Honourable Member concerning the rise in fuel costs for costal shipping in Greece.

The Commission would like to note that Council Regulation (EEC) No 3577/92 ([1]) provides a set of rules to protect maritime links not adequately served by the market. In particular, it authorises Member States to impose public service obligations and to conclude public service contracts for regular services to, from and between islands. It is the competence of national authorities to determine whether there is a real need for the public service and to finance such service where necessary.

2. The White Paper for transport ([2]) recognises the need to reduce the dependency of transport from oil both by increasing efficiency of vehicles and vessels and utilisation of alternative fuels. To that regard, the Commission actively promotes research into innovative ship technology as well as the provision and use of cleaner alternative fuels through the Marco Polo Programme or TEN-T funding. Furthermore, liquefied natural gas (LNG) as a fuel for shipping is expected to increase far less in price than oil.

([1]) Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage), OJ L 364, 12.12.1992.
([2]) COM(2011) 144 final.

(English version)

Question for written answer E-005079/12
to the Commission
George Lyon (ALDE)
(16 May 2012)

Subject: EU-Mercosur Free Trade Agreement negotiations

Can the Commission explain the current state of play with regard to the negotiations on the EU-Mercosur Free Trade Agreement following the recent 'anti-trade' measures taken by Argentina and in the light of the pressure which is being placed on Argentina in the World Trade Organisation?

Can the Commission guarantee that there will be no exchange of offers until Argentine trade policy has returned to normal?

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

The Commission is extremely concerned by the various protectionist measures adopted by Argentina and has already reacted strongly by urging Argentina to respect its international commitments, notably via comments by the President of the Commission, a statement by the High Representative/Vice-President and a letter from the Commissioner responsible for Trade to the Argentinean Minister of Foreign Affairs Hector Timerman. Furthermore, the Commission decided on 25 May 2012 to launch a challenge to Argentina's import restrictions at the World Trade Organisation in Geneva, in a bid to have these measures lifted.

Regarding the impact on EU-Mercosur negotiations, it should be recalled that the Commission does not negotiate with Argentina bilaterally but with Mercosur as a region. The Commission is nevertheless of the opinion that measures taken by Argentina appear inconsistent with the spirit underpinning this negotiation and that it is crucial to maintain a climate of trust and confidence if the Commission wishes this negotiation to be concluded. This message was conveyed to Argentina.

These negotiations are ongoing with the next round expected to take place in July 2012 in Brazil but no date for the exchange of market access offers has been decided yet.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005080/12
an die Kommission
Franz Obermayr (NI)
(16. Mai 2012)

Betrifft: Indect — aktueller Status des EU-Projekts

Polnischen Medienberichten zufolge hat die polnische Polizei die Zusammenarbeit mit dem EU-Überwachungsprogramm Indect im Hinblick Fußball-Europameisterschaft im April 2012 überraschend beendet, weil Kritiker dem System vorwarfen, dass es zu einer totalen Überwachung führe. So hat der zuständige Minister beschlossen, die polizeiliche Zusammenarbeit mit diesem Projekt zu beenden. Indect wird von der AGH University of Science and Technology in Krakau geleitet, wo man sich sehr überrascht von der Entscheidung des Innenministers zeigte. Im Internet gab es in den letzten Jahren zahlreiche Proteste gegen Indect, das von Kritikern als „Big-Brother-Überwachung" bezeichnet wurde. An Indect sind auch mehrere deutsche und österreichische Unternehmen und Universitäten beteiligt. Indect steht für Intelligent Information System Supporting Observation, Searching and Detection for Security of Citizens in Urban Environment. Dieses Forschungsprojekt wurde von der EU bereits 2009 in Auftrag gegeben und mit ca. 14 Mio. EUR finanziert. Bei der Fußball-Europameisterschaft in Polen 2012 sollte das Überwachungssystem zum ersten Mal getestet werden.

1. Wie ist der aktuelle Status von Indect, und welche Kosten sind bis zum heutigen Tag angefallen?

2. 2013 soll das Indect-Forschungsprojekt beendet sein. Wie will man seitens der EU eine abschließende Evaluierung des Projekts durchführen?

3. Wie sieht die Kommission die Glaubwürdigkeit von Indect und die Investitionen in das Forschungsprojekt Indect, wenn selbst die polnische Regierung und die polnische Polizei die Zusammenarbeit mit diesem Überwachungsprogramm kürzlich beendet haben?

4. Wann soll ein Bericht über Indect an das Europäische Parlament erfolgen?

5. Wie will man mit Indect weiterverfahren?

Antwort von Herrn Tajani im Namen der Kommission
(17. Juli 2012)

Die Kommission teilt dem Herrn Abgeordneten mit, dass weder von der polnischen Regierung noch von der polnischen Polizei ein amtliches Schreiben zur Kündigung der Zusammenarbeit vorliegt. Soweit der Kommission bekannt, ist die polnische Polizei weiterhin Partner des Indect-Konsortiums. Die Kommission weist den Herrn Abgeordneten auch darauf hin, dass das Projekt Indect während der Fußball-Europameisterschaft nicht getestet wurde (vgl. http://www.indect-project.eu/events/global/to-euro-2012-and-indect).

Die Berichte zum Sachstand von Indect und zu den nächsten Schritten sind öffentlich und können unter http://cordis.europa.eu/projects/rcn/89374_de.html sowie auf der Homepage des Projekts http://www.indect-project.eu/ eingesehen werden. Wie alle anderen FP7-Projekte wird auch Indect vor der Schlusszahlung einer finanziellen und technischen Bewertung unterzogen. Auch muss Indect einen öffentlich zugänglichen Schlussbericht vorlegen. Bis heute hat die Kommission für Indect Mittel in Höhe von insgesamt 9 196 633,11 EUR zur Verfügung gestellt.

(English version)

Question for written answer E-005080/12
to the Commission
Franz Obermayr (NI)
(16 May 2012)

Subject: INDECT — current status of the EU project

According to reports in the Polish media, in April 2012 the Polish police unexpectedly terminated its cooperation with the EU's INDECT monitoring programme in relation to the forthcoming European football championships. Because critics believed the system would lead to blanket surveillance, the minister responsible decided to put a stop to all cooperation with the project. INDECT stands for Intelligent Information System Supporting Observation, Searching and Detection for Security of Citizens in Urban Environment, and the project is being led by the AGH University of Science and Technology in Krakow, where the news of the decision made by the Minister for the Interior was met with surprise. In recent years, there have been numerous Internet protests against INDECT, which critics have dubbed 'Big Brother-style' surveillance. A number of German and Austrian companies and universities are also involved in the INDECT research project, which was commissioned by the EU in 2009 and has received funding of approximately EUR 14 million. The monitoring system was to be tested for the first time at the European football championships in Poland in 2012.

1. What is the current status of the INDECT project and how much money has been spent on it to date?

2. The INDECT research project will end in 2013. How does the EU intend to carry out a final assessment of the project?

3. How does the Commission view the credibility of INDECT and the investments made in it, given that even the Polish Government and the Polish police have recently terminated their cooperation with the project?

4. When can the European Parliament expect to receive a report on INDECT?

5. What is the next step as far as INDECT is concerned?

Answer given by Mr Tajani on behalf of the Commission
(17 July 2012)

The Commission would like to inform the Honourable Member that no official letter of withdrawal has been submitted by the Polish Government or the Polish police. To the knowledge of the Commission, the Polish police is still a partner of the INDECT consortium. The Commission would also like to inform the Honourable Member that INDECT has not been tested during the European Football championship (see: http://www.indect-project.eu/events/global/to-euro-2012-and-indect).

Reports on the current state and the next steps of INDECT are publicly available under the following link: http://cordis.europa.eu/projects/rcn/89374_en.html as well as on the homepage of the project: http://www.indect-project.eu/. Like all FP7 projects, INDECT will also be the object of a financial and technical assessment before the final payment. Similarly, INDECT will also have to produce a publicly available final report. The total contribution of the Commission for INDECT to this date amounts to EUR 9 196 633.11.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005081/12
an die Kommission
Jörg Leichtfried (S&D)
(16. Mai 2012)

Betrifft: Bei Ankunft in Schlachthöfen verendete Tiere und damit einhergehende Sanktionen

Millionen von Tieren werden in ganz Europa in Schlachthöfe transportiert. Die Verordnung (EG) Nr. 1/2005 des Rates über den Schutz von Tieren beim Transport fordert unter anderem, dass Tiere nicht auf eine Weise transportiert werden dürfen, die ihnen Verletzungen oder übermäßiges Leiden zufügt. Trotz verschiedener Initiativen, diese Verordnung durchzusetzen, wird weitestgehend dagegen verstoßen. Viele Tiere werden während des Transports schwerem Leiden ausgesetzt, zahlreiche Tiere kommen sogar verendet am jeweiligen Schlachthof an.

Damit man den Stand der Einhaltung — und der Durchsetzung — der Verordnung (EG) Nr. 1/2005 abschätzen kann, ist es unter anderem erforderlich, Daten über die jährliche Anzahl der verendet in Schlachthöfen der EU eintreffenden Tiere und über die Anzahl der von den zuständigen Behörden verhängten Sanktionen basierend auf der Anzahl der bei der Ankunft verendeten Tiere zu erhalten.

1. Kennt die Kommission die Anzahl der in den Jahren 2009, 2010 und 2011 verendet in Schlachthöfen eingetroffenen Tiere in den verschiedenen EU-Mitgliedstaaten (aufgeteilt nach Arten, also Rinder, Schafe, Schweine, Pferde, Geflügel und Hasen)?

2. Besitzt die Kommission Kenntnis darüber, welcher Prozentsatz von Tieren der oben genannten Tierarten jeweils über oder unter acht Stunden lang transportiert wird?

3. Kennt die Kommission die Anzahl der von den jeweiligen zuständigen Behörden der EU-Mitgliedstaaten verhängten finanziellen Sanktionen im Verhältnis zu der Anzahl der Tiere, die verendet in Schlachthöfen eintreffen?

4. Wenn die Antworten auf die Fragen 1 und 2 negativ ausfallen, beabsichtigt die Kommission diese Daten von den Mitgliedstaaten anzufordern und sie der Öffentlichkeit zugänglich zu machen?

Antwort von Herrn Dalli im Namen der Kommission
(29. Juni 2012)

Der Kommission liegen diese Informationen nicht vor, da die Mitgliedstaaten nicht verpflichtet sind, Angaben über die Anzahl der verendet im Schlachthof ankommenden Tiere oder über die von ihnen im Einzelnen verhängten Sanktionen zu machen.

Mangelnder Tierschutz während des Transports kann tatsächlich dazu führen, dass Tiere verenden; sie können jedoch auch aufgrund anderer Faktoren als der Nachlässigkeit des Transportunternehmens verenden. Ebenso ist es möglich, dass ein Transport unter extrem schlechten Bedingungen erfolgt, ohne dass ein einziges Tier bei der Ankunft verendet ist. Daher könnten Rohdaten über die Anzahl der Tiere, die beim Transport verenden, irreführend sein, wenn sie nicht von Fall zu Fall untersucht und analysiert werden.

Die zuständigen Behörden und die Kommission sollten sich nicht darauf konzentrieren, Daten über während des Transports verendete Tiere vorzulegen bzw. abzurufen, sondern auf eine allgemeine Vorgehensweise zur Verbesserung des Tierschutzes während des Transports. Daher beabsichtigt die Kommission nicht, von den Mitgliedstaaten Daten über die Anzahl bei der Ankunft verendeter Tiere anzufordern.

(English version)

Question for written answer E-005081/12
to the Commission
Jörg Leichtfried (S&D)
(16 May 2012)

Subject: Animals arriving dead at slaughterhouses and related sanctions

Millions of animals are transported to slaughterhouses across Europe. Council Regulation (EC) No 1/2005 on the protection of animals during transport requires, *inter alia*, that animals must not be transported in a way likely to cause injury or undue suffering to them. Despite various initiatives to enforce this regulation, it is widely breached. Many animals are exposed to severe suffering during transport, and numerous animals even arrive dead at the slaughterhouses of destination.

In order to assess the level of compliance with — and enforcement of — Regulation (EC) No 1/2005 it is necessary to have, *inter alia*, data on the number of animals arriving dead at slaughterhouses in the EU per year and the number of sanctions imposed by the competent authorities on the basis of the number of animals dead on arrival.

1. Does the Commission know the number of animals arriving dead at slaughterhouses in the various EU Member States for the years 2009, 2010 and 2011 (broken down by species — cattle, sheep, pigs, horses, poultry and rabbits)?

2. Does the Commission know what percentage of animals in each of the species referred to above are transported for less or more than eight hours respectively?

3. Does the Commission know the number of monetary sanctions imposed by the various EU Member States' competent authorities in relation to the number of animals that arrive dead at slaughterhouses?

4. If the answers to questions 1 and 2 are negative, does the Commission intend to request this data from the Member States and make it available to the public?

Answer given by Mr Dalli on behalf of the Commission
(29 June 2012)

The Commission does not have this information as there is no obligation for Member States to provide data on the number of animals arriving dead at slaughter or on their detailed use of penalties.

Poor animal welfare during transport may indeed lead to the death of animals but animals may die during transport caused by other factors than negligence on the part of the transporter. By the same token, a transport may be carried out under extremely poor conditions without having any animals dead on arrival. Raw data on animals dead during transport may therefore be misleading, unless it is studied and analysed on a case by case basis.

The focus of competent authorities as well as of the Commission should not be on submitting and retrieving data on animals dead during transport but to have a general approach to improve animal welfare during transport. The Commission therefore does not intend to request data from the Member States on the issue of numbers dead on arrival.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005084/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(16 Μαΐου 2012)

Θέμα: Έκθεση της Ευρωπαϊκής Στατιστικής Υπηρεσίας για την ανάπτυξη στην Ελλάδα κατά το πρώτο τρίμηνο του 2012

Την Τρίτη 15.05.2012 δόθηκε στη δημοσιότητα έγγραφο της Ευρωπαϊκής Στατιστικής Υπηρεσίας (STAT/12/73) σύμφωνα με το οποίο, η ανάπτυξη στην Ελλάδα κατά το πρώτο τρίμηνο του 2012 ανήλθε στο —6,2 %. Σημειώνεται, ότι την προηγούμενο εβδομάδα στην εαρινή της έκθεση για την πορεία της ευρωπαϊκής οικονομίας, η Επιτροπή είχε εκτιμήσει την συρρίκνωση του ελληνικού ΑΕΠ για το 2012 στο —4,7 %.

Έχοντας πλέον τα αποτελέσματα του πρώτου τριμήνου δύναται η Επιτροπή να σχολιάσει αν η ύφεση για το τρέχον έτος διαμορφώνεται σε υψηλότερα επίπεδα για την Ελλάδα από τα προβλεπόμενα;

Εκτιμά η Επιτροπή ότι η ελληνική οικονομία τα επόμενα τρία τρίμηνα θα ανακάμψει τόσο ώστε, τελικώς, να διαμορφωθεί η ετήσια ύφεση στο αρχικώς προβλεπόμενο 4,7 %;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(23 Ιουλίου 2012)

Οι οικονομικές προβλέψεις της Επιτροπής δημοσιεύθηκαν στις 11 Μαίου2012, πριν από τη δημοσίευση της «ταχείας εκτίμησης» για το πρώτο τρίμηνο του 2012. Τα τριμηνιαία στοιχεία που κοινοποιεί η Ελλάδα δεν έχουν υποστεί εποχική προσαρμογή και για τον λόγο αυτό είναι περιορισμένη η χρήση τους για μεσοπρόθεσμη πρόβλεψη.

Η κατά 6,2 % μείωση του πραγματικού ΑΕΠ πάντως κατά το πρώτο τρίμηνο του έτους δεν είναι ασυμβίβαστη με το μέσο ποσοστό που περιλαμβάνεται στις δημοσιευμένες εαρινές προβλέψεις της Επιτροπής. Οι προβλέψεις αυτές έγιναν με δεδομένο ότι η μη αλλαγή των πολιτικών, η επιτυχής αναδιάρθρωση του δημόσιου χρέους και η προσαρμογή των πληροφοριών του δημόσιου τομέα, η πλήρης εφαρμογή των πολιτικών σχετικά με τη δημοσιονομική εξυγίανση και τις διαρθρωτικές αλλαγές, όπως προβλέπονται στο δεύτερο πρόγραμμα χρηματοδότησης της Ελλάδας, και η ανακεφαλοποίηση των ελληνικών τραπεζών, όπως έχει σχεδιασθεί, θα είχαν συμβάλει στην ανάκτηση της εμπιστοσύνης των αγορών και θα είχαν επηρεάσει θετικά τις οικονομικές προοπτικές κατά τα επόμενα τρίμηνα.

Οι πρόσφατες εξελίξεις όμως, όπως π.χ οι καθυστερήσεις σχετικά με την υλοποίηση των διαρθρωτικών πολιτικών, η παρατεταμένη πολιτική αστάθεια καθώς και ορισμένοι δείκτες υψηλής συχνότητας που έχουν δημοσιευθεί έκτοτε, δείχνουν ότι ενδέχεται να είναι χειρότερη της αναμενομένης η κατάσταση όσον αφορά το υπόλοιπο του έτους.

(English version)

Question for written answer E-005084/12
to the Commission
Georgios Papanikolaou (PPE)
(16 May 2012)

Subject: Eurostat Report on economic growth in Greece in the first quarter of 2012

On Tuesday 15 May 2012 a document of the European Statistical Office (STAT/12/73) was published according to which there was a -6.2% growth rate for Greece in the first quarter of 2012. It should be noted that the previous week in its Spring Report on the economic developments in the EU the Commission had given a figure of -4.7% for the estimated contraction of Greek GNP in 2012.

Now that it has the figures for the first quarter, is the Commission able to comment on whether the recession for the current year will be higher than expected for Greece?

Does the Commission consider that the Greek economy is likely to recover sufficiently in the next three quarters for the annual downturn to be confined ultimately to the initially predicted figure of -4.7%?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

The Commission economic forecasts have been published on 11 May 2012, before the flash estimate for the first quarter of 2012 was released. The quarterly data provided by Greece are not adjusted for seasonality and therefore their use for medium-term forecasting is limited.

Nonetheless, the fall by 6.2 % of real GDP in the first quarter of the year is not incompatible with the average figure published by the Commission in the Spring Forecasts. This is because under the assumption of unchanged policies, the successful debt restructuring and Public Sector Information, the full implementation of fiscal consolidation and structural policies as designed in the second financing programme of Greece and the recapitalisation of Greek banks as planned, would have allowed market confidence to resume and would have positively influenced economic prospects in coming quarters.

In contrast, in the light of recent developments and taking into account other elements like delays in the implementation of structural policies, prolonged political uncertainty and also some high-frequency indicators published since then, point out the possibility of a worse than expected scenario for the remainder of the year.

(English version)

Question for written answer P-005085/12
to the Commission
Keith Taylor (Verts/ALE)
(16 May 2012)

Subject: EU research funding to Ahava Dead Sea Laboratories — second follow-up question

As you will be aware, I have already tabled several parliamentary questions on the issue of EU research funding being granted to Ahava Dead Sea Laboratories (ADSL), which operates in the Occupied Palestinian Territories (OPT) (Questions P-006190/2011 and P-007789/2011). In breach of the Hague Regulation, the Geneva Convention and the EU's own policy on colonisation of the OPT, ADSL illegally appropriates Palestinian natural resources.

In a related situation, the EU has — quite correctly — not allowed Israeli settlements in the OPT to use official addresses in Israel in order to facilitate preferential imports of goods produced in the OPT. My belief is that the same ethical consideration should apply to research activity in the OPT, in order that EU taxpayers' money is not used to support illegal Israeli settlements. In her response to my second parliamentary question, Commissioner Geoghegan-Quinn made the commitments that she would, with reference to this issue, be 'scrutinizing options to be able to evaluate and potentially address such a situation in the frame of the preparation of the new HORIZON 2020 Programme'. However, I have since been made aware that ADSL — this commitment notwithstanding — has been granted FP7 funding for a project called SMART-NANO (FP7-NMP), which will run from 1 June 2012 to 31 May 2016.

I would therefore be grateful if the Commission would answer the following questions:

1. Of the total allocation of EUR 3.5 million of EU funding to FP7-MNP, what is the allocation to ADSL?

2. When was this project submitted to the EU and when was it approved?

3. Were those responsible for evaluating the proposal aware of the Commission's responses to my questions (dated 19 July 2011 and 13 September 2011 respectively) concerning the earlier projects that included ADSL?

4. What progress has been made towards finding a way to stop this abuse on the part of the Commissioner? Are such changes being made? If so, what are the proposed new arrangements?

5. In light of ADSL's breach of international law, has its name been removed from the EU's own 'find a partner' help facility? If not, why not?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(4 July 2012)

1. Of the EUR 3 495 300 from the Seventh Framework Programme for Research and Technological Development (FP7, 2007-2013) Nanosciences, nanotechnologies, Materials and new Production Technologies (NMP) theme allocated to the SMART-NANO project, EUR 324 604 is allocated to Ahava Dead Sea Laboratories (ADSL).

2. The proposal underwent a two-stage evaluation. The initial proposal was submitted for the deadline of 4 November 2010 and the second-stage proposal was submitted for the deadline of 28 April 2011 (it was evaluated in June 2011). The project will start on 1 June 2012.

3. The evaluators were not aware of the two parliamentary questions as they were tabled after the evaluation.

4. The Commission would refer the Honourable Member to the answers given to parliamentary questions P-6190/2011 and E-7789/2011 ([1]) regarding the eligibility of ADSL for participation and funding in FP7 projects. Regarding Horizon 2020, there is flexibility within the Commission Proposal for the Rules for Participation with respect to specifying certain eligibility conditions in view of the place of establishment of participants in future work programmes or work plans.

5. Given the above explained eligibility of ADSL for participation and funding under FP7, there is no basis on which to remove it from the 'find a partner' facility on CORDIS.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(Version française)

Question avec demande de réponse écrite P-005086/12
à la Commission
Frédérique Ries (ALDE)
(16 mai 2012)

Objet: Instauration d'un délit de négationnisme ou de révisionnisme dans l'Union européenne

La résurgence des mouvements d'extrême droite aux thèses ouvertement racistes, xénophobes et antisémites, la banalisation de leur discours et actes de haine, mais encore leur entrée fracassante dans certains parlements nationaux, comme en Hongrie et en Grèce, exigent des instances européennes non seulement une vigilance accrue mais une réaction légale à cette menace pour la démocratie et l'état de droit dans l'Union européenne.

Une banalisation du discours de haine dramatiquement d'actualité avec les propos tenus le 13 mai par le leader politique du mouvement grec néo-nazi «Aube dorée» niant la réalité de la Shoah, l'extermination de 6 millions de juifs dans les chambres à gaz. Des propos incitant ouvertement à la haine et à la violence, qui ont choqué l'Europe entière, et qui pourtant ne sont pas pénalement répréhensibles selon la loi grecque. Cela en parfaite contradiction avec la décision-cadre du Conseil adoptée le 28 novembre 2008, censée harmoniser au niveau de l'Union européenne les sanctions pénales contre le racisme et la xénophobie, qui laisse à l'évidence trop de marge d'interprétation aux États membres quant à la pénalisation des discours de haine.

— Sur la base de ces faits, la Commission a-t-elle l'intention de proposer d'urgence un renforcement de la décision-cadre de 2008 afin qu'aucun discours négationniste et d'incitation à la haine n'échappe dorénavant à la sanction judiciaire sur le territoire communautaire?

— La Commission pense-t-elle que le délit de négationnisme de l'holocauste ou d'autres génocides établi dans au moins 7 États membres (Allemagne, Autriche, Belgique, France, Espagne, Roumanie et Portugal) constitue un modèle pénal à généraliser au niveau de l'Union européenne?

— La Commission est-elle d'accord pour mener une initiative afin que dans les 27 pays de l'Union européenne, il soit prochainement interdit de nier l'existence de la Shoah, d'autres génocides ou de faire l'apologie des crimes contre l'humanité définis par la Cour pénale internationale?

Réponse donnée par Mme Viviane Reding au nom de la Commission
(14 juin 2012)

La Commission rejette toutes les manifestations de racisme, de xénophobie et d'antisémitisme, quel qu'en soit l'auteur. Les pouvoirs publics, les partis politiques et la société civile doivent vigoureusement condamner et combattre activement les comportements racistes, xénophobes et antisémites.

En ce qui concerne la décision cadre 2008/913/JAI, la priorité de la Commission est de faire en sorte qu'elle soit transposée correctement et intégralement dans tous les États membres. La Commission a rappelé plusieurs fois à ces derniers leur obligation de se conformer à la décision cadre et de notifier leurs mesures de transposition. Les traités n'autorisent pas la Commission à lancer de procédures d'infraction sur le fondement des décisions cadre avant le 1er décembre 2014.

La Commission procède actuellement à l'examen des notifications transmises par les États membres afin de déterminer le degré d'exactitude et d'achèvement de la transposition de la décision cadre, y compris son article 1er, paragraphe 1, lettres c) et d), qui porte sur l'apologie, la négation ou la banalisation grossières publiques des crimes de génocide, crimes contre l'humanité et crimes de guerre tels que définis aux articles 6, 7 et 8 du Statut de la Cour pénale internationale, ainsi qu'à l'article 6 de la charte du Tribunal militaire international annexée à l'accord de Londres du 8 août 1945. En 2013, la Commission présentera un rapport sur la mise en œuvre de la décision cadre.

La Commission souhaite rappeler qu'il appartient aux juridictions nationales de déterminer, compte tenu des circonstances et du contexte, si une situation donnée représente une incitation à la haine ou à la violence raciste ou xénophobe.

(English version)

Question for written answer P-005086/12
to the Commission
Frédérique Ries (ALDE)
(16 May 2012)

Subject: Creation of the offence of Holocaust denial or revisionism in the European Union

The resurgence of extreme right-wing movements with openly racist, xenophobic and anti-Semitic doctrines, the trivialisation of their hate speeches and acts, and also their dramatic entry into certain national parliaments, such as in Hungary and Greece, require EU authorities not only to be ever more vigilant but also to have a legal response to this threat to democracy and the rule of law in the European Union.

The trivialisation of the discourse of hatred became highly topical with a speech on 13 May 2012 by the political leader of the Greek neo-Nazi movement 'Golden Dawn' that denied the existence of the Holocaust and the extermination of 6 million Jews in gas chambers. This speech openly incited hatred and violence and shocked the whole of Europe, but nonetheless is not a criminal offence under Greek law. This runs counter to the Council's Framework Decision adopted on 28 November 2008, which is intended to harmonise criminal sanctions against racism and xenophobia throughout the European Union but which evidently leaves Member States too wide a margin of interpretation when it comes to penalising hate speeches.

— On this basis, does the Commission intend urgently to propose tightening up the 2008 Framework Decision so that no speech denying the Holocaust and inciting to hatred shall henceforth escape judicial sanction within the European Union?

— Does the Commission believe that the offence of denying the Holocaust or other genocides, introduced in at least seven Member States (Austria, Belgium, France, Germany, Portugal, Romania and Spain), is a model of criminal law which should be generalised throughout the European Union?

— Is the Commission prepared to take an initiative to ensure that, in the 27 Member States of the European Union, denying the existence of the Holocaust and other genocides, and justifying crimes against humanity as defined by the International Criminal Court, will soon be forbidden?

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

The Commission rejects all manifestations of racism, xenophobia and antisemitism, regardless of who they come from. Public authorities, political parties, and civil society must strongly condemn and actively fight against racist, xenophobic and antisemitic behaviour.

As regards Framework Decision 2008/913/JHA, the priority of the Commission is to ensure its correct and full transposition in all Member States. The Commission has reminded them on several occasions of their obligation to comply with the framework Decision and to notify their transposition measures. The Commission is not authorised by the Treaties to launch infringement proceedings on the basis of Framework Decisions until 1 December 2014.

The Commission is currently analysing the notifications sent by Member States in order to determine the correctness and fullness of the transposition of the framework Decision, including its Articles 1(1) (c) and (d) referring to the public condoning, denial and gross trivialisation of crimes of genocide, crimes against humanity and war crimes as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, as well as the crimes defined in Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945. The Commission will deliver in 2013 a report on the implementation of the framework Decision.

The Commission would like to recall that it is for the national courts to determine, according to the surrounding circumstances and context, whether a given situation represents an incitement to racist or xenophobic hatred or violence.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005087/12
an die Kommission
Hermann Winkler (PPE)
(16. Mai 2012)

Betrifft: Twitter-Meldung von EU-Kommissarin Viviane Reding zu den Präsidentschaftswahlen in Frankreich

Der Sieg des Sozialisten François Hollande bei der Präsidentschaftswahl in Frankreich hat unterschiedliche Reaktionen in Europa ausgelöst.

In diesem Zusammenhang hat Viviane Reding am 6.5.2012 getwittert: „Une France de la Justice, enfin!" (ins Deutsche übersetzt: „Ein Frankreich der Gerechtigkeit, endlich!"). Diese Meldung hatte unter anderem den Protest der Europa-Abgeordneten Philippe Juvin und Constance Le Grip zur Folge, die eine offizielle Entschuldigung forderten.

Im rechtswissenschaftlichen Kontext ist die Gerechtigkeit einer der am schwierigsten zu fassenden Begriffe. Was unter Gerechtigkeit zu verstehen ist, hängt wesentlich vom Standpunkt des Betrachters ab.

1. Wie definiert Kommissarin Reding in diesem Fall den Begriff „Gerechtigkeit"?

2. In welchen Zusammenhang bringt Kommissarin Reding den Begriff „Gerechtigkeit" mit Frankreich?

3. Sah Kommissarin Reding „Gerechtigkeit" in Frankreich als bisher nicht gewährleistet?

4. Entspricht es der Geschäftsordnung der Kommission, dass sich Kommissare mit derartigen politischen Statements nach Wahlen einbringen beziehungsweise positionieren?

Antwort von Frau Reding im Namen der Kommission
(21. Juni 2012)

Die Kommission begrüßt das Engagement für eine wirkungsvolle Politik, die den Bürgern das Leben in einem durch Recht und Gerechtigkeit geprägten Europa erleichtern soll.

Die Europäische Kommission wird weiterhin mit allen Mitgliedstaaten im Rat zusammenarbeiten, um die Verhandlungen über eine Reihe von Vorschlägen, wie den Vorschlag für eine Richtlinie über das Recht auf Rechtsbeistand ([1]) und den Vorschlag über die Opferhilfe ([2]) abzuschließen, die zurzeit im Bereich Justiz auf dem Tisch liegen.

Der Präsident der Kommission wird vom Europäischen Parlament auf Vorschlag des Europäischen Rates gewählt. Nach einem Zustimmungsvotum des Europäischen Parlaments werden der Präsident und die übrigen Mitglieder der Kommission vom Europäischen Rat als Kollegium ernannt.

Dieses Mandat schließt nicht aus, dass der Präsident oder andere Mitglieder der Kommission, wie in der Anfrage angesprochen, politische Meinungen äußern.

([1]) Vorschlag für Richtlinie des Europäischen Parlaments und des Rates vom 8. Juni 2011 über das Recht auf Rechtsbeistand in Strafverfahren und das Recht auf Kontaktaufnahme bei der Festnahme, KOM(2011)326 endg.

([2]) Vorschlag für Richtlinie des Europäischen Parlaments und des Rates vom 18. Mai 2011 über Mindeststandards für die Rechte und den Schutz von Opfern von Straftaten sowie für die Opferhilfe, KOM(2011)275 endg.

(English version)

Question for written answer E-005087/12
to the Commission
Hermann Winkler (PPE)
(16 May 2012)

Subject: Tweet by EU Commissioner Viviane Reding on the presidential elections in France

The victory of socialist François Hollande in France's presidential elections has produced different reactions across Europe.

In this context, Viviane Reding tweeted on 6 May 2012: 'Une France de la Justice, enfin!' ('Justice in France, at last!'). This tweet resulted in a protest by Members of the European Parliament Philippe Juvin and Constance Le Grip, among others, calling for an official apology.

In an academic legal context, the term justice is one of the most difficult to define. The meaning of the term justice depends largely on one's point of view.

1. How would Commissioner Reding define the term 'justice' in this case?

2. In what context does Commissioner Reding associate the term 'justice' with France?

3. Did Commissioner Reding believe that 'justice' was not served in France before this?

4. Do the Commission's internal rules allow Commissioners to make such political statements or to take up such positions after elections?

Answer given by Mrs Reding on behalf of the Commission
(21 June 2012)

The Commission welcomes commitments aimed at delivering strong policies to make citizens' lives easier in a Europe of law and justice.

The European Commission will continue working with all Member States in the Council to finalise negotiations on a series of proposals currently on the table in the field of justice such as the proposal for a directive on the access to a lawyer ([1]) and on the right of victims of crime ([2]).

The President of the Commission is elected by the European Parliament following a proposal of the European Council. The President and the other members of the Commission are, as a body, appointed by the European Council following a vote of consent by the European Parliament.

This mandate does not preclude the President or other members of the Commission to advance political opinions like the ones referred to by the Honourable Member.

([1]) Proposal for a directive of the European Parliament and of the Council on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest of 08 June 2011, COM(2011) 326 final.

([2]) Proposal for a directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime of 18 May 2011, COM(2011) 275 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005088/12
an die Kommission
Ingeborg Gräßle (PPE)
(16. Mai 2012)

Betrifft: Absturz des Envisat — Kosten und Auswirkungen für die EU

Am 10.5.2012 verlor die European Space Agency (ESA) den Satelliten Envisat. Nach mehreren Versuchen, den Kontakt zum Satelliten aufzunehmen, wurden die Rettungsversuche eingestellt. Die European Maritime Safety Agency (ESMA) hatte den Satelliten seit 2007 im Projekt CleanSeaNet eingesetzt zur Überwachung von Ölteppichen und Verfolgung des Schiffverkehrs. Der Nachfolgesatellit Sentinel-1 (Teil des „Global Monitoring for Environment and Security (GMES)" -Programms der ESA) soll erst ab der zweiten Jahreshälfte 2013 verfügbar sein und in Umlauf gebracht werden.

Die Kommission wird Folgendes gefragt:

— Welche Auswirkungen hat der Verlust von Envisat auf die Arbeit der EMSA?

— Welche Alternativen werden von der EMSA genutzt?

— Welche zusätzlichen Kosten entstehen der EMSA durch den Verlust des Envisat?

— Welche Auswirkungen hat der Verlust des Envisat auf das Arbeitsprogramm der EMSA?

— Welche Auswirkungen hat der Verlust von Envisat auf die Arbeit der Organe und Einrichtungen der Europäischen Union? Welche Organe und Einrichtungen der EU sind betroffen? Welche Projekte, Agenturen, Dienststellen der Kommission sind im Detail betroffen?

— Welche Alternativen werden von den einzelnen Projekten, Agenturen, Dienststellen der Kommission in Betracht gezogen?

— Welche zusätzlichen Kosten entstehen der EU durch den Verlust des Envisat? Wie viel entfällt auf die einzelnen Projekte, Agenturen und Dienststellen der Kommission?

Antwort von Herrn Kallas im Namen der Kommission
(11. Juli 2012)

1.-4. Die Kommission hat die Europäische Agentur für die Sicherheit auf See (EMSA) darum gebeten, die Fragen des Herrn Abgeordneten zu beantworten. Die Antwort der Agentur wird dem Herrn Abgeordneten so schnell wie möglich durch die Kommission weitergeleitet.

5. Die Kommission finanziert im Rahmen des RP7 ([1]) und des GMES-Programms ([2]) Dienste und Forschungsprojekte, die auf die Bereitstellung von Satellitenaufnahmen angewiesen sind. Die Bereitstellung solcher Aufnahmen wird von der Kommission im laufenden mehrjährigen Finanzrahmen ([3]) mit bis zu 96 Mio. EUR gefördert. Die kostenlos zur Verfügung gestellten Daten von ENVISAT waren einer der wichtigsten Beiträge. Der Verlust von ENVISAT hat daher einen erheblichen Einfluss auf die Entwicklung der GMES-Dienste. Den Meeres — und Atmosphärenbeobachtungsdiensten fehlen Weltraum-Satellitenaufnahmen und bei einigen Angeboten kann nicht mehr die gleiche Qualität geliefert werden.

([1]) Siebtes Rahmenprogramm.
([2]) Verordnung (EU) Nr. 911/2010 des Europäischen Parlaments und des Rates vom 22. September 2010 über das Europäische Erdbeobachtungsprogramm (GMES) und seine ersten operativen Tätigkeiten (2011-2013), ABl. L 276 vom 20.10.2010, S. 1.
([3]) Mehrjähriger Finanzrahmen 2007-2013.

6. & 7. Dank einem Abkommen zwischen den europäischen und kanadischen Raumfahrtbehörden werden den oben erwähnten Diensten bis Mitte Juli 2012 kostenlos RADARSAT-Bilder zur Verfügung gestellt. Bis zur Indienststellung von Sentinel-1 werden dank der oben erwähnten Mittel weitere Satellitenaufnahmen von anderen Anbietern ([4]) bezogen. Die anderen ENVISAT-Daten werden durch Daten von europäischen und internationalen wissenschaftlichen Missionen ([5]) ersetzt, die in der Regel kostenlos sind. Diese Lösung wird es erlauben, die Auswirkungen auf die GMES-Dienste und andere verwandte Forschungsprojekte zu minimieren.

([4]) Zum Beispiel Radarsat, Terrasar-X und COSMO-Skymed.
([5]) Zum Beispiel MetOp von Eumetsat, Cryosat von ESA.

(English version)

Question for written answer E-005088/12
to the Commission
Ingeborg Gräßle (PPE)
(16 May 2012)

Subject: Loss of the ENVISAT satellite — costs and implications for the EU

On 10 May 2012 the European Space Agency (ESA) lost the ENVISAT satellite. After several attempts to re-establish contact with the satellite, rescue attempts were abandoned. The European Maritime Safety Agency (EMSA) had been using the satellite since 2007 to monitor oil spills and track maritime traffic as part of the CleanSeaNet project. The successor satellite, Sentinel-1 (part of the ESA's Global Monitoring for Environment and Security programme), is scheduled to become available and be placed in orbit only in the second half of 2013.

— What are the implications for the EMSA's work of the loss of the ENVISAT satellite?

— What alternatives are available to the EMSA?

— What additional costs will be incurred by the EMSA as a result of the loss of the ENVISAT satellite?

— What are the implications for the EMSA's work programme of the loss of the ENVISAT satellite?

— What are the implications for the work of the EU institutions and bodies of the loss of the ENVISAT satellite? Which EU institutions and bodies are affected? Which specific projects, agencies and Commission departments are affected?

— What alternatives are being considered by the individual projects, agencies and Commission departments?

— What additional costs will be incurred by the EU as a result of the loss of the ENVISAT satellite? How will these costs be divided among the specific projects, agencies and Commission departments?

Answer given by Mr Kallas on behalf of the Commission
(11 July 2012)

1-4. The Commission has requested the European Maritime Safety Agency (EMSA) to provide the replies to the questions posed by the Honourable Member. The Agency's response will be forwarded by the Commission to the Honourable Member as soon as possible.

5. The Commission is funding services and research projects in the context of the 7th FP ([1]) and GMES ([2]) programme, which rely on the provision of satellite images. The provision of such images is funded by the Commission up to EUR 96 million in the current MFF ([3]) and Envisat data, free of charge, was one of the major contributors. Its loss has therefore a significant impact on the development of the GMES services. The marine and atmosphere services are lacking space observations and some products have degraded quality today.

6 and 7. Thanks to an agreement between the European and the Canadian Space agencies, Radarsat images will be made available to the above services free of charge until mid-July 2012. Further radar images will be procured from other providers ([4]) by the funds mentioned above until Sentinel-1 is operational. The other Envisat data will be replaced by data obtained from European and international scientific missions ([5]), usually free of charge. This recovery solution shall allow minimising the impact on GMES services and other related research projects.

([1]) Seventh Framework Programme.
([2]) Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) OJ L 276, 20.10.2010, p. 1.
([3]) 2007-2013 Multiannual Financial Framework.
([4]) e.g. Terrasar-X and COSMO-Skymed.
([5]) e.g. Eumetsat's MetOp, ESA's Cryosat.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005090/12
à Comissão (Vice-Presidente / Alta Representante)
Ana Gomes (S&D)
(16 de maio de 2012)

Assunto: VP/HR — Liberdade de expressão na Tailândia

O artigo 112.° do Código do Processo Penal tailandês, comummente designado por «lei de lesa-majestade», juntamente com as disposições conexas da legislação sobre crimes informáticos de 2007, há muito que são alvo de críticas pelo seu impacto negativo no pleno gozo da liberdade de expressão. Em 2006, foram instaurados no Tribunal de Primeira Instância 30 processos por crime de lesa-majestade. Esses números aumentaram para 126 processos em 2007, 164 em 2009 e 478 em 2010.

O Relator Especial das Nações Unidas para a Liberdade de Opinião e Expressão instou a Tailândia, em 10 de outubro de 2011, a realizar amplos processos de consulta pública para alterar o artigo 112.° do Código Penal e a legislação sobre crimes informáticos, de molde a garantir a conformidade com as obrigações internacionais do país em matéria de Direitos Humanos. Em 9 de dezembro de 2011, o Gabinete do Alto Comissário das Nações Unidas para os Direitos Humanos afirmou, num comunicado de imprensa, que as duras sanções previstas no artigo 112.° não são necessárias nem proporcionais e violam as obrigações internacionais do país em matéria de Direitos Humanos, tendo exortado as autoridades tailandesas a alterarem as leis que punem o crime de lesa-majestade.

Atualmente, dois conceituados defensores dos Direitos Humanos enfrentam acusações de crime de lesa-majestade. A sentença contra Chiranuch Premchaiporn, diretora executiva do sítio *web* de informações Prachatai, deverá ser proferida em 31 de maio de 2012. Chiranuch Premchaiporn enfrenta acusações de lesa-majestade por não ter removido rapidamente do seu fórum *web* comentários considerados ofensivos para a família real. De igual modo, Somyot Pruksakasemsuk enfrenta acusações de crime lesa-majestade devido a dois artigos considerados ofensivos para a monarquia publicados numa revista da qual era editor, mas que não foram da sua autoria. Prevê-se um veredicto ainda este ano.

1. A Vice-Presidente/Alta Representante tenciona apelar à alteração do artigo 112.° do Código Penal tailandês, a fim de o tornar compatível com a legislação internacional em matéria de Direitos Humanos, ou à sua revogação, por considerar que viola o direito de liberdade de expressão, igualmente assegurado pelo artigo 45.° da Constituição tailandesa de 2007 e pelo artigo 19.° do Pacto Internacional sobre os Direitos Civis e Políticos do qual a Tailândia é signatária?

2. A Vice-Presidente/Alta Representante tenciona instar o governo tailandês a reconsiderar a sua posição e a aceitar todas as recomendações relativas à lei de lesa-majestade feitas no âmbito do Exame Periódico Universal em outubro de 2011?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(2 de Agosto de 2012)

1. A UE é um dos observadores mais enérgicos e ativos em matéria de evolução da liberdade de expressão na Tailândia.

2. A Alta Representante/Vice-Presidente está a acompanhar de perto a evolução no domínio da liberdade de expressão na Tailândia. A UE manifestou a nível nacional e internacional a sua profunda preocupação relativamente à diminuição da margem de liberdade de expressão, o aumento significativo dos processos judiciais por crimes de «lesa-majestade», a aplicação dura da legislação em vigor e a severidade das sentenças judiciais em casos recentes. A UE sublinhou o seu papel como observador neutro e imparcial que não interfere na legislação da Tailândia. Em alternativa, mediante um diálogo construtivo com as autoridades tailandesas, a UE tem como objetivo partilhar experiências e as melhores práticas, com o objetivo de melhorar a execução efetiva e a aplicação das normas de direito internacional em matéria de Direitos Humanos aplicáveis a ambas as partes.

3. Em 2011 e 2012, a Delegação da UE e os Estados-Membros participaram em todas as audiências de Chiranuch Premchaiporn que, em 30 de maio de 2012, foi considerada culpada, tendo recebido uma pena suspensa de oito meses de prisão e uma multa de 500 euros, por violação da lei de crimes informáticos. Foi emitida uma declaração dos chefes de missão locais da UE no mesmo dia, expressando «profunda preocupação com os efeitos nocivos de um veredicto de culpada e a consequente condenação em matéria de liberdade de expressão na Tailândia, ao incriminar intermediários por conteúdos colocados por outros utilizadores da Internet em sítios Web».

4. Além disso, em 28 de novembro de 2011, foi emitida uma declaração da UE sobre a condenação a vinte anos de prisão de Ampon Tangnoppakul, de 62 anos, por violar a lei de «lesa-majestade». A UE reiterou «a importância que atribui ao Estado de direito, à democracia e ao respeito pelos Direitos do Homem».

5. A nível internacional, a liberdade de expressão foi suscitada por vários Estados-Membros da UE durante o primeiro Exame Periódico Universal à Tailândia no Conselho dos Direitos Humanos das Nações Unidas, em Genebra, no mês de outubro de 2011 e de março de 2012.

(English version)

Question for written answer E-005090/12
to the Commission (Vice-President/High Representative)
Ana Gomes (S&D)
(16 May 2012)

Subject: VP/HR — Freedom of expression in Thailand

Section 112 of the Thai Penal Code, commonly known as the *lèse-majesté* law, along with related provisions of the Computer Crimes Act of 2007, have long been criticised for their negative impact on the enjoyment of freedom of expression. In 2006, 30 known *lèse-majesté* cases were sent for prosecution in the Court of First Instance. That figure rose to 126 in 2007, 164 in 2009, and 478 in 2010.

On 10 October 2011, the UN Special Rapporteur on the right to freedom of opinion and expression urged Thailand 'to hold broad-based public consultations to amend Section 112 of the penal code and the 2007 Computer Crimes Act so that they are in conformity with the country's international human rights obligations'. On 9 December 2011 the Office of the UN High Commissioner for Human Rights said in a press statement that Section 112's 'harsh criminal sanctions are neither necessary nor proportionate and violate the country's international human rights obligations' and urged the Thai authorities to amend the laws on *lèse-majesté*.

Two well-known human rights defenders are facing *lèse-majesté* charges. The verdict in the trial of Ms Chiranuch Premchaiporn, executive director of the online news website Prachatai, is expected on 31 May 2012. She faces *lèse-majesté* charges for failing to remove posts deemed offensive to the royal family quickly enough from her web forum. Similarly, labour activist Mr Somyot Pruksakasemsuk is facing *lèse-majesté* charges for two articles, deemed offensive to the monarchy, that appeared in a magazine of which he was the editor, but which he did not write. A verdict is expected later this year.

1. Will the Vice-President/High Representative call for the amendment of Section 112 of the Thai Penal Code to bring it into line with international human rights law, or for its repeal, on the grounds that it violates the right to freedom of expression, which is also guaranteed by Section 45 of the Thai Constitution of 2007 and Article 19 of the International Covenant on Civil and Political Rights, to which Thailand is a state party?

2. Will the Vice-President/High Representative call on the Thai government to reconsider its position on, and accept, all recommendations related to the *lèse-majesté* law made in the course of the Universal Periodic Review in October 2011?

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

1. The EU is one of the most vocal and active observers of Freedom of Expression developments in Thailand.

2. The HR/VP is closely following developments in the area of FoE in Thailand. The EU has expressed at national and international level its deep concern regarding the shrinking space for FoE, the significant increase of *lèse majesté* prosecution cases, the harsh applications of the relevant laws and the severity of court sentences in recent cases. The EU has underscored its role as a neutral and impartial observer which does not interfere in Thailand's legislation. Instead, through constructive dialogue with the RTG, the EU aims to share experiences and best practices, with the objective of improving the effective implementation and application of the norms of international human rights law applicable to both parties.

3. In 2011 and 2012, The EU DEL and MS attended all hearings of Ms Chiranuch Premchaiporn who on 30 May 2012 was found guilty and received a suspended 8-month jail term and a EUR 500 fine, for violating the Computer Crimes Act. A local EU HoMs statement was issued the same day expressing 'deep concern about the damaging effects of a guilty verdict and the ensuing conviction on the freedom of expression in Thailand, for criminalising intermediaries for content posted by other Internet users on websites'.

4. Moreover, on 28 November 2011, a local EU statement was issued on the conviction of the 62-year-old Mr Ampon Tangnoppakul for twenty years in prison for violating the *lèse majesté* law. The EU reiterated 'the importance it attaches to the rule of law, democracy and the respect of human rights'.

5. At the international level, FoE was prominently raised by several EU MS during Thailand's first Universal Periodic Review at the UN Human Rights Council in Geneva in October 2011 and March 2012.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005091/12
alla Commissione
Mario Borghezio (EFD)
(16 maggio 2012)

Oggetto: Diniego dell'Egitto nella collaborazione con l'UE in materia di immigrazione

L'Unione europea ha aperto un dialogo sull'immigrazione con Marocco e Tunisia: anche la Giordania è interessata, mentre in relazione alla Libia si sa che nel pacchetto di assistenza a breve termine l'UE finora ha incluso dieci milioni di euro per «assistenza nella gestione dei flussi migratori».

Con l'Algeria non si è ha ancora definito un piano d'azione, mentre l'Egitto ha rifiutato questa offerta di dialogo.

— Può la Commissione spiegare il motivo di tale rifiuto da parte dell'Egitto?

— Può inoltre indicare quali sono le prossime mosse a seguito di tale diniego?

Risposta data da Cecilia Malmström a nome della Commissione
(12 luglio 2012)

A seguito dell'adozione delle conclusioni del Consiglio europeo del 24 giugno 2011, l'Unione europea ha invitato le autorità egiziane ad avviare un dialogo in materia di migrazione, mobilità e sicurezza che porti alla conclusione di un partenariato per la mobilità.

Il 29 settembre 2011 le autorità egiziane hanno risposto rifiutando l'offerta.

Non è stata fornita alcuna spiegazione ufficiale in merito a tale risposta, ma contatti successivi hanno indicato che una delle ragioni potrebbe essere data dal fatto che il paese era impegnato in un processo di transizione politica e istituzionale complesso, nel corso del quale era difficile per le autorità egiziane al potere adottare qualsiasi decisione definitiva sulla cooperazione proposta.

Da allora le autorità egiziane non hanno dato alcun segno di aver modificato il loro approccio e la transizione politica e istituzionale in cui l'Egitto è impegnato è tuttora in corso.

La Commissione europea rimane disponibile e pronta a riprendere i contatti e ad avviare un dialogo in materia di migrazione, mobilità e di sicurezza con le autorità egiziane non appena queste ultime si dimostrino pronte a farlo.

(English version)

Question for written answer E-005091/12
to the Commission
Mario Borghezio (EFD)
(16 May 2012)

Subject: Egypt's refusal to cooperate with the EU on immigration matters

The European Union has opened a dialogue on migration with Morocco and Tunisia. Jordan has also expressed interest, while Libya is known to be covered by the short-term assistance package for which the EU has already set aside EUR 10 000 000 for 'assistance in the management of migration flows'.

No action plan has yet been agreed with Algeria, while Egypt has refused this offer of dialogue.

— Is the Commission able to explain the reason for Egypt's refusal?

— Would it also suggest future actions in response to this refusal?

Answer given by Ms Malmström on behalf of the Commission
(12 July 2012)

Following the adoption of the European Council conclusions of 24 June 2011, the European Union invited the Egyptian authorities to start a Dialogue on migration, mobility and security leading towards the conclusion of a Mobility Partnership.

On 29 September 2011 the Egyptian authorities replied by declining the offer.

No official explanation was provided for this reply, but subsequent contacts indicated that one of the reasons could be the fact that the country was engaged in a complex political and institutional transition, during which it was difficult for the incumbent Egyptian authorities to take any firm decision on the proposed cooperation.

Since then the Egyptian authorities have not shown any indication of having modified their approach, and the political and institutional transition in which Egypt is engaged is still ongoing.

The European Commission remains available and ready to resume contacts and to launch a Dialogue on migration, mobility and security matters with Egyptian authorities, as soon as the latter will show readiness to do so.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005093/12
à Comissão
Nuno Melo (PPE)
(16 de maio de 2012)

Assunto: Falta de água nas barragens

Em Portugal, o regresso da chuva está a ser, para já, insuficiente para atenuar os efeitos da falta de água nas barragens, registando níveis abaixo do normal.

Face a esta situação, as importações representam a maior fonte de eletricidade para o país, com um peso de 18 % do total, depois de terem disparado mais de 250 % entre janeiro e março face ao mesmo período do ano passado.

O vento não é suficiente para a produção de energia eólica, tendo esta caído cerca de 10 %.

A não ser que chova durante todo o verão, prevê-se um aumento do custo da eletricidade consumida em Portugal.

Face ao exposto, pergunto à Comissão:

— Tem conhecimento desta situação?

— Que análise faz da conjuntura descrita?

Resposta dada por Günther Oettinger em nome da Comissão
(27 de Junho de 2012)

A Comissão está a par dos baixos níveis de pluviosidade em algumas regiões da Europa. O fenómeno poderá tornar-se mais frequente se não se atenuarem os problemas relativos às alterações climáticas. A falta de água traduz-se na sua valorização, ou seja, há que utilizá-la nos locais e momentos em que é mais necessária. Todavia, é às autoridades nacionais e aos operadores das redes que cabe a responsabilidade de manter em equilíbrio a oferta e a procura de eletricidade.

(English version)

Question for written answer E-005093/12
to the Commission
Nuno Melo (PPE)
(16 May 2012)

Subject: Water shortage in dams

In Portugal, the recent increase in rainfall is not enough to reduce the effects of water shortages in dams, which are at below-average levels.

That being the case, imports now make up the largest single source of electricity for the country, accounting for 18% of the total, having shot up by more than 250% between January and March compared with the same period last year.

There is not enough wind to produce wind energy, output having fallen by 10%.

Unless it rains all summer, electricity costs are set to rise in Portugal.

— Is the Commission aware of this situation?

— What is its assessment of the outlook described above?

Answer given by Mr Oettinger on behalf of the Commission
(27 June 2012)

The Commission is aware that there has been less rainfall than expected in certain areas of Europe. This is a phenomenon that might become more frequent if climate change is not mitigated. The shortage of water translates into a higher valuation of water, i.e. water should be used when and where it is most needed. It is however, the responsibility of the national authorities and the transmission system operator to ensure that electricity supply and demand is constantly in balance.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005095/12
à Comissão
Nuno Melo (PPE)
(16 de maio de 2012)

Assunto: Malária é a principal causa de morte

Considerando que:

No dia mundial da luta contra a malária, assinalado a 25 de abril, foi divulgado o Inquérito de indicadores da Malária em Angola em 2011.

Só em 2010, o número de casos chegou aos 3,7 milhões.

A nível mundial, a cada minuto uma criança morre de malária.

Torna-se premente encetar políticas que nos permitam alcançar taxas de mortalidade à beira de zero, devendo esta ser uma prioridade fundamental.

É urgente coordenar esforços para tratar e monitorizar esta doença.

Em relação ao impacto da malária no crescimento económico e no desenvolvimento, a OMS informa que a doença afeta negativamente o PIB dos países em até 1,3 %.

Pergunto à Comissão:

— Tem conhecimento desta situação?

— Sabendo que financiando a investigação para encontrar melhores soluções podemos prevenir as mortes por malária, não considera que se deve investir numa nova geração de tratamento anti-malária associado a um maior financiamento?

Resposta dada por Máire Geoghegan-Quinn em nome da Comissão
(4 de Julho de 2012)

A Comissão tem consciência do pesado encargo causado pela malária, que afeta, em especial, mulheres grávidas e crianças nos países em desenvolvimento.

A investigação sobre a malária tem sido uma das prioridades no âmbito dos programas-quadro de investigação e desenvolvimento tecnológico durante mais de 30 anos. Desde 2002, afetaram-se mais de 180 milhões de euros à investigação sobre a malária. Este esforço tem estruturado a investigação europeia sobre a malária em áreas estratégicas como o desenvolvimento de novos tratamentos e vacinas, o controlo do mosquito como transmissor e testes de diagnóstico. Estes projetos deram origem a uma série de novos fármacos ou a novas combinações de tratamento, como o Coarsucam®/Artesunate Amodiaquine Winthrop® («ASAQ Winthrop»), que, depois do financiamento da UE, foi desenvolvido pela Sanofi-Aventis e pela iniciativa Drugs for Neglected Diseases (DNDi) e está agora registado em 30 países da África Subsariana e na Índia, com mais de 80 milhões de tratamentos distribuídos em 21 países. A Parceria entre a Europa e os Países em Desenvolvimento para a Realização de Ensaios Clínicos (EDCTP ([1])) tornou-se uma importante iniciativa da UE para apoiar os ensaios clínicos sobre tratamentos novos ou melhorados para a malária. Desde 2003, a EDCTP apoiou 12 ensaios clínicos a um custo de 76 milhões de euros, incluindo os estudos SMAC fase III acerca do tratamento adaptado com artesunato para malária grave em crianças africanas ([2]).

A proposta da Comissão para o Horizonte 2020 — Programa-Quadro de Investigação e Inovação (2014/2020) deverá continuar a dar resposta aos tratamentos para doenças infecciosas com um impacto importante na saúde humana, como a malária.

([1]) (http:///www.edctp.org/).
([2]) (http://www.edctp.org/fileadmin/documents/our_work/EDCTP_project_portfolio.pdf).

(English version)

Question for written answer E-005095/12
to the Commission
Nuno Melo (PPE)
(16 May 2012)

Subject: Malaria is the main cause of death

The Angola Malaria Indicator Survey for 2011 was released on 25 April, World Malaria Day.

In 2010 alone, the total number of cases reached 3.7 million.

Somewhere in the world a child dies of malaria every minute.

Policies need to be adopted urgently with the aim of achieving mortality rates close to zero, that being a priority.

It is vital to coordinate efforts to treat and monitor this disease.

As regards the impact of malaria on economic growth and development, the WHO reports that the disease causes a loss of up to 1.3% in countries' GDP.

— Is the Commission aware of this situation?

— Knowing that we can prevent deaths from malaria by funding research into better treatments, does it not consider that it should invest more in the new generation of anti-malaria treatments?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(4 July 2012)

The Commission is aware of the heavy burden caused by malaria which affects, in particular, children and pregnant women in developing countries of the world.

Malaria research has been one of the priorities under the framework Programmes for Research and Technological Development for more than 30 years. Since 2002, more than EUR 180 million has been dedicated to malaria research. This effort has structured European malaria research in strategic areas, such as the development of new treatments and vaccines, control of the mosquito vector and diagnostic tests. These projects have generated a number of new drug candidates or new combinations of treatment such as the Coarsucam®/Artesunate Amodiaquine Winthrop® ('ASAQ Winthrop') which, after the EU funding, was further developed by Sanofi-Aventis and the Durgs for Neglected Diseases initiative (DNDi), and is now registered in 30 sub-Saharan African countries and in India, with over 80 million treatments distributed in 21 countries. The European and Development Countries Clinical Trials Partnership (EDCTP ([1])) has become a major EU initiative for supporting clinical trials on new or improved treatments for malaria. Since 2003, EDCTP has supported 12 clinical trials at a cost of EUR 76 million, including the SMAC phase III studies on adapted artesunate treatment for severe malaria in African children ([2]).

The Commission's proposal for Horizon 2020 — The framework Programme for Research and Innovation (2014-2020) is expected to continue addressing treatments for infectious diseases with a major impact on human health, such as malaria.

([1]) http://www.edctp.org/.
([2]) http://www.edctp.org/fileadmin/documents/our_work/EDCTP_project_portfolio.pdf

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005096/12
à Comissão
Nuno Melo (PPE)
(16 de maio de 2012)

Assunto: Crise financeira em Espanha

A economia e os bancos da Espanha continuam a sofrer com a explosão da bolha de crédito, construção e imobiliário em 2008.

O governo espanhol prepara-se para injetar dinheiro público para salvar o Bankia, o terceiro maior banco do país.

A gravidade da situação do sistema bancário poderá indiciar que a Espanha precisará de assistência financeira.

Face ao exposto, pergunto à Comissão:

Como avalia a situação de Espanha e a provável sujeição a mecanismos de assistência financeira?

Resposta dada por Olli Rehn em nome da Comissão
(23 de Julho de 2012)

De acordo com o estudo aprofundado no contexto do procedimento relativo aos desequilíbrios macroeconómicos (PDM), publicado pela Comissão em 30 de maio de 2012, a Espanha tem registado desequilíbrios muito graves que, não sendo embora excessivos, exigem uma ação urgente. Em especial, o nível significativo de endividamento do setor privado, a posição externa amplamente negativa e o setor financeiro exigem um acompanhamento estreito e uma atenção política urgente.

No contexto do Semestre Europeu, a Comissão recomenda à Espanha que complemente a reestruturação em curso no setor bancário resolvendo a situação das instituições que permanecem débeis, apresentando uma estratégia global para fazer face de modo eficaz aos ativos herdados do passado que figuram nos balanços dos bancos e definir uma posição clara quanto ao financiamento e à utilização dos mecanismos de apoio.

Em 25 de junho de 2012, a Espanha apresentou um pedido formal de assistência financeira para apoiar a recapitalização do seu setor bancário. Numa declaração de 9 de junho de 2012, o Eurogrupo manifestava a sua vontade de responder favoravelmente a esse pedido. A Comissão irá acompanhar esse pedido de forma rápida e eficaz.

(English version)

Question for written answer E-005096/12
to the Commission
Nuno Melo (PPE)
(16 May 2012)

Subject: Financial crisis in Spain

The Spanish economy and banks are continuing to suffer after the credit, construction and property bubble burst in 2008.

The Spanish Government is preparing to bail out Bankia, the country's third-largest bank.

The seriousness of the banking situation suggests that Spain may need financial aid.

In view of the above:

What is the Commission's assessment of the Spanish situation and the likelihood that Spain will require financial aid?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

According to the in-depth review in the context of the Macroeconomic Imbalance Procedure (MIP), published by the Commission on 30 May 2012, Spain is experiencing very serious imbalances, which are not excessive but need to be urgently addressed. In particular, the significant level of private sector debt, the large negative external position and the financial sector require close monitoring and urgent policy attention.

In the context of the European Semester, the Commission is recommending that Spain complements the ongoing restructuring of the banking sector by addressing the situation of remaining weak institutions, putting forward a comprehensive strategy to deal effectively with the legacy assets on the banks' balance sheets, and defining a clear stance on the funding and use of backstop facilities.

On 25 June 2012, Spain has submitted a formal request for financial assistance to support the recapitalisation of its banking sector. In a statement of 9 June 2012, the Eurogroup already expressed its willingness to respond favourably to such a request. The Commission will follow up on this request quickly and efficiently.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005097/12
à Comissão
Nuno Melo (PPE)
(16 de maio de 2012)

Assunto: Níveis de corrupção na União Europeia

A corrupção continua a ser um dos maiores desafios que a Europa terá de enfrentar no futuro, sendo certo que, para além de todos os imperativos éticos e jurídicos, diminui os níveis de investimento, afeta o bom funcionamento do mercado interno e tem um impacto negativo sobre as finanças públicas.

Calcula-se mesmo que o custo da corrupção para a economia da UE se eleve a cerca de 120 milhões de euros por ano, o que corresponde a 1 % do PIB da UE.

É necessário um empenhamento político mais firme para combater a corrupção e os danos económicos, sociais e políticos que causa.

Pergunto à Comissão:

— Quais os esforços empreendidos no sentido da redução e prevenção da corrupção?

— Existem dados estatísticos recentes que permitam comparar os níveis de corrupção existentes nos vários Estados-Membros e o seu impacto nas economias respetivas?

Resposta dada por Cecília Malmström em nome da Comissão
(11 de Julho de 2012)

A Comissão está atualmente a preparar as estruturas e metodologias que apoiarão o Relatório Anticorrupção da UE, um instrumento de avaliação que pode ajudar a estimular a vontade política nos países/setores em que luta contra a corrupção está atrasada. Tal como sublinhado na resposta à pergunta E-02010/2012, não existe qualquer avaliação comparativa do impacto da corrupção a nível da UE. A maioria dos índices disponíveis está relacionada com a perceção dos níveis de corrupção.

A medição do impacto da corrupção coloca sérias dificuldades para os investigadores, uma vez que implica zonas de grande indefinição e onde a deteção da corrupção é difícil. O impacto da corrupção nas economias pode ser difícil de separar de outros aspetos como a gestão de fundos públicos, a dinâmica dos mercados e a concorrência. Para dar resposta a estes desafios, a Comissão centra-se em domínios de interesse específicos. Está atualmente em curso um estudo encomendado pelo OLAF em matéria de corrupção nos contratos públicos que envolvem fundos da UE. Entre outras medidas, irá desenvolver metodologias para quantificar os custos da corrupção nos contratos públicos. As conclusões, a apresentar até ao final de 2012, serão igualmente consideradas no Relatório Anticorrupção da UE. A Comissão adotou ainda, em de junho de 2011, uma nova Estratégia de Luta Antifraude, tal como mencionado na resposta à pergunta E-02243/12 ([1]).

As recentes revisões das normas da Task Force Ação Financeira em matéria de luta contra o branqueamento de capitais e o financiamento do terrorismo alargaram a definição de pessoas politicamente expostas para incluir um maior leque de categorias de pessoas influentes potencialmente expostas aos lucros provenientes da corrupção. A Comissão está a considerar que estas alterações sejam refletidas na revisão da terceira Diretiva da UE contra o branqueamento de capitais ([2]).

([1]) (http://www.europarl.europa.eu/QP-WEB/application/home.do?language=PT).
([2]) Diretiva 2005/60/CE do Parlamento Europeu e do Conselho, de 26 de Outubro de 2005, relativa à prevenção da utilização do sistema financeiro para efeitos de branqueamento de capitais e de financiamento do terrorismo.

(English version)

Question for written answer E-005097/12
to the Commission
Nuno Melo (PPE)
(16 May 2012)

Subject: Levels of corruption within the European Union

Corruption continues to be one of the greatest challenges that Europe will face in the future, as, quite apart from all the ethical and legal imperatives, there is no doubt that it reduces levels of investment, impedes the smooth running of the internal market and adversely affects public finances.

It has been calculated that the cost of corruption for the EU economy is as much as EUR 120 million a year, equivalent to 1% of the EU's GDP.

There has to be a stronger political commitment to combating corruption and the economic, social and political damage that it causes

— What efforts have been made to reduce and prevent corruption?

— Are there any recent statistics making it possible to compare levels of corruption in the Member States and gauge the impact on individual economies?

Answer given by Ms Malmström on behalf of the Commission
(11 July 2012)

The Commission is currently working on the structures and methodologies that will support the EU Anti-Corruption Report, an evaluation tool that can help boost political will in the countries/sectors where fight against corruption is lagging behind. As stressed in the response to Question E-02010/2012, there is no available comparative measurement of the impact of corruption across the EU. Most indexes available are linked to perceived levels of corruption.

The measurement of the impact of corruption poses serious difficulties to researchers, as it involves extensive grey areas where detection of corruption is difficult. The impact of corruption on economies can be difficult to separate from other aspects such as management of public money, dynamics of markets and competition. To respond to such challenges, the Commission focuses on specific areas of interest. A study commissioned by OLAF on corruption in public procurement involving EU funds is currently running. Among others, it will develop methodologies to measure corruption costs in public procurement. Its findings, due by the end of 2012, will also be considered for the EU Anti-Corruption Report. Also, in June 2011, the Commission adopted a new Anti-Fraud Strategy, as mentioned in the answer to Question E-02243/12 ([1]).

Recent revisions of the Financial Action Task Force standards on combating money laundering and terrorism financing extended the definition of politically exposed persons to include wider categories of influential persons potentially exposed to proceeds of corruption. The Commission is considering reflecting these changes in the revision of the Third EU Anti-Money Laundering Directive ([2]).

([1]) http://www.europarl.europa.eu/QP-WEB.
([2]) Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005098/12
an die Kommission
Franz Obermayr (NI)
(16. Mai 2012)

Betrifft: evn naturkraft — Kraftwerksprojekt im Bereich der unteren Ybbs/Niederösterreich — Umsetzung der Natura-2000-Richtlinie

Europas wild lebende Tierarten und Ökosysteme sind gefährdet. Die EU hat sich deshalb verpflichtet, den Rückgang der biologischen Vielfalt bis 2010 aufzuhalten und sich das Ziel gesetzt, bis 2010 den Verlust an biologischer Vielfalt in Europa deutlich zu verringern. Natura 2000 ist das EU-weite Netz von Naturschutzgebieten zur Gewährleistung des Fortbestands der wertvollsten europäischen Arten und Lebensräume und hat eine Schlüsselrolle zur Erreichung dieses Ziels. Die evn naturkraft, Tochter der EVN AG, hat aktuell ein Kraftwerksprojekt im Bereich der unteren Ybbs — im Schutzgebiet der niederösterreichischen Alpenvorlandflüsse — geplant. Dabei werden laut den besorgten Naturschützern wertvolle ökologische Ressourcen wie z. B. das Laichgebiet für den Huchen (Donaulachs) unwiederbringlich auch als Naherholungsgebiet für die Menschen zerstört.

1. Ist der Kommission dieses österreichische Kraftwerksprojekt bekannt? Und wie beurteilt sie das Projekt?

2. Wird mit diesem Kraftwerksprojekt gegen die Natura-2000-Richtlinie verstoßen? Wenn ja, welche Schritte sind seitens der Kommission geplant, um den Bau zu stoppen?

3. Welchen Einfluss kann die Kommission auf die öffentliche Hand (das Land Niederösterreich, Niederösterreich als Mehrheitseigentümer der EVN AG und als Vertreter der Bürgerinteressen) nehmen, um die geplanten Mittel für Investitionen in Solarenergie (z. B. Fotovoltaik) einzusetzen?

4. Welche Schritte könnte die Kommission unternehmen, um die letzten wertvollen Flussläufe in Österreich wie die Ybbs zu schützen und sich gegen deren Verbauung einzusetzen?

Antwort von Herrn Potočnik im Namen der Kommission
(28. Juni 2012)

Die Kommission ist über das Vorhaben, ein Wasserkraftwerk im Bereich der unteren Ybbs in Österreich zu bauen, nicht unterrichtet. Sie kann daher zu diesem Vorhaben nicht Stellung nehmen.

Wegen seines herausragenden Wertes als Gebiet, in dem bedrohte Arten von europäischer Bedeutung leben, handelt es sich beim Bereich der unteren Ybbs um ein Natura-2000-Gebiet im Sinne der FFH-Richtlinie ([1]). Als solches fällt es unter Artikel 6 der FFH-Richtlinie, in dem u. a. verfügt ist, dass die Mitgliedstaaten jede Beeinträchtigung von Natura-2000-Gebieten vermeiden müssen. Die Mitgliedstaaten sind gehalten zu gewährleisten, dass die Bestimmungen des Artikels 6 ordnungsgemäß angewendet werden, so dass negative Auswirkungen von Plänen oder Projekten auf Natura-2000-Gebiete vermieden oder gegebenenfalls ausgeglichen werden können.

Sobald der Kommission Nachweise dafür vorliegen, dass die Rechtsvorschriften nicht ordnungsgemäß angewendet werden, wird eine Untersuchung in die Wege geleitet und gegebenenfalls ein Rechtsmittel gegen den Mitgliedstaat, der das EU-Recht verletzt, eingelegt.

Die Kommission hat keinerlei Kompetenzen, wenn es um die Wahl der Energiequellen durch die Mitgliedstaaten geht.

([1]) Richtlinie 92/43/EWG des Rates vom 21. Mai 1992 zur Erhaltung der natürlichen Lebensräume sowie der wildlebenden Tiere und Pflanzen, ABl. L 206 vom 22.7.1992.

(English version)

Question for written answer E-005098/12
to the Commission
Franz Obermayr (NI)
(16 May 2012)

Subject: evn naturkraft — power station project in the area of the lower Ybbs/Lower Austria — implementation of the Natura 2000 Directive

Europe's wildlife and ecosystems are under threat. The EU therefore set itself the goal of halting and then significantly reducing the loss of biodiversity in Europe by 2010. Natura 2000 is the EU-wide network of nature reserves. Its purpose is to preserve Europe's most precious species and habitats, and it plays a key role in achieving the objective of reducing biodiversity loss. evn naturkraft, a subsidiary of EVN AG, is planning to build a power station in the area of the lower Ybbs, in the protected zone encompassing the rivers of the Alpine foothills in Lower Austria. According to concerned ecologists, this will irretrievably destroy valuable ecological resources, such as the spawning area for Danube salmon, and local recreational amenities.

1. Is the Commission aware of this Austrian power station project? What view does it take of the project?

2. Does this power station project breach the Natura 2000 Directive? If so, what steps is the Commission planning to take to stop it being carried out?

3. What influence can the Commission exert on the public authorities (the Federal State of Lower Austria as the majority shareholder in EVN AG and as the representative of the interests of local citizens) so that the resources earmarked for the project are instead invested in solar energy (e.g. photovoltaic technology)?

4. What steps can the Commission take to protect the last precious stretches of river in Austria, such as the Ybbs, and to prevent them from being destroyed by building?

Answer given by M. Potočnik on behalf of the Commission
(28 June 2012)

The Commission is not aware of any project to build a hydropower plant on the lower Ybbs in Austria. It is therefore unable to take a position on this project.

Because of its outstanding value as a site hosting threatened species of European importance, the lower Ybbs is a Natura site under the EU Habitats Directive ([1]). As such, it benefits from the legal provisions of Article 6 of the Habitats Directive, which provide amongst others that Member States must avoid any deterioration of Natura 2000 sites. It is the responsibility of the Member States to ensure that the provisions of Article 6 are correctly applied so as to avoid or, if relevant, to compensate for any negative impact that may be incurred through plans or projects on the Natura 2000 sites.

If the Commission gathers evidence that the legislation may not be correctly applied, an investigation is launched and, if necessary, legal action is taken against the Member State not respecting EC law.

The Commission has no competency with regard to the choice of energy sources by the Member States.

([1]) Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992.

(English version)

Question for written answer P-005099/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(16 May 2012)

Subject: EU sugar imports

The EU is in the midst of completing a free trade agreement with the Central American countries of Guatemala, Honduras, El Salvador, Nicaragua, Panama and Costa Rica, and a separate one with Colombia and Peru. The combined annual sugar quota access for these countries to the EU will be around 250 000 tonnes. In recent years the Commission has been forced to take emergency measures to increase the EU's sugar supply due to a lack of imports from preferential suppliers. The Commission's estimate of import needs from preferential suppliers this year is more than 1 million tonnes greater than what is likely to be available from such preferential supplies.

Could the Commissioner confirm what other free trade agreements it is currently negotiating which could lead to cane sugar imports that will contribute to filling this gap?

Answer given by Mr Ciolos on behalf of the Commission
(19 June 2012)

The Commission is currently negotiating free trade agreements with countries or groups of countries which produce cane sugar, in particular Mercosur, India, and ACP countries under Economic Partnership Agreements.

All these negotiations, if concluded, could include preferential sugar imports.

(Eestikeelne versioon)

Kirjalikult vastatav küsimus E-005100/12
komisjonile
Indrek Tarand (Verts/ALE)
(16. mai 2012)

Teema: Eurovõlakirjad

Seoses Euroopa 2020. aasta projektivõlakirjade algatusega teatas komisjon 2011. aasta oktoobris, et katseetapp algab juba järgmisel aastal. ([1])

Komisjoni president José Manuel Barroso ütles 2012. aasta 27. veebruaril, et nüüd on meil vaja käiku lasta katseetapi projektivõlakirjad. ([2])

Euroopa Ülemkogu 2012. aasta märtsikuu järeldused sisaldasid seisukohta, et „tuleks kiirendada ELi projektivõlakirjade algatuse katseetapi väljatöötamist, et jõuda juuniks kokkuleppele". ([3])

Milline on olukord seoses Euroopa võlakirjadega või projektivõlakirjadega, kuidas me neid ka ei nimetaks?

Millal algab katseetapp?

Milliseid eurovõlakirjadega seotud meetmeid näeme järgmisena ja millal?

Millal kaasatakse sellesse Euroopa Parlament?

Komisjoni nimel vastanud Olli Rehn
(9. juuli 2012)

Komisjon võttis 19. oktoobril 2011 vastu õigusakti ettepaneku, millega käivitatakse Euroopa 2020. aasta projektivõlakirjade algatuse katseetapp 2012.–2013. aastaks. Hääletus täiskogu istungil on kavandatud 4. juuliks 2012.

Euroopa Investeerimispank on 2012.–2013. aastaks kavandatud katseetapi rakendamisega valmis alustama kohe, kui jõustub õiguslik alus. Katseetapi jaoks on ELi eelarves ette nähtud 230 miljoni euro suurune toetus, et aidata projektiettevõtjatel emiteerida projektivõlakirju ELi taristuprojektide jaoks.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/1200&format=HTML&aged=0&language=ET&guiLanguage=et.
([2]) http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/12/125.
([3]) http://register.consilium.europa.eu/pdf/et/12/st00/st00004-re02.et12.pdf

(English version)

Question for written answer E-005100/12
to the Commission
Indrek Tarand (Verts/ALE)
(16 May 2012)

Subject: Eurobonds

With reference to the Europe 2020 Project Bond Initiative, the Commission announced in October 2011 that 'the pilot phase will start already next year' ([1]).

On 27 February 2012 Mr Barroso, President of the Commission, said: 'Now we need to deliver on pilot project bonds' ([2]).

The conclusions of the European Council of March 2012 included the statement that 'work on the pilot phase of the Europe 2020 project bond initiative should be stepped up with a view to reaching agreement by June' ([3]).

What is the situation as regards European bonds or project bonds, however we name them?

When will the pilot phase commence?

What action will we see next in connection with eurobonds, and when?

When will the European Parliament be involved in this?

Answer given by Mr Rehn on behalf of the Commission
(9 July 2012)

The Commission adopted on 19 October 2011 a legislative proposal launching the pilot phase of the Europe 2020 Project Bond Initiative for the period 2012-2013. The vote in the plenary session is foreseen for 4 July 2012.

The European Investment Bank is prepared to commence implementation of the pilot phase for the period 2012-2013 immediately when the legal basis enters into force. Under the pilot phase, EUR 230 million of EU budget support aims at helping the issuance of project bonds for EU infrastructure projects by the project companies.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/1200&format=HTML&aged=0&language=EN&guiLanguage=en.
([2]) http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/12/125.
([3]) http://register.consilium.europa.eu/pdf/en/12/st00/st00004-re02.en12.pdf

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005101/12
adresată Comisiei
Monica Luisa Macovei (PPE)
(16 mai 2012)

Subiect: Capacitatea de absorbție a fondurilor UE pentru actorii nestatali și autoritățile locale

Există un angajament colectiv luat de UE-15 de a aloca 0,7 % din VNB ajutorului pentru dezvoltare. Cu toate acestea, în afară de a acorda pur și simplu mai mult ajutor, cealaltă parte a problemei este dacă țările în curs de dezvoltare pot absorbi într-adevăr mai mult. Restricțiile cu privire la plăți reprezintă una din dificultățile de a absorbi mai mult ajutor. Există un decalaj între angajamente și plăți. Subutilizarea creditelor este de obicei rezultatul condițiilor din țările beneficiare, precum capacități administrative reduse sau o infrastructură de transport slabă, însoțite de o neîndeplinire a condițiilor cu privire la plăți.

102 țări beneficiază de sprijin bugetar sub formă de asistență financiară care merge direct la trezoreria țării în cauză.

Programul tematic „Actorii nestatali și autoritățile locale în procesul de dezvoltare" vizează încurajarea actorilor nestatali și a autorităților locale atât din UE, cât și din țările în curs de dezvoltare să se implice mai mult în chestiunile legate de dezvoltare. Acesta are trei obiective și un buget de 702 milioane de euro pentru perioada 2011-2013. Doar obiectivul 1 (583 de milioane de euro) este relevant pentru țările în curs de dezvoltare.

1. Care este rata de absorbție a sumelor alocate din fondurile UE (sumele Fondului european de dezvoltare plus fondurile plătite direct din bugetul UE), programate pentru sprijinul bugetar din 2011?

2. Din cele 583 de milioane de euro alocate pentru obiectivul 1 al programului tematic sus-menționat, câte au fost alocate și câte au fost efectiv plătite? Care este procentul care a fost plătit actorilor nestatali și autorităților locale din țările în curs de dezvoltare?

Răspuns dat de dl Piebalgs în numele Comisiei
(18 iulie 2012)

În 2011, au fost alocate peste 1,2 miliarde EUR pentru operațiunile de sprijin bugetar și au fost plătite peste 1,6 miliarde EUR. Plățile sunt mai ridicate decât angajamentele financiare pentru că acordurile financiare, aplicabile sprijinului bugetar acoperă în mod normal o perioadă de trei ani și angajamentele financiare au fost foarte ridicate în ultimii ani. Întrucât banii angajați sunt acordați numai în cazul în care criteriile stabilite în prealabil sunt îndeplinite de către țara beneficiară, cifrele specificate mai sus arată în mod general o capacitate bună de absorbție în țările care beneficiază de această modalitate de ajutor. În același timp sprijinul bugetar e însoțit sistematic de acțiuni complementare precum consolidarea capacităților, pentru a susține și a întări instituțiile naționale.

Pentru programul tematic „Actori nestatali și autorități locale din domeniul dezvoltării", („actori nestatali și autorități locale"):

— în 2010: angajamentele asumate atât de actorii nestatali, cât și de autoritățile locale în ceea ce privește liniile bugetare, au fost puse integral în aplicare.

— în 2011: angajamentele asumate atât de actorii nestatali, cât și de autoritățile locale în ceea ce privește liniile bugetare, au fost puse integral în aplicare.

Cu toate acestea, încă de la înființarea sa în 2007, programul tematic „Actori nestatali-autorități locale" a absorbit întotdeauna 100 % din creditul bugetar și 100 % din creditul de plată.

În plus, s-a constatat, de asemenea, luând în considerare rapiditatea cu care a fost pus în aplicare proiectul că, în 2010, au fost solicitate autorității bugetare în 2010 credite suplimentare de plată (actorii nestatali: 71,3 milioane EUR, autoritățile locale: 8,7 milioane EUR) iar în 2011 (actorii nestatali: 5,5 milioane EUR, autoritățile locale: 10,5 milioane EUR) pentru a satisface nevoile beneficiarilor.

(English version)

Question for written answer E-005101/12
to the Commission
Monica Luisa Macovei (PPE)
(16 May 2012)

Subject: Absorption capacity of EU funds for non-state actors and local authorities

There is a collective commitment made by the EU-15 to devoting 0.7% of GNI to development aid. However, apart from simply giving more aid, the other side of the issue is whether the developing countries can indeed absorb more. Disbursement constraints constitute one of the difficulties of absorbing more aid. There is a time-lag between commitments and disbursements. The underutilisation of credits is usually a result of conditions in the recipient countries, such as low administrative capacities or weak transport infrastructure, accompanied by non-fulfilment of the conditions attached to disbursement.

102 countries are benefiting from budget support in the form of financial aid that goes directly into the treasury of the country concerned.

The thematic programme 'Non-state actors and local authorities in development' aims to encourage non-state actors and local authorities in both the EU and developing countries to get more involved in development issues. It has three objectives and a budget of EUR 702 million for 2011-2013. Only its Objective 1 (EUR 583 million) is relevant for the developing countries.

1. What is the absorption rate for the amounts of EU funds (European Development Fund monies plus funds paid directly from the EU budget) that are programmed for budget support for 2011?

2. Of the EUR 583 million earmarked for Objective 1 of the above thematic programme, how much was committed and how much was actually disbursed? What proportion was disbursed to non-state actors and local authorities in developing countries?

Answer given by Mr Piebalgs on behalf of the Commission
(18 July 2012)

For budget support operations, in 2011, more than EUR 1.2 billion was committed and more than EUR 1.6 billion was paid out. The payments are higher than the financial commitments because the financing agreements applicable to budget support cover typically three years and financial commitments have been very high in recent years. As money committed is paid only if the agreed criteria are fulfilled by the beneficiary country, the above figures generally show good absorption capacity in the countries for this aid modality. At the same time Budget support is systematically accompanied by complementary actions, such as capacity building, to sustain and strengthen national institutions.

For the thematic programme 'Non-state actors and local authorities in development' ('NSA and LA'):

— in 2010: commitments under both the NSA and LA budget lines were 100 % implemented;

— in 2011: commitments under both the NSA and LA budget lines were 100 % implemented.

Thus, since its creation in 2007, the NSA-LA thematic programme has always absorbed 100 % of credit appropriation and 100 % of payment appropriation.

In addition, it has also been noted that, considering the speed in project implementation, additional payment credits have been requested to the Budgetary Authority in 2010 (NSA: EUR 71.3 million, LA: EUR 8.7 million) and 2011 (NSA: EUR 5.5 million, LA: EUR 10.5 million) in order to satisfy the needs of the beneficiaries.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005102/12
adresată Comisiei
Monica Luisa Macovei (PPE)
(16 mai 2012)

Subiect: Inițiativa cetățenească europeană: colectarea de declarații de sprijin în format online

În conformitate cu articolul 11 alineatul (4) din Tratatul privind Uniunea Europeană și cu legislația secundară de punere în aplicare, fiecare persoană care sprijină inițiativa cetățenească legislativă va trebui să completeze un formular privind declarația de sprijin, pus la dispoziție de organizatori, fie pe suport de hârtie, fie în format online.

Pentru colectarea semnăturilor în format online, fiecare stat membru ar trebui să desemneze autoritatea competentă care certifică sistemul de colectare în format online utilizat de organizatorii inițiativei. Până la 1 martie2012, statele membre ar trebui să transmită denumirile autorităților competente Comisiei, care trebuie să pună lista la dispoziția publicului [(articolul 15, Regulamentul (UE) nr. 211/2011)].

1. A primit Comisia de la toate statele membre denumirile autorităților competente responsabile cu certificarea sistemelor de colectare în format online de pe propriile teritorii? Dacă nu, care stat membru (state membre) nu a (au) transmis informațiile?

2. În mod exact, cum va pune Comisia lista la dispoziția publicului?

Răspuns dat de dl Šefčovič în numele Comisiei
(20 iunie 2012)

1. Până în prezent, toate statele membre, cu excepția Republicii Cehe, au notificat Comisia cu privire la denumirile și adresele autorităților lor competente, în conformitate cu articolul 15 alineatul (3) din Regulamentul (UE) nr. 211/2011 ([1]) privind inițiativa cetățenească. Republica Cehă a furnizat totuși informații cu privire la autoritățile sale competente în vederea publicării pe site-ul dedicat inițiativei cetățenești până la intrarea în vigoare a legislației prin care sunt desemnate aceste autorități. Legislația cehă în cauză a fost adoptată recent, dar nu a fost încă publicată. La momentul la care se răspundea acestei întrebări, potrivit informațiilor primite de Comisie, publicarea urma să aibă loc în zilele următoare.

2. Lista autorităților competente din fiecare stat membru este disponibilă pe site-ul Comisiei dedicat inițiativei cetățenești ([2]).

([1]) JO L 65, 11.3.2011.
([2]) http://ec.europa.eu/citizens-initiative/public/implementation-national-level.

(English version)

Question for written answer E-005102/12
to the Commission
Monica Luisa Macovei (PPE)
(16 May 2012)

Subject: European citizens' initiative: collection of statements of support online

Each person supporting a citizens' legislative initiative under Article 11(4) of the Treaty on European Union and the secondary legislation implementing it will have to fill in a statement of support form provided by the organisers, either on paper or online.

For the collection of signatures online, each Member State should have designated the competent authority to certify the online collection system used by the organisers of the initiative. Member States should have forwarded the names of these competent authorities, by 1 March 2012, to the Commission, which is required to make the list publicly available (Article 15, Regulation (EU) No 211/2011).

1. Has the Commission received from all the Member States the names of the competent authorities responsible for the certification of the online collection systems in their respective territories? If not, which Member State — or States — have failed to submit this information?

2. How exactly will the Commission make this list publicly available?

Answer given by Mr Šefčovič on behalf of the Commission
(20 June 2012)

1. To date, all Member States except the Czech Republic have notified the Commission of the names and addresses of their respective competent authorities in accordance with Article 15(3) of Regulation (EU) No 211/2011 ([1]) on the citizens' initiative. The Czech Republic has nevertheless already provided information on its competent authorities for publication on the website for the citizens' initiative while awaiting for the entry into force of the law designating these authorities. The Czech law concerned has been adopted recently but its publication is still pending. At the time of answering this question, the information received by the Commission is that the publication should take place in the forthcoming days.

2. The list of competent authorities in each Member State is available on the Commission's website for the citizens' initiative. ([2])

([1]) OJ L 65, 11.3.2011.
([2]) http://ec.europa.eu/citizens-initiative/public/implementation-national-level

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005103/12
alla Commissione
Mario Pirillo (S&D)
(21 maggio 2012)

Oggetto: Disturbi alimentari

Ha suscitato grande clamore in tutti i media europei la pubblica denuncia da parte di una ballerina solista del teatro alla Scala relativamente alla presenza di forme di disturbo del comportamento alimentare, come anoressia e bulimia, nelle scuole e nei corpi di ballo nei quali ha avuto occasione di lavorare durante la sua carriera professionale.

A seguito di tale opera di denuncia, in data 19 maggio 2012, il sovrintendente del Teatro alla Scala ha emesso un provvedimento di licenziamento nei confronti della ballerina, con la motivazione che la risoluzione del rapporto di lavoro sarebbe stata causata dalle dichiarazioni rese dalla suddetta in quanto reputate offensive per l'immagine del teatro.

Premesso il preoccupante dilagare del fenomeno dei disturbi alimentari tra i giovani europei al di sotto dei 30 anni e visto l'importante ruolo che l'Unione europea dovrebbe rivestire nelle politiche di tutela della salute;

considerando che la Commissione europea ha annunciato che non ha intenzione di mettere in atto campagne informative europee sui temi dell'anoressia e della bulimia;

chiede alla Commissione europea:

— quali altre azioni di sensibilizzazione intende implementare per prevenire tra i giovani tali malattie;

— se ritiene la Commissione che, qualora in futuro si configurassero casi in parte similari a quello sopra descritto, non si possa incorrere in una violazione dell'articolo 31, paragrafo 1, della Carta dei diritti fondamentali dell'Unione europea, relativo alla garanzia di condizioni di lavoro sane, sicure e dignitose, nonché degli articoli 11 e 21 della stessa Carta, relativi alla libertà di espressione e al principio di non discriminazione.

Risposta di John Dalli a nome della Commissione
(28 giugno 2012)

La Commissione cofinanzia «ProYouth», un'iniziativa europea volta alla promozione della salute mentale e alla prevenzione dei disordini alimentari tra i giovani. Cofinanziato dal programma Salute dell'UE, ProYouth fa uso di internet per raggiungere i giovani. L'implementazione del progetto è iniziata il 1° aprile 2011 per un periodo di tre anni. Ulteriori informazioni sul progetto e la sua rete, compreso un partner in Italia, sono disponibili sul suo sito web ([1]).

La Carta dei diritti fondamentali dell'Unione europea non si applica a ogni situazione di presunta violazione dei diritti fondamentali. Conformemente al suo articolo 51, paragrafo 1, la Carta si applica agli Stati membri esclusivamente nell'attuazione del diritto dell'Unione.

Per quanto concerne il rispetto della libertà di espressione e l'applicazione del principio di non discriminazione nel caso in questione, sulla base delle informazioni fornite dall'onorevole deputato non risulta che nella fattispecie menzionata lo Stato membro interessato abbia agito in un contesto di esecuzione del diritto dell'Unione.

([1]) http://www.pro-youth.eu/.

(English version)

Question for written answer P-005103/12
to the Commission
Mario Pirillo (S&D)
(21 May 2012)

Subject: Eating disorders

The public statement made by a solo ballerina at La Scala regarding the prevalence of eating disorders, including anorexia and bulimia, in the schools and dance troupes with which she has worked during her professional career, has caused a great stir throughout the European media.

Following her statement, on 19 May 2012 the director of La Scala issued the ballerina with a notice of dismissal, stating that the termination of her contract was caused by statements she had made that were deemed detrimental to the theatre's image.

There is an alarming spread of eating disorders among young Europeans under the age of 30.

While the European Union should play an important role in health protection policy, the Commission has announced that it does not intend to mount EU information campaigns on the issues of anorexia and bulimia.

— What other awareness-building activities does the Commission intend to implement to prevent these illnesses among young people?

— Does the Commission believe that if cases similar in some ways to the aforementioned should occur in the future, these may constitute a breach of Article 31(1) of the Charter of Fundamental Rights of the European Union, concerning the right to working conditions which respect workers' health, safety and dignity, as well as Articles 11 and 12 thereof regarding freedom of expression and the principle of non-discrimination?

Answer given by Mr Dalli on behalf of the Commission
(28 June 2012)

The Commission is co-funding 'ProYouth', a European initiative for the promotion of mental health and the prevention of eating disorders in young people. Co-financed by the EU Health Programme, ProYouth uses the Internet to reach out to young people. The implementation of the project started on 1 April 2011 for a period of three years. Further information about the project and its network, including a partner in Italy, is available on its website ([1]).

The Charter of Fundamental Rights of the European Union does not apply to every situation of an alleged violation of fundamental rights. According to its Article 51(1), the Charter applies to Member States only when they are implementing European Union law.

As regards respect for freedom of expression and the application of the principle of non-discrimination in the present case, on the basis of the information provided by the Honourable Member, it does not appear that in the matter referred to, the Member State concerned acted in the course of implementation of Union law.

([1]) http://www.pro-youth.eu/.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005104/12
til Kommissionen
Jens Rohde (ALDE)
(21. maj 2012)

Om: Carbotagekørsel

Fredag den 14. maj 2010 trådte EU's nye fælles regler om carbotagekørsel i kraft (EF/1072/2009). De nye regler skulle indeholde en klarere definition af carbotagekørsel, da den gamle forordning ofte blev fortolket forskelligt i EU's medlemslande.

I Danmark er der ifølge en undersøgelse fra den danske brancheorganisation Dansk Transport og Logistik (DTL) imidlertid fortsat eksempler på lovovertrædelser omkring carbotagekørsel. Et af hovedproblemerne er misbrug af reglerne, hvor udenlandske chauffører bruger den såkaldte »nulstillingsløsning« til at køre permanent i Danmark. Det vil sige, at de udenlandske chauffører blot kører over f.eks. den tysk-danske grænse med et læs tomme paller eller tom emballage og herefter fortsætter deres indenrigskørsel i Danmark. DTL og DI Transport oplyser, at der er behov for mere kontrol af de udenlandske chauffører på landevejene, da der har været flere eksempler på, at disse ikke overholder de maksimale tre indenrigstransportture inden for de tilladte syv dage.

— Har Kommissionen eksempler på, at dette ligeledes er et problem i andre EU-lande?

— Hvad agter Kommissionen i givet fald at foretage for at udbedre situationen? Vil Kommissionen i den forbindelse være villig til at revidere reglerne, således at det indskærpes, at der skal være tale om kørsel i forlængelse af en reel international transport?

— Vil det ifølge Kommissionen være i overensstemmelse med cabotageforordningen at indføre et registreringskrav på nationalt niveau, således at udenlandske chauffører skal kunne påvise, at deres indenrigskørsel er i forlængelse af en international transport og inden for 7-dages-reglen?

Svar afgivet på Kommissionens vegne af Siim Kallas
(9. juli 2012)

Kommissionen er ikke bekendt med det nævnte eller lignende tilfælde. Forordning 1072/2009 ([1]) fremhæver forbindelsen mellem cabotagekørsel og international transport. I henhold til artikel 8, stk. 2, i denne forordning skal cabotagekørsel finde sted inden for syv dage efter den sidste aflæsning i værtsmedlemsstaten som led i den indgående internationale transport.

Artikel 8, stk. 3, fastslår, at ikke-hjemmehørende transportvirksomheder, som foretager cabotagekørsel, skal kunne forelægge klart bevis for den indgående internationale transport. Bevismaterialet skal indeholde information f.eks. om de leverede varer eller modtagers navn og adresse (som typisk står i kontrakten mellem transportvirksomheden og kunden). Artiklens indhold refererer til transport af gods for tredjemand.

International transport af tomme containere og paller udelukkende med det formål efterfølgende at køre cabotagekørsel er i modstrid med forordningen, eftersom transportvirksomheden ikke vil være i stand til at fremlægge klart bevis for den indgående internationale transport baseret på en kontrakt mellem afsender og transportvirksomhed. Desuden er der her — i forordningens betydning — ikke tale om, at varer bliver leveret ved indgående international transport.

Ifølge artikel 8, stk. 4, må der ikke forlanges yderligere dokumentation som godtgørelse for, at ovennævnte betingelser er opfyldt. Derfor vil indførelsen af en national registreringspligt, hvor chaufførerne skal fremlægge bevis for, at deres nationale kørsel er en forlængelse af international transport, ikke være forenelig med forordningen.

Hvad angår spørgsmålet om opfølgning, vil Kommissionen gøre medlemsstaternes kompetente myndigheder, herunder de danske, opmærksom på ovenstående under næste møde i det udvalg, der er nedsat ved forordningen.

([1]) Europa-Parlamentets og Rådets forordning (EF) nr. 1072/2009 af 21. oktober 2009 om fælles regler for adgang til markedet for international godskørsel (EØS-relevant tekst), EUT L 300 af 14.11.2009, s. 72-87.

(English version)

Question for written answer E-005104/12
to the Commission
Jens Rohde (ALDE)
(21 May 2012)

Subject: Cabotage transport

On Friday 14 May 2010 the EU's common rules for access to the international road haulage market came into force (Regulation (EC) No 1072/2009). The purpose of the new rules is to provide a clearer definition of cabotage transport, as Member States have often interpreted the previous Regulation in different ways.

However, according to an investigation by the trade organisation, the Danish Transport and Logistics Association (DTL), instances of cabotage transport irregularities can still be found in Denmark. One of the main problems is abuse of the rules, whereby foreign drivers use the so-called 'zeroing solution' to drive in Denmark on a permanent basis. This means that foreign drivers simply drive across, for example, the German-Danish border with a load of empty pallets or empty containers and then continue their internal journeys in Denmark. The DTL and the Danish Transport Federation insist there is need for greater control of foreign drivers on national roads, as there have been many instances where they have not adhered to the maximum of three internal transport journeys within the permitted seven days.

— Does the Commission have any examples of a similar problem occurring in other Member States?

— If so, what does the Commission intend to do to improve the situation? In this regard, will the Commission be willing to review the rules to emphasise that a journey must be an extension of an actual international transport operation?

— In the opinion of the Commission, will the introduction of a registration requirement at national level, requiring drivers to prove that their internal journey is an extension of an international transport operation and within the seven-day rule, be in accordance with the cabotage Regulation?

Answer given by Mr Kallas on behalf of the Commission
(9 July 2012)

The Commission is not aware of this occurence or of other similar ones. Regulation 1072/2009 ([1]) stresses the link between cabotage operations and international transport. According to Article 8(2), cabotage operations must take place within seven days of the last unloading in the host Member State in the course of the incoming international carriage.

Article 8(3) states that non-resident hauliers carrying out cabotage must be able to produce clear evidence of the incoming international carriage. Details of the evidence must comprise information such as the goods delivered or name and adress of the consignee (typically available in the contract between the haulier and its client). This article must be understood as refering to the transport of goods for a third party.

The international transport of empty containers and pallets with the only purpose of justifying a subsequent cabotage operation would not be in line with the regulation since the transport operator might not be able to produce clear evidence of the incoming international carriage based on a contract of the sender and the haulier. In addition in the incoming international carriage no goods are delivered in the sense of the regulation.

According to Article 8(4) no additional document shall be required in order to prove that the abovementioned conditions are met. Therefore the introduction of a registration requirement at national level, requiring drivers to prove that their internal journey is an extension of an international carriage would not be compatible with the regulation.

As for the question of the follow-up envisaged, the Commission will draw the attention of the Member States' competent authorities, including the Danish authorities, on the explanations above during the next meeting of the Committee foreseen by the regulation.

([1]) Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market Text with EEA relevance OJ L 300, 14.11.2009, pp. 0072-0087.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005105/12
an die Kommission
Sophia in 't Veld (ALDE), Alexander Alvaro (ALDE), Baroness Sarah Ludford (ALDE) und Cornelia Ernst (GUE/NGL)
(21. Mai 2012)

Betrifft: Übermittlung von Passagierdaten an die USA bei Flügen ohne Verbindung innerhalb der USA

Unter Bezugnahme auf die parlamentarische Anfrage E-003760/2011 werden weitere Erklärungen benötigt, welche einige Aspekte des US-amerikanischen Sicherheitsprogramms „Secure Flight" betreffen, das für Fluglinien Anwendung findet, die Flüge in die USA, aus den USA und innerhalb der USA anbieten.

Europäische Fluglinien, die Flugreisen aus der EU in die Vereinigten Staaten anbieten, werden von der Transportation Security Administration (TSA) verpflichtet, das Sicherheitsprogramm auch bei solchen Flügen anzuwenden, die kein Anschlussziel in dem Hoheitsgebiet der Vereinigten Staaten haben. Grundlage hierfür sind die Pflichten des Model Security Program (MSP), in welchem Flughäfen paarweise festgelegt werden, zwischen denen Flüge als „Überflüge" gelten.

1. Die Daten für das Sicherheitsprogramm werden zusätzlich zu den PNR-Daten erhoben und enthalten den vollständigen Namen, das Geschlecht und das Geburtsdatum der jeweiligen Personen. Auf welcher rechtlichen Grundlage werden die Daten für das Programm „Secure Flight" an die US-Behörden übermittelt?

2. Das Abkommen zwischen der Europäischen Union und den Vereinigten Staaten über die Verarbeitung von Fluggastdatensätzen sieht eine Datenübermittlung nur bei Flügen zwischen den Vereinigten Staaten und der Europäischen Union vor. Dabei müssen die Fluggastdaten für solche Flüge zur Verfügung gestellt werden, die in das Hoheitsgebiet der Vereinigten Staaten fliegen, es verlassen oder überfliegen. Auf welcher rechtlichen Grundlage übermitteln europäische Fluglinien Passagierdaten im Rahmen des Programms „Secure Flight" an die US-Behörden, wenn das Hoheitsgebiet der Vereinigten Staaten lediglich überflogen wird?

3. Besitzt die Kommission Kenntnis darüber, dass das Programm „Secure Flight" in Fällen angewendet wird, in denen die jeweiligen Flüge, wie im MSP festgelegt, kein Anschlussziel im Hoheitsgebiet der Vereinigten Staaten haben?

4. Auf welcher rechtlichen Grundlage übermitteln europäische Fluglinien Passagierdaten im Rahmen des Programms „Secure Flight" an die US-Behörden, wenn die Flüge kein Anschlussziel im Hoheitsgebiet der Vereinigten Staaten haben?

5. Vertritt die Kommission die Ansicht, dass die Anwendung des Programms „Secure Flight" bei Flügen ohne Anschlussziel in den Vereinigten Staaten mit den EU-Datenschutzvorschriften im Einklang steht?

Antwort von Frau Malmström im Namen der Kommission
(25. Juli 2012)

Das US-amerikanische Programm „Secure Flight" wird von der Transport Security Agency (TSA), einer Abteilung des US-Heimatschutzministeriums (DHS), durchgeführt. Das Programm soll durch Abgleich von Fluggastinformationen mit den Flugverbotslisten und „Selectee-Listen" der US-Behörden für Sicherheit im Flugverkehr sorgen. Es ist in dieser Hinsicht kein allgemeines Programm zur Terrorismusbekämpfung, sondern vielmehr auf Einzelpersonen ausgerichtet, die ein Risiko für die Sicherheit eines Fluges darstellen. Mit Hilfe des Programms sollen diese Personen daran gehindert werden, ein Flugzeug zu besteigen und damit in die Vereinigten Staaten zu gelangen.

Nach US-amerikanischer Rechtsauffassung bilden Abschnitt 4012 Buchstabe a des Intelligence Reform and Terrorism Prevention Act von 2004 (IRTPA) und die endgültige Regelung des Programms „Secure Flight", die am 28. Oktober 2008 veröffentlicht wurde und am 29. Dezember 2008 in Kraft getreten ist, die Rechtsgrundlage für die Durchführung des Programms „Secure Flight". In völkerrechtlicher Hinsicht heißt es in Artikel 1 des Abkommens von Chicago über die internationale Zivilluftfahrt, dass „jeder Staat im Luftraum über seinem Hoheitsgebiet volle und ausschließliche Lufthoheit besitzt".

Die Fluggastinformationen, die für den Abgleich mit den Flugverbotslisten und „Selectee-Listen" verwendet werden, beschränken sich auf Namen, Geburtsdatum und Geschlecht, also auf Angaben, die in Reisepässen und gleichwertigen Reisedokumenten enthalten sind. Bei internationalen Reisen werden generell die Passdaten von allen Personen verlangt, die in das Hoheitsgebiet eines anderen Staates einreisen möchten. Die Fluggesellschaften sind verpflichtet, diese Informationen zu sammeln und an die TSA zu übermitteln. Sie unterscheiden sich somit von den Fluggastdaten, die von den Fluggesellschaften ursprünglich zu kommerziellen Zwecken erhoben werden.

Der Kommission ist bekannt, dass das Programm „Secure Flight" auf Flüge in die USA und aus den USA sowie auf Überflüge über die USA Anwendung findet.

Die Kommission wird die Anwendung dieses Programms auch weiterhin überwachen.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005105/12
aan de Commissie
Sophia in 't Veld (ALDE), Alexander Alvaro (ALDE), Baroness Sarah Ludford (ALDE) en Cornelia Ernst (GUE/NGL)
(21 mei 2012)

Betreft: Overdracht van passagiersgegevens aan de VS voor vluchten zonder verband met de VS

Met verwijzing naar parlementaire vraag E-003760/2011 wordt om meer duidelijkheid verzocht wat betreft een aantal aspecten van het US Secure Flight-programma dat van toepassing is op luchtvaartmaatschappijen die naar, vanuit en in de Verenigde Staten vliegen.

Europese luchtvaartmaatschappijen die vluchten naar de VS vanuit de EU aanbieden, worden door het TSA ertoe verplicht het Secure Flight-programma ook toe te passen op bepaalde aangewezen vluchten die geen verband hebben met Amerikaans grondgebied. Dit geschiedt door Model Security Program-verplichtingen (MSP's) toe te passen, op grond waarvan paren van luchthavens worden aangewezen waartussen vluchten als „overvluchten" moeten worden beschouwd.

1. Secure Flight-gegevens vormen een aanvulling op PNR-gegevens, aangezien ze de volledige naam, het geslacht en de geboortedatum bevatten. Wat vormt de rechtsgrondslag voor de uitwisseling van Secure Flight-gegevens met de Amerikaanse autoriteiten?

2. Volgens de PNR-overeenkomst tussen de EU en de VS is gegevensoverdracht uitsluitend voor vluchten tussen de Verenigde Staten en de Europese Unie vereist. Secure Flight-passagiersgegevens moeten worden verstrekt voor vluchten naar, vanuit en boven Amerikaans grondgebied. Op welke rechtsgrondslag dragen Europese luchtvaartmaatschappijen Secure Flight-passagiersgegevens over aan de Amerikaanse autoriteiten als ze alleen over het Amerikaanse grondgebied heen vliegen?

3. Is de Commissie ervan op de hoogte dat het Secure Flight-programma wordt toegepast in gevallen waarin de betrokken vluchten geen verband hebben met het grondgebied van de VS, zoals in het MSP is vastgelegd?

4. Op welke rechtsgrondslag dragen Europese luchtvaartmaatschappijen Secure Flight-passagiersgegevens over aan de Amerikaanse autoriteiten voor vluchten die geen verband hebben met het grondgebied van de VS?

5. Acht de Commissie de toepassing van het Secure Flight-programma in het geval van vluchten zonder verband met de VS in overeenstemming met EU-voorschriften inzake gegevensbescherming?

Antwoord van mevrouw Malmström namens de Commissie
(25 juli 2012)

Het US Secure Flight-programma wordt momenteel beheerd door het Transport Security Agency (TSA), dat deel uitmaakt van het Department of Homeland Security (DHS) van de VS. Het doel van het programma is de veiligheid van de luchtvaart te garanderen door passagiersgegevens te vergelijken met de „No Fly and Selectee Lists" die door de autoriteiten van de VS worden bijgehouden. Het is in dit opzicht geen algemeen terrorismebestrijdingsprogramma. De bedoeling ervan is te vermijden dat personen die een gevaar voor de veiligheid van een vlucht kunnen vormen, inschepen en zodoende de VS binnenkomen.

In het kader van de wetgeving van de VS is de rechtsgrondslag voor het Secure Flight-programma te vinden in artikel 4012 onder a), van de Intelligence Reform and Terrorism Prevention Act van 2004 (IRTPA) en de Secure Flight Final Rule, die op 28 oktober 2008 is gepubliceerd en op 29 december 2008 in werking is getreden. In het kader van de internationale wetgeving bepaalt artikel 1 van het Verdrag van Chicago inzake de internationale burgerluchtvaart dat „elke staat de volledige en uitsluitende soevereiniteit heeft over het luchtruim boven zijn grondgebied".

De passagiersgegevens die met de „No Fly and Selectee Lists" worden vergeleken, zijn beperkt tot naam, geboortedatum en geslacht. Deze informatie komt uit paspoorten en andere vergelijkbare reisdocumenten. Bij internationaal vervoer is het gebruikelijk paspoortgegevens te vragen aan eenieder die toegang wil krijgen tot het grondgebied van een andere staat. Luchtvaartmaatschappijen zijn verplicht deze informatie te verzamelen en aan het Transport Security Agency mee te delen. Deze informatie is dus verschillend van de PNR-gegevens, die oorspronkelijk voor commerciële doeleinden door de luchtvaartmaatschappijen worden verzameld.

De Commissie is ervan op de hoogte dat het Secure Flight-programma wordt toegepast op vluchten naar, vanuit en boven Amerikaans grondgebied.

De Commissie zal de toepassing van dit programma blijven volgen.

(English version)

Question for written answer E-005105/12
to the Commission
Sophia in 't Veld (ALDE), Alexander Alvaro (ALDE), Baroness Sarah Ludford (ALDE) and Cornelia Ernst (GUE/NGL)
(21 May 2012)

Subject: Transfer of passenger data to the US for flights with no US nexus

With reference to Parliamentary Question E-003760/2011, further clarification is required concerning some aspects of the US Secure Flight program, which is applicable to airlines flying into, out of, and within the United States.

European airlines offering flights to the US from the EU are obliged by the TSA to also apply the Secure Flight program to certain designated flights that have no nexus to US territory. This is done by applying Model Security Program obligations (MSPs) which designate pairs of airports between which flights should be considered as 'overflights'.

1. Secure Flight data are additional to PNR data, as they include full names, gender and date of birth. What is the legal basis for exchanging Secure Flight data with the US authorities?

2. The EU-US PNR Agreement requires data transfer only for flights between the United States and the European Union. Secure Flight passenger data must be provided for flights into, out of and overflying US territory. On what legal basis do European air carriers transmit Secure Flight passenger data to the US authorities when they are only overflying the territory of the US?

3. Is the Commission aware of the Secure Flight program being applied in cases where the flights concerned have no nexus to the territory of the US as laid down in the MSP?

4. On what legal basis do European air carriers transmit Secure Flight passenger data to the US authorities for flights with no nexus to US territory?

5. Does the Commission consider the application of the Secure Flight program in the case of flights with no US nexus to be in line with EU data protection rules?

Answer given by Ms Malmström on behalf of the Commission
(25 July 2012)

The US Secure Flight Program is being operated by the Transport Security Agency (TSA), which is a branch of the Department of Homeland Security (DHS) of the United States. Its aim is to safeguard aviation security by comparing passenger information to the No Fly and Selectee Lists maintained by the authorities of the United States. In this respect, it is not a general counterterrorism program, but is focused on individuals posing a risk to the safety of a flight by preventing them from boarding and by doing so from entering the United States.

From the perspective of US law, the legal authority for operating the Secure Flight Program is to be found in Section 4012(a) of the US Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) and the Secure Flight Final Rule which was published on 28 October 2008, and went into effect on 29 December 2008. As a matter of international law, Article 1 of Chicago Convention on International Civil Aviation stipulates that 'every State has complete and exclusive sovereignty over the airspace above its territory'.

The passenger information used for comparing to the No Fly and Selectee Lists is limited to name, data of birth and gender. Such information is held in passports and other equivalent travel documents. In international travel, passport information is generally requested from any person seeking to enter the territory of a foreign state. Air carriers are required to collect this information and transmit it to TSA. It is therefore dissimilar to Passenger Name Records that are originally collected by carriers for commercial purposes.

The Commission is aware that the US Secure Flight Program being applied to flights to, from and overflying over the United States.

The Commission will continue monitoring the operation of this program.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005106/12
aan de Commissie
Marietje Schaake (ALDE) en Sophia in 't Veld (ALDE)
(21 mei 2012)

Betreft: De Amerikaanse Cyber Intelligence Sharing and Protection Act

De Cyber Intelligence Sharing and Protection Act (CISPA), die momenteel in het Amerikaanse Congres aan democratische controle wordt onderworpen, brengt een aantal bezwaren mee voor de Europese informatiemaatschappij en voor burgerrechten en fundamentele vrijheden. De wet dwingt bedrijven en tussenpersonen op het internet er namelijk toe toezicht te houden op alle digitale communicatie via Amerikaanse ICT-systemen alsook informatie te verzamelen, met als veronderstelde doel netwerkintegriteit en -beveiliging te waarborgen. De wet bevat een gedeelte op grond waarvan iedere partij die is betrokken bij het volgens de wet toezicht houden op en verzamelen van informatie, wordt vrijgesteld van aansprakelijkheid, inclusief aansprakelijkheid voor schendingen van fundamentele mensenrechten. Hoewel de bepalingen over de beoogde bescherming van intellectuele-eigendomsrechten eruit zijn gehaald, blijft de bedoeling van deze wet duidelijk, aangezien om een uitgebreid toezichtssysteem wordt gevraagd dat onder meer de handhaving van auteursrechten beoogt. Een dergelijk systeem voor communicatietoezicht zou echter ook ongewenst toezicht voor andere doeleinden mogelijk maken en kunnen worden aangewend om soortgelijke activiteiten in repressieve regimes te legaliseren.

Belangrijker nog is dat CISPA Amerikaanse tussenpersonen op het internet en bedrijven ertoe dwingt toezicht te houden op communicatie van Europese burgers en informatie te verzamelen die volgens de Europese gegevensbeschermingswetgeving wordt beschermd.

1. Is de Commissie op de hoogte van CISPA?

2. Heeft de Commissie, in de context van de Amerikaanse wetgevingsprocedure, opmerkingen gemaakt bij de Amerikaanse autoriteiten waarin het standpunt van de EU wordt uiteengezet?

3. Kan de Commissie verduidelijken of Europese burgers en bedrijven het risico lopen door CISPA te worden benadeeld en, zo ja, op welke manier?

4. Is de Commissie van mening dat CISPA in strijd zal zijn met EU-wetgeving, met name EU-wetgeving inzake gegevensbescherming en artikel 15 van de richtlijn inzake e-commerce?

5. Welke maatregelen neemt de Commissie om ervoor te zorgen dat EU-wetgeving wordt gehandhaafd, zodat Europese burgers en bedrijven erop kunnen rekenen dat Amerikaanse wetgeving binnen de EU in feite geen voorrang krijgt op EU-wetgeving?

Antwoord van mevrouw Kroes namens de Commissie
(5 juli 2012)

De Commissie volgt de ontwikkeling van verschillende Amerikaanse wetsvoorstellen met betrekking tot het internet op de voet en is op de hoogte van de „Cyber Intelligence Sharing Protection Act". Het CISPA-wetsontwerp wordt op dit moment echter nog besproken in het Amerikaanse Congres en in beginsel komt de Commissie niet tussenbeide in wetgevingsprocedures van derde landen.

Zolang de definitieve CISPA-bepalingen niet zijn vastgesteld, kan moeilijk worden voorspeld welke gevolgen de wet zal hebben voor burgers, bedrijfsleven, gegevensbescherming en de wetgeving inzake e-commerce in de EU.

De Commissie is van mening dat een VS-wetshandhavingsautoriteit die informatie nodig heeft die buiten haar jurisdictie valt, deze kan opvragen via bestaande samenwerkingsmechanismen met de lidstaten waar die gegevens zich bevinden, zoals de „EU-US bilateral Mutual Legal Assistance agreement" (bilaterale overeenkomst inzake wederzijdse juridische bijstand EU-VS). Wanneer bedrijven buiten deze gevestigde kanalen kunnen om rechtstreeks ingaan op een verzoek om informatie van de VS-autoriteiten, plegen zij mogelijk inbreuk op de nationale voorschriften tot tenuitvoerlegging van Richtlijn 95/46/EG. In dat geval dienen de nationale toezichthoudende autoriteiten, met name de gegevensbeschermingsautoriteiten, ervoor te zorgen dat gegevens alleen via legale weg worden verstrekt. Deze kwestie is op 21 juni 2012 door de Commissie aan de orde gesteld op de bijeenkomst van de JBZ-ministers van de EU en de VS en zal het voorwerp vormen van verdere besprekingen op deskundigenniveau.

(English version)

Question for written answer E-005106/12
to the Commission
Marietje Schaake (ALDE) and Sophia in 't Veld (ALDE)
(21 May 2012)

Subject: The US Cyber Intelligence Sharing and Protection Act

The Cyber Intelligence Sharing and Protection Act (CISPA), currently undergoing democratic scrutiny in the US Congress, raises several concerns for the EU information society and for civil rights and fundamental freedoms. The act forces companies and Internet intermediaries to monitor all digital communications via American ICT systems and to collect information, with the supposed aim of ensuring network integrity and security. The act includes a section which exempts any actor involved in the monitoring and gathering of information under the act from any liability, including liability for infractions of fundamental human rights. While the provisions mentioning the aim of protecting intellectual property rights have been taken out, the intent of the act remains clear as it calls for a full monitoring system which, among other things, is to be used to enforce copyrights. However, such a full communications monitoring system would also permit undesirable monitoring for other purposes, and could be used to legitimise similar efforts in repressive regimes.

Most importantly, CISPA will force US Internet intermediaries and companies to monitor European citizen's communications and to gather information protected under European data protection law.

1. Is the Commission aware of CISPA?

2. Has the Commission, in the context of the US legislative procedure, made a submission to the US authorities stating the position of the EU?

3. Can the Commission clarify whether or not CISPA is liable to affect European citizens and businesses and, if such is the case, in what way?

4. Does the Commission believe that CISPA is liable to conflict with EC law, notably EU data protection legislation and Article 15 of the E-Commerce Directive?

5. What measures will the Commission take to ensure that EC law is upheld, such that EU citizens and businesses can be confident that, within the EU, US law does not, in effect, take precedence over EC law?

Answer given by Ms Kroes on behalf of the Commission
(5 July 2012)

The Commission is aware of the bill 'Cyber Intelligence Sharing Protection Act', as it closely monitors the development of various US legislative proposals concerning the Internet. However, CISPA is still being discussed in the US Congress and as a matter of principle the Commission does not intervene in legislative processes of third countries.

Until the provisions of CISPA are finalised, it is difficult to predict what the impact will be on EU citizens, business, data protection and the E-Commerce legislation.

The Commission considers that if a US law enforcement authority needs information outside its jurisdiction it must obtain the data transfer via cooperation mechanisms in place with Member States where those data are located, such as the EU-US bilateral Mutual Legal Assistance agreement. Outside established channels, when replying directly to requests originating from US authorities, companies may be in breach of national rules implementing the directive 95/46/EC, in which case it is up to the national supervisory authorities, most notably the data protection authorities, to ensure that transfers and disclosures are made lawfully. This issue was raised by the Commission at the EU-US JHA Ministerial on 21 June 2012 and will be the subject of further expert discussions.

(English version)

Question for written answer E-005107/12
to the Council
Charles Tannock (ECR)
(21 May 2012)

Subject: The case of Trepca Mining, Kosovo

Trepca Mining in Kosovo is officially one company under UNMIK/KTA administration, under the authority granted to it by UN Security Council Resolution 1244, and managed by a Trepca International Manager appointed by UNMIK. In reality, since the conflict there are two separate companies: Trepca South (with a Kosovo Albanian management) and Trepca North (with a Kosovo Serbian management). Trepca North has almost 3 500 employees. Since June 2011, Trepca North has come under economic pressure from the Tax Administration of Kosovo by means of the non-refunding of VAT and seizure of bank balances. Trepca North management allege this is a political campaign from Pristina to force closure of a viable business north of the Ibar River and to compel Belgrade to abandon its support for Kosovo Serbs living in northern Mitrovica.

Trepca North was prevented in June 2011 by the Privatisation Agency of Kosovo from exporting its products, by not being provided with customs clearance of its goods, and when drivers of the transporting company were arrested and trucks with goods seized by the police. An additional problem was the prohibition of transfer of civil explosives. The current pragmatic de facto organisational structure that Trepca North has operated under for the past 11 years has been a successful business model, leaving the eventual resolution of the legal status of the company and the ultimate ownership issue (which would lead to a successful restructuring and privatisation) to be part of the current dialogue between Pristina and Belgrade, facilitated by the EU.

As EULEX is a civilian CSDP mission under the High Representative, which includes participation by the five EU states that do not recognise Kosovo's independence, is the Council not of the opinion that EULEX should insist that the Government of Kosovo respect the current working arrangements and cease the economic sanctions against Trepca North allegedly aimed at bringing about the closure of a major source of income and employment amongst Kosovo Serbs in northern Kosovo?

Reply
(16 July 2012)

The Council is aware that relations between Trepca North and the Kosovo institutions became difficult following the Declaration of Independence. However, since then the Director-General of Trepca North and the Privatisation Agency of Kosovo have started talks aimed at solving problems affecting day-to-day business (Trepca North has recently started exporting again).

(English version)

Question for written answer E-005108/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(21 May 2012)

Subject: VP/HR — The case of Trepca Mining, Kosovo

Trepca Mining in Kosovo is officially one company under UNMIK/KTA administration, under the authority granted to it by UN Security Council Resolution 1244, and managed by a Trepca International Manager appointed by UNMIK. In reality, since the conflict there are two separate companies: Trepca South (with a Kosovo Albanian management) and Trepca North (with a Kosovo Serbian management). Trepca North has almost 3 500 employees. Since June 2011, Trepca North has come under economic pressure from the Tax Administration of Kosovo by means of the non-refunding of VAT and seizure of bank balances. Trepca North management allege this is a political campaign from Pristina to force closure of a viable business north of the Ibar River and to compel Belgrade to abandon its support for Kosovo Serbs living in northern Mitrovica.

Trepca North was prevented in June 2011 by the Privatisation Agency of Kosovo from exporting its products, by not being provided with customs clearance of its goods, and when drivers of the transporting company were arrested and trucks with goods seized by the police. An additional problem was the prohibition of transfer of civil explosives. The current pragmatic de facto organisational structure that Trepca North has operated under for the past 11 years has been a successful business model, leaving the eventual resolution of the legal status of the company and the ultimate ownership issue (which would lead to a successful restructuring and privatisation) to be part of the current dialogue between Pristina and Belgrade, facilitated by the EU.

As EULEX is a civilian CSDP mission which includes participation by the five EU states that do not recognise Kosovo's independence, does the Vice-President/High Representative agree that EULEX should insist that the Government of Kosovo respect the current working arrangements and cease the economic sanctions against Trepca North allegedly aimed at bringing about the closure of a major source of income and employment amongst Kosovo Serbs in northern Kosovo?

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

After the Declaration of Independence of Kosovo ([1]) in July 2008, the Privatisation Agency of Kosovo (PAK) took over the administration of Trepca from the Kosovo Trust Agency (KTA).

Although it is one undertaking, Trepca is organised into two operations — in the North and in the South of Kosovo — each with its own 'local' General Manager who were until autumn 2006 supervised by an international Managing Director, supported by international experts employed in both operations. Due to the successful cooperation between the two General Managers, the KTA decided to remove the international Managing Director. However, the relationship between Trepca North (TN) and South broke off in February 2008 after the Declaration of Independence. Trepca North has 3 500 registered employees. Only 1 250 directly employed and 2 250 are receiving stipends or early retirement payments.

Trepca is not a normal business enterprise. On 9 March 2006, the Special Chamber of the Supreme Court (SCSC) of Kosovo issued a 'Moratorium Decision' (similar to Chapter 11 Bankruptcy) from which all actions, proceedings or acts of any kind aimed to enforce any claim against Trepca or its assets were suspended, and can only continue with the permission of the SCSC. Similarly, the SCSC needs to approve any re-organisation or significant investment in Trepca and has recently requested the PAK to develop a restructuring plan as the Moratorium should be lifted in October 2012.

After the Declaration of Independence relations between TN and the Kosovo institutions became very difficult. The EU welcomes that in the meantime, the General Manager of TN and the PAK have initiated dialogue in order to solve problems of the day-to-day business.

([1]) This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

(българска версия)

Въпрос с искане за писмен отговор E-005109/12
до Комисията (Зам.-председател/Върховен представител)
Владко Тодоров Панайотов (ALDE)
(21 май 2012 г.)

Относно: VP/HR — Международното пиратство и морската сигурност

Явлението „пиратски атаки срещу морски плавателни съдове“ във водите на Сомалия и в международни води в този регион става все по-сериозно въпреки усилията на международната общност да се справи с него. То има огромна икономическа и социална цена за международната търговия, застрахователните компании, корабособствениците и най-вече за заложниците и техните семейства. Един от начините за борба с това явление е да се разреши на корабособствениците да използват на борда частни охранителни услуги подобно на тези в банките и други институции на сушата. Тяхната роля ще бъде да гарантират сигурността на плавателния съд и да противодействат на пиратските атаки. Възпиращият ефект на такива охранителни служби би бил много голям и е възможно тяхното присъствие на борда да се обозначи чрез специален флаг, който да се постави заедно с флага на страната на регистрация на плавателния съд.

Може ли Комисията да подкрепи такава инициатива и евентуално да прецени как може да бъде реализирана?

Възможно ли е да се предвиди зелена или бяла книга, евентуално предхождана от проучване, с цел внасяне на предложение за подходяща правна рамка, включително възможна международна конвенция, която да включва следното: разпоредби, уреждащи натоварването на оръжия на борда, видовете услуги, които могат да се предоставят и видовете оръжия, които могат да се използват?

Отговор, даден от г-н Калас от името на Комисията
(17 юли 2012 г.)

Комисията счита, че използването на услугите на частни въоръжени охранители (ЧВО) на борда на търговските кораби би могло да допринесе за борбата с пиратството. Въпреки че не е предпочитаният начин за защита поради свързаните с него рискове, и в европейското корабоплаване вече се използват ЧВО. По тази причина е особено важно да се създаде стабилна и надеждна рамка за всички съответни заинтересовани страни (включително корабособствениците, доставчиците на охранителни услуги, публичните органи и др.).

Ако се използват по съответния начин, услугите на ЧВО могат да допълнят както другите най-добри актуални практики в управлението за борба с пиратството, посочени в Препоръка 2010/159/ЕС на Комисията от 11 март 2010 г. относно мерките за самозащита и предотвратяване на пиратските действия и въоръжените нападения срещу кораби ([1]), така и помощта, оказвана от военноморските отряди ([2]) или частите за охрана на корабите, осигурявани от военноморските сили и/или правоприлагащите органи, когато съществува такава възможност.

Към настоящия момент използването на услугите на ЧВО се урежда само на международно ниво от незадължителни циркуляри на Международната морска организация (ММО), които редовно се актуализират, а в редки случаи — от националното законодателство на някои държави членки. Трябва да се отбележи, че някои държави членки не са посочили публично дали на борда на корабите, плаващи под техен флаг, могат да се използват услугите на ЧВО.

Наскоро ММО поиска от Международната организация по стандартизация (ISO) да разработи стандарт за сертифициране на частните дружества за морска охрана (ЧДМО), които използват услугите на ЧВО.

Службите на Комисията възнамеряват да участват в дейностите по този въпрос, които следва да доведат до решение на ММО на следващото заседание на нейния Комитет по морската безопасност (КМБ), планирано за края на ноември 2012 г.

Всяка по-нататъшна оценка или евентуално действие на Комисията ще зависи от решението на КМБ, както и от възможния напредък в рамките на Контактната група по пиратството край бреговете на Сомалия.

([1]) ОВ L 67/13, 17.3.2010 г.
([2]) Като операцията ATALANTA на EUNAVFOR.

(English version)

Question for written answer E-005109/12
to the Commission (Vice-President/High Representative
Vladko Todorov Panayotov (ALDE)
(21 May 2012)

Subject: VP/HR — International piracy and maritime security

The phenomenon of pirate attacks against sea vessels in Somali waters and the international waters of this region is becoming more and more serious, notwithstanding the efforts of the international community to control it. It has huge economic and social costs for international trade, insurance companies, shipowners and, above all, for hostages and their families. One way of combating this would be to enable the shipowners to have private security services on board, similar to those used onshore by banks or other bodies. Their role would be to ensure the security of the vessel and to counter pirate attacks. The deterrent effect of such security services would be very high, and their presence on board could be possibly made known through a special flag that the vessel could fly next to the flag of its country of registration.

Can the Commission support such an initiative and, possibly, consider how it could be implemented?

Could a Green or White Paper be envisaged, possibly preceded by a study, with a view to submitting a proposal for an appropriate legal framework, including a possible international Convention, to cover the following: regulations governing the loading of weapons on board, the types of services that may be provided and the types of arms that may be used?

Answer given by Mr Kallas on behalf of the Commission
(17 July 2012)

The Commission considers that the use of Privately Contracted Armed Security Personals (PCASPs) on board commercial ships could contribute to the fight against piracy. Although not the preferred tool, given related risks, it has become reality also in European shipping. Therefore, setting a stable and reliable framework for all stakeholders involved (including shipowners, security providers, public authorities etc.) is of particular importance.

If used appropriately, it can complement the other most updated best management practices to fight against piracy, referenced in Commission Recommendation (2010/159/EU) of 11 March 2010 on measures for self-protection and the prevention of piracy and armed robbery against ships ([1])as well as the support provided by naval units ([2]) or Vessel Protection Detachments provided by naval and/or law enforcement forces when available.

So far the use of PCASPs is only regulated at international level by non-binding circulars of the International Maritime Organisation (IMO), which are updated regularly, and, in rare cases, by national legislation of some Member States. To be noted, some Member States have not publicly clarified whether or not PCASPs can be used on board ships flying their Flag(s).

The IMO has recently asked the International Standardisation Organisation (ISO) to develop a standard for certification of Private Maritime Security Companies (PMSCs) that employ PCASPs.

The services of the Commission intend to participate in this work that should result in an IMO decision at the next meeting of its Maritime Safety Committee (MSC), scheduled for the end of November 2012.

Any further assessment or eventual action from the Commission will be linked to the results of this MSC decision as well as to potential progress being made in the framework of the Contact Group on Piracy off the Coast of Somalia.

([1]) OJ L 67/13, 17.3.2010.
([2]) Such as EUNAVFOR Operation ATALANTA.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005111/12
alla Commissione
Mara Bizzotto (EFD)
(21 maggio 2012)

Oggetto: Approfondimento sul Nimesulide

Nel 2002 la Finlandia e la Spagna hanno ritirato dal mercato i medicinali aventi come principio attivo il Nimesulide e la stessa scelta è stata fatta nel 2007 dall'Irlanda in seguito alla decisione dall'Irish Medicines Board (IMB). Le autorità sanitarie di questi Stati hanno reputato troppo alta l'incidenza delle complicazioni gravi epatiche legate all'ingestione di tali farmaci, conformemente a quanto disposto dall'articolo 107 della direttiva 2001/83/CE.

In Italia i farmaci con Nimesulide come principio attivo sono ancora in commercio e tale decisione è stata presa sulla scorta del parere in merito dell'EMEA.

— Sa la Commissione se altri Stati membri stanno attualmente vagliando il ritiro dal mercato di questi farmaci?

— Ha la Commissione commissionato nuovi studi più specifici su di esso?

— Ritiene che la salute dei cittadini sia sufficientemente tutelata?

Risposta di John Dalli a nome della Commissione
(3 luglio 2012)

In seguito alla sospensione delle autorizzazioni alla commercializzazione dei prodotti contenenti nimesulide in Finlandia e in Spagna la Commissione ha chiesto all'Agenzia europea per i medicinali (EMA) di sottoporre a nuova valutazione il bilancio rischi/benefici in relazione al nimesulide. Il Comitato per i medicinali per uso umano (CHMP) facente capo all'EMA, dopo aver esaminato tutti i dati disponibili al momento, è giunto alla conclusione che il rapporto rischi/benefici rimaneva positivo a patto che si introducessero restrizioni per un uso sicuro dei prodotti. Di conseguenza, nell'autorizzazione alla commercializzazione del nimesulide si sono introdotte restrizioni del dosaggio massimo e delle indicazioni terapeutiche, avvertimenti e controindicazioni.

Alla luce di nuove informazioni la Commissione ha chiesto di nuovo all'EMA nel 2010 di esprimersi se l'autorizzazione alla commercializzazione del nimesulide dovesse essere mantenuta, modificata, sospesa o ritirata.

Il 23 giugno 2011 il CHMP ha raccomandato che l'uso del nimesulide venisse limitato soltanto a patologie acute. Il CHMP ha concluso inoltre che, considerato un rischio accresciuto di epatotossicità in un uso cronico contro l'osteoartrite, il nimesulide non presenta più un rapporto positivo in termini di rischi/vantaggi per tale indicazione. In seguito a tale parere la Commissione ha adottato, il 20 gennaio 2012, una decisione di attuazione con cui sollecita gli Stati membri in cui il nimesulide è autorizzato a modificare i termini delle autorizzazioni nazionali alla commercializzazione per far sì che l'uso dei prodotti contenenti nimesulide sia limitato alla terapia del dolore acuto e della dismenorrea primaria.

La Commissione non sa se attualmente qualche Stato membro contempli il ritiro di tali prodotti.

La Commissione non ha affidato nessun incarico di eseguire nuovi studi.

La decisione di esecuzione della Commissione del 20 gennaio 2012 migliora la sicurezza dei pazienti imponendo nuove restrizioni per l'uso sicuro del nimesulide.

(English version)

Question for written answer E-005111/12
to the Commission
Mara Bizzotto (EFD)
(21 May 2012)

Subject: Insight into Nimesulide

In 2002, Finland and Spain withdrew medicines using Nimesulide as their active ingredient from the market. A similar move was made by Ireland in 2007 following a decision by the Irish Medicines Board. In accordance with the provisions of Article 107 of Directive 2001/83/EC, the health authorities in these countries deemed the incidence of serious liver complications linked to taking these drugs to be too high.

In Italy, drugs with Nimesulide as their active ingredient are still on the market. This decision was taken on the basis of the opinion of the European Medicines Agency.

— Does the Commission know whether other Member States are currently considering the withdrawal of these drugs from the market?

— Has the Commission ordered any more specific studies on this?

— Does it consider that the health of citizens is being sufficiently protected?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

Following the suspension of the marketing authorisations for nimesulide-containing products in Finland and Spain, the Commission asked the European Medicines Agency (EMA) to reassess the benefit-risk balance for nimesulide. The EMA Committee for Medicinal Products for Human Use (CHMP) after considering all available data at the time concluded that the benefit-risk remained positive subject to restrictions for the safe use of the products. As a result, restriction of the maximum dose and therapeutic indications, warnings, and contraindications were introduced in the marketing authorisation for nimesulide.

In light of new information, the Commission asked EMA again in 2010 to give its opinion on whether the marketing authorisation for nimesulide should be maintained, varied, suspended or withdrawn.

On 23 June 2011, the CHMP recommended that the use of nimesulide be restricted to acute conditions only. The CHMP also concluded that, in view of an increased risk of hepatotoxicity in chronic use against osteoarthritis, nimesulide no longer has a positive benefit-risk balance in this indication. On the basis of this opinion, the Commission adopted on 20 January 2012 an implementing Decision requiring Member States where nimesulide is authorised to vary the terms of the national marketing authorisations in such a way that the use of the products containing nimesulide is restricted to the treatment of acute pain and primary dysmenorrhoea only.

The Commission is not aware of any Member State currently considering the withdrawal of these products.

The Commission has not commissioned any new studies.

The Commission implementing Decision of 20 January 2012 improves patient safety by imposing new restrictions for the safe use of nimesulide.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005112/12
alla Commissione
Mara Bizzotto (EFD)
(21 maggio 2012)

Oggetto: Medicinali illegali dalla Cina

In questi giorni in Corea del Sud è stato sequestrato in dogana a Deajeon un carico di 17 000 pillole provenienti dalla Cina con supposti effetti contro l'impotenza. Non è il primo sequestro di questo tipo effettuato dall'inizio dell'anno. Le autorità sudcoreane specificano che queste pillole provengono dal mercato nero e che sono estremamente pericolose per la salute umana. Infatti, sarebbero composte al 99 % da materiale umano: carne disidratata di feti o di cadaveri di bambini.

— La Commissione è a conoscenza dei fatti? Si hanno notizie di sequestri simili entro i confini dell'Unione europea?

— La Commissione reputa che vi sia il rischio che partite di queste pillole possano essere dirette verso l'UE?

Risposta di John Dalli a nome della Commissione
(27 luglio 2012)
La Commissione rinvia l'onorevole parlamentare alla propria risposta all'interrogazione scritta E-004903/2012. ([1])

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp?language=en

(English version)

Question for written answer E-005112/12
to the Commission
Mara Bizzotto (EFD)
(21 May 2012)

Subject: Illegal medicines from China

In recent days, customs in Daejeon, South Korea seized a shipment of 17 000 pills from China that purport to have an anti-impotence effect. This is not the first such seizure to have taken place since the beginning of the year. The South Korean authorities specify that the pills come from the black market and are extremely harmful to human health. In fact, they consist of 99% human material: dehydrated flesh from foetuses or infant corpses.

— Is the Commission aware of these events? Does it have news of similar seizures within European Union boundaries?

— Does the Commission believe there is a risk that shipments of these pills could be heading towards the EU?

Answer given by Mr Dalli on behalf of the Commission
(27 July 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-004903/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp?language=en.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005113/12
alla Commissione
Mara Bizzotto (EFD)
(21 maggio 2012)

Oggetto: Violazione dei diritti umani da parte di multinazionali

Da inchieste portate avanti da *The Indipendent* e da varie ONG come *National Labor Committee*, appare evidente come molte multinazionali attive nei più svariati campi si avvalgano, per la loro produzione di prodotti di aziende site in paesi terzi, di manodopera minorenne o addirittura in stato di schiavitù.

È il caso, per esempio, di *Victoria's Secret*, che fino al 2008 apponeva ai capi di abbigliamento realizzati con cotone coltivato nel Burkina Faso l'etichetta «fair trade», che poi si è limitata a eliminare dopo la scoperta dell'impiego di manodopera minorile. È anche il caso di *Forever 21*, che continua a servirsi di cotone raccolto in Uzbekistan dove sono impiegati milioni di bambini in età scolare con l'avvallo del governo stesso. Lo sfruttamento di manodopera minorile è noto anche per l'azienda cinese *KYE* la cui produzione è destinata a marchi come *Microsoft*, *XBox* e *HP*.

— La Commissione è a conoscenza della situazione?

— Considerando che le compagnie occidentali appaltano in questi paesi terzi essenzialmente per abbattere i costi di produzione e massimizzare i guadagni, togliendosi ogni responsabilità semplicemente «guardando altrove» o minimizzando il problema, ritiene la Commissione che tali multinazionali si rendano corresponsabili delle violazioni dei diritti umani e che essa debba perciò intervenire con una politica volta a responsabilizzarle, cercando una nuova via per scardinare il circolo vizioso che si è innescato?

Risposta di Karel De Gucht a nome della Commissione
(29 giugno 2012)

La Commissione rinvia alla risposta fornita alla precedente interrogazione E-004045/2012 dell'onorevole Meyer ([1]) in relazione alle multinazionali che operano in paesi terzi.

La Commissione è in effetti preoccupata per il ricorso al lavoro minorile nel mondo, nella catena delle forniture e nella produzione. La questione non può essere esaminata in modo isolato e la Commissione adotta una strategia globale per quanto concerne il lavoro minorile nei paesi in via di sviluppo concentrandosi sulle cause che sottendono il fenomeno: povertà e mancanza di accesso a un'istruzione adeguata. ([2])

La Commissione si attende inoltre che tutte le imprese dell'UE facciano onore alla loro responsabilità sociale in tema di rispetto dei diritti umani quale definita nei Principi guida su imprese e diritti umani delle Nazioni Unite. ([3]) Gli strumenti esistenti sono valutati e valorizzati nell'ambito di un processo continuativo. ([4])

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN
([2]) SEC(2010)37 definitivo; documento di lavoro dei servizi della Commissione, Combating Child Labour.
([3]) COM(2011)681 final; "Strategia rinnovata dell'UE per il periodo 2011-14 in materia di responsabilità sociale delle imprese".
([4]) COM(2011)886; comunicazione congiunta su diritti umani e democrazia al centro dell'azione esterna dell'Unione europea.

(English version)

Question for written answer E-005113/12
to the Commission
Mara Bizzotto (EFD)
(21 May 2012)

Subject: Violation of human rights by multinationals

From investigations conducted by *The Independent* and various NGOs, including the National Labour Committee, it seems clear that many multinationals, operating in the most diverse business sectors, are making use of child or even slave labour in product manufacturing in companies located in third countries.

One example is the case of Victoria's Secret, which had been attaching a 'Fair Trade' label to garments made with cotton grown in Burkina Faso until 2008. They then simply removed the label once it was found to be using child labour. Another example is Forever 21, which continues to use cotton harvested in Uzbekistan, where millions of school-age children are employed with the Government's endorsement. It is also well known that the Chinese company KYE, whose products are made for brands such as Microsoft, Xbox and HP, uses child labour.

— Is the Commission aware of the situation?

— Given that Western companies contract out to these third countries to reduce production costs and maximise profits, abdicating all responsibility by simply 'turning a blind eye' or playing down the problem, does the Commission not agree that these multinationals are jointly responsible for human rights violations and that intervention is therefore necessary with a policy geared towards making them accept responsibility, by seeking a new way to break out of the vicious circle which has been created?

Answer given by Mr De Gucht on behalf of the Commission
(29 June 2012)

The Commission refers to the reply to previous Question E-004045/2012 by Mr Meyer ([1]) with respect to multinational enterprises operating in third countries.

The Commission is indeed concerned about the use of child labour globally in the supply chain and production. The issue cannot be looked at in isolation, and the Commission has a comprehensive approach to child labour in developing countries, focusing on the underlying causes of child labour: poverty and lack of access to adequate education ([2]).

The Commission also expects all EU enterprises to meet the corporate responsibility to respect human rights, as defined in the United Nations (UN) Guiding Principles on Business and Human Rights ([3]). The existing tools and instruments are evaluated and built on in an ongoing process ([4]).

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.
([2]) SEC(2010)37 final; Commission Staff Working Document, Combating Child Labour.
([3]) COM(2011)681 final; 'A renewed EU strategy 2011-14 for Corporate Social Responsibility'.
([4]) COM(2011)886; Joint Communication on Human Rights and Democracy at the Heart of EU External Action.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005114/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Lorenzo Fontana (EFD)
(21 maggio 2012)

Oggetto: VP/HR — Tratta di esseri umani e di organi in Sinai, Egitto

Nella zona del Sinai, in territorio egiziano, da anni si trafficano quotidianamente esseri umani e organi, secondo quanto affermato da diverse organizzazioni umanitarie e agenzie, quali ad esempio l'*Agenzia Habeshia per la Cooperazione allo Sviluppo* o il gruppo *EveryOne*. Si denuncia la presenza di circa 2 000 prigionieri etiopi, eritrei e sudanesi attualmente nelle mani dei trafficanti, i quali avrebbero trovato nel Sinai una zona franca, non sottoposta ad alcun controllo da parte delle autorità egiziane. I prigionieri sarebbero giovani migranti, fuggiti dai loro paesi a seguito della promessa, da parte di alcune bande beduine, di una vita migliore in Israele. Sarebbero proprio tali bande le responsabili dei rapimenti a scopo di estorsione, delle torture in caso di mancato o tardato pagamento del riscatto, degli stupri e dell'avvio alla prostituzione delle giovani donne subsahariane, così come degli omicidi e dell'espianto di organi: i proventi di queste e altre attività criminali, quali il traffico di droga o di armi, finanzierebbero la lotta armata di taluni movimenti religiosi e politici estremisti cui le dette bande sono associate.

Secondo le testimonianze rilasciate agli *Human Rights Defenders* e ad alcune ONG dai profughi sopravvissuti, una volta organizzata la fuga con l'aiuto delle bande beduine i profughi verrebbero rapiti dalle stesse per avere un riscatto dalle loro famiglie e poi rivenduti, oppure verrebbero portati nel deserto, dove verrebbero drogati e privati degli organi, per poi essere abbandonati.

Considerando l'impegno dell'UE nella tutela dei diritti umani, sia in generale, come sancito nel preambolo del trattato sull'Unione europea e all'articolo 2 dello stesso, sia in particolare, relativamente alla situazione egiziana nell'ambito delle rivoluzioni della Primavera araba;

considerando l'accordo di associazione che lega l'UE e l'Egitto e la politica di vicinato posta in essere dall'UE nei confronti di tale paese;

può la Vicepresidente/Alta Rappresentante precisare quanto segue:

— Si sono verificati recenti sviluppi nelle indagini sulla situazione descritta, sono state poste in essere nuove misure per porre fine ai citati traffici illegali, dato che si protraggono da anni senza significativi miglioramenti?

— Intende puntare alla collaborazione con l'UNHCR per elaborare strategie comuni al fine di contrastare tali attività criminali?

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

L'UE sta seguendo la questione dei rifugiati del Sinai molto attentamente anche attraverso la delegazione al Cairo, che resta in costante contatto con i ministeri egiziani degli Affari esteri e dell'Interno, nonché con gli uffici locali dell'Alto commissariato delle Nazioni Unite per i rifugiati (UNHCR) e dell'Organizzazione Internazionale per le migrazioni (OIM). La preoccupazione per la situazione dei rifugiati del Sinai è stata espressa ai ministeri degli Affari esteri e dell'Interno egiziani in numerose occasioni e ultimamente il 14 marzo 2012, nell'incontro al Cairo tra il rappresentante speciale dell'UE per il Corno d'Africa, Alexander Rondos, e il ministro degli Affari esteri Amr. L'interlocutore egiziano ne ha preso atto promettendo di seguire la vicenda.

Purtroppo, finora si sono registrati progressi limitatissimi. Senza una completa riforma del settore della sicurezza e senza ulteriori strumenti per combattere la tratta di esseri umani e il crimine organizzato sarà difficile migliorare sensibilmente la sicurezza di questa regione strategica e instabile. L'UE è pronta a sostenere le autorità egiziane per combattere i trafficanti e per controllare le frontiere in modo più efficiente, aiutandole al contempo ad adempiere agli impegni in materia di diritti umani che hanno assunto in sede internazionale. L'Unione continuerà ad esortare le autorità egiziane ad assicurare che i diritti umani dei migranti e dei rifugiati siano pienamente rispettati. L'Alto commissariato delle Nazioni Unite per i rifugiati deve avere la possibilità di svolgere pienamente il proprio mandato su tutto il territorio dell'Egitto, compresa la regione del Sinai.

(English version)

Question for written answer E-005114/12
to the Commission (Vice-President/High Representative)
Lorenzo Fontana (EFD)
(21 May 2012)

Subject: VP/HR — Trafficking of human beings and organs in Sinai, Egypt

In the Sinai region of Egypt, humans and organs have been trafficked every day for many years, according to claims made by various humanitarian organisations and agencies, such as the Habeshia Agency for Cooperation and Development or the EveryOne group. Around 2 000 Ethiopian, Eritrean and Sudanese prisoners are currently reported to be in the hands of the traffickers, who have found, in Sinai, a free area that is not subject to controls by the Egyptian authorities. The prisoners are young migrants who have fled their countries after they had been promised a better life in Israel by some Bedouin gangs. These same gangs are said to be responsible for the kidnappings and ransom demands, torture in the event of late or non-payment of the ransom, rape and forcing of young sub-Saharan women into prostitution, as well as murders and organ extractions. The proceeds of these and other criminal activities, such as trafficking in drugs or arms, are financing the armed struggle of some extremist religious and political movements associated with these gangs.

According to statements given to Human Rights Defenders and some other NGOs by surviving refugees, once their flight has been organised with the aid of the Bedouin gangs, the refugees are kidnapped by the same gangs and a ransom is demanded from their families. They are then resold or taken into the desert, where they are drugged, their organs are removed and they are then abandoned.

Given the EU's commitment to defend human rights, both generally, as ratified in the preamble to the Treaty on European Union and Article 2 of the same treaty, and specifically, with regard to the Egyptian situation in the context of the Arab Spring revolutions; given also the Association Agreement that links the EU and Egypt and the neighbourhood policy implemented by the EU with regard to that country:

— Can the Vice-President/High Representative say whether there have been any recent developments in the investigations into this situation and whether any new measures have been implemented to put an end to the aforementioned illegal trafficking, given that it has been going on for years without any significant improvement?

— Does she intend to work with the UN Refugee Agency to develop common strategies in order to combat these criminal activities?

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

The EU is following the issue of the Sinai refugees very closely including through its Delegation in Cairo which keeps regular contacts with the Egyptian Ministry of Foreign Affairs and the Ministry of Interior as well as with the regional offices of the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (IOM). Our concerns on the situation of the Sinai refugees have been expressed on numerous occasions to the Egyptian Ministry of Foreign Affairs and to the Ministry of Interior. Recently on 14 March 2012, the EU Special Representative (EUSR) for the Horn of Africa, Mr Alexander Rondos, raised the issue of the Sinai refugees in his meeting with Foreign Minister Amr in Cairo. The Egyptian side took good note and promised to follow up on the matter.

Unfortunately, progress has so far been very limited. Without a thorough reform of the security sector and without additional means to fight trafficking and organised crime, it will be difficult to improve substantially the security of this volatile and strategic region. The EU stands ready in supporting the Egyptian authorities to fight traffickers and to control the borders in a more efficient manner while fulfilling their international human rights commitments. The EU will continue to urge the Egyptian authorities to ensure that the human rights of migrants and refugees are fully respected. UNHCR should be given the possibility to fully implement its mandate on the entire territory of Egypt, including the Sinai region.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005115/12
aan de Commissie
Laurence J. A. J. Stassen (NI)
(21 mei 2012)

Betreft: Geen uitbreiding handelsrelaties islamitische regimes Noord-Afrika

De EU heeft verscheidene associatieovereenkomsten met staten in Noord-Afrika. Verschillende landen in deze regio hebben de afgelopen jaren een stormachtige ontwikkeling doorgemaakt. Nochtans zijn de eerbiediging van fundamentele mensenrechten en democratische beginselen essentiële voorwaarden voor deze associatieovereenkomsten. In de regio vinden echter massaal mensenrechtenschendingen plaats onder de heersende islamitische regimes. In Tunesië zijn onlangs twee bloggers veroordeeld tot zeven jaar gevangenisstraf vanwege atheïstische opvattingen. In Egypte zijn er dit jaar naar schatting 1 500 koptisch christelijke meisjes ontvoerd. Deze meisjes worden besneden en gedwongen om zich te bekeren tot de islam. Ook dreigt nog steeds de islamitische sharia in Egypte te worden ingevoerd. Het Europees parlement heeft desalniettemin een resolutie aangenomen waarin het pleit voor het verdiepen van de handelsrelaties met deze regio.

1. Is de Commissie het met de PVV eens dat de opkomst van fundamentalistische islamitische partijen in de regio op gespannen voet staat met de fundamentele mensenrechten en liberale democratische beginselen die wij in het Westen omarmen? Zo neen waarom niet?

2. Kan de Commissie bevestigen dat eerbiediging van democratische beginselen en de mensenrechten een essentiële voorwaarde vormt voor associatieovereenkomsten en normale handelsbetrekkingen?

3. Kan de Commissie aangeven welke consequenties de talloze mensenrechtenschendingen die onder islamitische regimes in de regio plaatsvinden, hebben voor de associatieovereenkomsten en handelsrelaties die de EU met landen in deze regio onderhoudt?

4. Is de Commissie met de PVV van mening dat het versterken van de handelsrelaties — zoals het Europees parlement in een resolutie heeft voorgesteld — geen optie is zolang islamitische regimes in Noord-Afrika de vrijheid van meningsuiting en de mensenrechten niet respecteren? Zo neen, waarom niet?

Antwoord van de heer De Gucht namens de Commissie
(27 juli 2012)

De bilaterale handelsbetrekkingen met de No_{ord}-Afrikaanse staten worden geregeld door de Euro-Mediterrane associatieovereenkomsten die de EU met elke Zuid-Mediterrane partner (met uitzondering van Libië en Syrië) heeft gesloten. Alle associatieovereenkomsten bevatten „essentieel onderdeel"-clausules die tot doel hebben beide partijen duidelijk te maken dat de eerbiediging van de mensenrechten en de fundamentele vrijheden een essentieel onderdeel van de overeenkomst is.

Onze handelsbetrekkingen met partners uit het zuidelijke Middellandse Zeegebied zullen gedifferentieerd en op basis van stimulansen worden verdiept, zoals vastgesteld in de gezamenlijke mededelingen over het Partnerschap voor democratie en gedeelde welvaart met het zuidelijke Middellandse Zeegebied van 8 maart 2011, in „A new response to the changing neighbourhood" van 25 mei 2011 en in de conclusies van de Europese Raad van maart en juni 2011. Slechts partners die vastberaden politieke hervormingen aanvatten en universele waarden op het gebied van mensenrechten, democratie en de rechtsstaat naleven, biedt de EU de meest vergaande voordelen, namelijk economische integratie door de instelling van diepgaande en uitgebreide vrijhandelszones.

(English version)

Question for written answer E-005115/12
to the Commission
Laurence J.A.J. Stassen (NI)
(21 May 2012)

Subject: No increase in trade relations with North African Islamic regimes

The EU has a number of association agreements with North African states. In recent years, various countries in this region have had a turbulent history. Nonetheless, respect for fundamental human rights and democratic principles is an essential precondition for associative agreements. In this region, however, blatant violations of human rights take place under the local Islamic regimes. Recently in Tunisia, two bloggers were sentenced to seven years' imprisonment for expressing atheistic opinions. In Egypt this year, an estimated 1 500 Coptic Christian girls have been kidnapped, circumcised and forced to convert to Islam. There is also still the threat that Islamic Sharia law will be introduced into Egypt. In spite of all this, the European Parliament has adopted a resolution in favour of increasing trade relations with the region concerned.

1. Does the Commission agree with the Dutch Freedom Party (PVV) that the rise of fundamentalist Islamic political parties in the region is at variance with the basic human rights and liberal democratic principles embraced by us in the West? If not, why not?

2. Can the Commission confirm that respect for democratic principles and human rights forms an essential precondition for association agreements and normal trade relations?

3. In view of the countless human rights violations that take place under Islamic regimes in the region, can the Commission state what consequences these have for the EU's association agreements and trade relations with the countries in question?

4. Does the Commission share the PVV's opinion that the strengthening of trade relations, as proposed by the European Parliament in a resolution, is not an option as long as Islamic regimes in North Africa fail to respect human rights and freedom of expression? If not, why not?

Answer given by Mr De Gucht on behalf of the Commission
(27 July 2012)

Bilateral trade relations with the North African states are governed by the Euro-Mediterranean Association Agreements concluded between the EU and each Southern Mediterranean partner (with the exception of Libya and Syria). All Association Agreements include essential element clauses whose purpose is to make clear to both parties that respect for human rights and fundamental freedoms is an essential element of the agreement.

The deepening of our trade relations with Southern Mediterranean partners will be subject to the differentiated and incentive-based approach, as outlined in the Joint Communications on the Partnership for Democracy and shared Prosperity with the Southern Mediterranean of 8 March 2011 and the EU response to the changing neighbourhood of 25 May 2011 and in the European Council conclusions of March and June 2011. Only partners determinedly embarking on political reforms and respecting universal values of human rights, democracy and rule of law are being offered benefits that relate to the most ambitious aspects of the EU offer, notably economic integration through the establishment of Deep and Comprehensive Free Trade Areas (DCFTAs).

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005116/12
à Comissão
Diogo Feio (PPE)
(21 de maio de 2012)

Assunto: VP/HR — Irão — Internet

O Governo do Irão, a partir do seu Ministério das Telecomunicações, decretou uma lei que proíbe os cidadãos daquele país de acederem a alguns serviços da Internet, nomeadamente o correio eletrónico.

Por esse motivo, os iranianos viram bloqueado o acesso ao Hotmail, ao Gmail e ao Yahoo, os três serviços de e-mail mais utilizados em todo o planeta.

Assim, pergunto à Vice-Presidente / Alta Representante:

— Tem conhecimento destes factos?

— Como os qualifica?

— Contactou as autoridades iranianas a este propósito? Que respostas obteve?

— Tem tido contactos com a oposição democrática ao regime iraniano? Que impressões recolheu?

— Como avalia o presente estado das relações UE-Irão?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(10 de Julho de 2012)

A Alta Representante tem conhecimento das tentativas do Irão de reduzir o acesso dos seus cidadãos a certos serviços de Internet, um ato que a UE considera uma violação do direito à liberdade de expressão e de informação. A preocupação da União Europeia relativa aos direitos humanos está constantemente a ser mencionada nas conclusões do Conselho dos Negócios Estrangeiros, através de declarações e de iniciativas, dirigindo-se a União Europeia às autoridades iranianas em todas as ocasiões possíveis, especialmente através das Embaixadas dos Estados-Membros que representam a UE em Teerão.

Tal como o Parlamento Europeu, o SEAE mantém, a nível da sede e das Embaixadas dos Estados-Membros que representam a UE em Teerão, contactos com os representantes da sociedade civil iraniana e as ONG.

(English version)

Question for written answer E-005116/12
to the Commission
Diogo Feio (PPE)
(21 May 2012)

Subject: VP/HR — Iran — Internet

The Government of Iran, through its Ministry of Telecommunications, has passed a law prohibiting its citizens from accessing certain Internet services, notably e-mail.

Consequently, Iranians will be blocked from using Hotmail, Gmail and Yahoo, the three most used e-mail services in the world.

Accordingly:

— Is the Vice-President/High Representative aware of these facts?

— What is her view of them?

— Has she contacted the Iranian authorities on this matter? What answers has she received?

— Has she had any contact with the democratic opposition to the Iranian regime? What was her impression?

— What is her assessment of the current state of EU-Iran relations?

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

The High Representative is aware of Iranian attempts to reduce citizens' access to certain Internet services, an act which the EU considers to be a violation of the right to freedom of expression and information. The European Union's Human Rights concerns are constantly being mentioned in Foreign Affairs Council conclusions, through Statements and demarches and directly to Iranian authorities in all possible occasions, especially through the MS Embassy representing the EU in Tehran.

Like the European Parliament, the EEAS in headquarters and through the MS Embassy representing the EU in Tehran retains contacts with representatives of the Iranian civil society and NGOs.

(English version)

Question for written answer P-005117/12
to the Commission
Phil Prendergast (S&D)
(21 May 2012)

Subject: Saorview and universal service provision obligations

In the context of the switchover from analogue to digital television in Ireland, due on 24 October 2012, pursuant to Communication COM(2005) 0204, Saorview was established as Ireland's national digital television service by RTÉ, Ireland's national television and radio broadcaster.

Due to the topography of the Irish territory, Saorview estimates that 2% of the population will not be serviced by the terrestrial digital network, which necessitates the purchasing and expert installation of special satellite reception equipment by households within the coverage gap areas.

Saorview estimates that the cost of this equipment for each household will be in the region of EUR 200. The specialised installation may cost up to twice that amount.

According to Saorview, the areas deprived of digital coverage in the constituency of Ireland South alone are:

Waterford
Dunmore East, Liccaun, Portmacaw, Portally, Balymacaw, Somerville, Tramore, Annestown, Kilcomeragh, Malton Bridge, Lemybrien, Glendalligan, Glen Upper, Knockavalley, Ross, Kilbrack, Glenstown, Whitestown, Crooke, Coxstown East.

Tipperary
Knocklofy, Knockballiniry, Ardfinnan, Ahenry, Clashnamult, Ballydavid, Newtown, Pollagh, Ballykerin, Cappanaleigh, Turraheen, Lattin North, Brookville, Moorabbey, Galbally, Cordangan, Lisheen Upper, Rossmore Village.

Kerry
Dingle, Deerpark, Churchfield, Foheragh, Coomnahincha, Mountluke, Valencia, Ballynabloun, Ballyintour, Turnamucka.

Cork
Ballydehob, Ardan, Murragh, Enniskean, Derrigre, Kilbeg, Lissagroom, Lissagroom, Glencarney.

Limerick
Mauricetown, Dromroe.

Could the Commission indicate whether this situation is in conformity with the universal service provision obligations required for services of general interest?

Answer given by Ms Kroes on behalf of the Commission
(14 June 2012)

The EU regulatory framework for electronic communications contains provisions on universal service in the directive 2002/22/EC on universal service and user's rights relating to electronic communications networks and services (the Universal Service Directive). The directive defines universal service as the minimum set of services of specified quality to be made accessible for all end-users at an affordable price. The directive includes within the scope of universal service the access to the public telephone network at a fixed location, comprehensive directory and directory enquiry service, public pay telephones and special measures for disabled end-users. Other services, such as digital terrestrial TV (DTTV) broadcasting transmission, are not included within the scope of universal service by the directive. However, it authorises Member States to make additional services publicly available in their territories, subject to specific rules concerning their financing. In Ireland, the scope of universal service is defined by the Statutory Instrument S.I.No.337of 2011 and does not cover access to DTTV broadcasting.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-005118/12
alla Commissione
Sergio Berlato (PPE)
(21 maggio 2012)

Oggetto: Scambi intracomunitari di animali delle specie bovina e suina e problematica delle stalle di sosta

Il 26 giugno 1964 il Consiglio ha adottato la direttiva 64/432/CEE relativa a problemi di polizia sanitaria in materia di scambi intracomunitari di animali delle specie bovina e suina. Questa direttiva prevede, in particolare, un limite di tempo massimo entro il quale gli animali delle specie bovina e suina devono sostare presso le cosiddette «stalle di sosta».

Con il trascorrere degli anni, i problemi di polizia sanitaria in materia di scambi intracomunitari di animali divengono più complessi e sofisticati e tali da richiedere un'opportuna modifica di alcuni dei contenuti della direttiva 64/432/CEE. Tuttavia, il legislatore non ha modificato e aggiornato alle moderne esigenze del mercato la durata del tempo di permanenza degli animali in oggetto presso le stalle di sosta estendendo, auspicabilmente, tale limite massimo oltre i 30 giorni previsti.

L'obiettivo della limitazione a trenta giorni per la permanenza degli animali nelle stalle del commerciante è di ridurre il rischio di diffusione di eventuali malattie infettive a partite diverse che transitano per la stalla di sosta. Tuttavia, nel caso degli animali che provengono da territori dell'Unione e destinati esclusivamente a macelli locali/nazionali, grazie alle severe e accurate garanzie sanitarie, tale rischio è sensibilmente ridotto.

Tutto ciò premesso, può la Commissione far sapere se:

1. considerata l'uniforme condizione sanitaria dei territori dell'Unione, nonché gli accurati controlli in entrata dei movimenti degli animali al suo interno, ritiene che ciò possa condurre ad una semplificazione delle norme che regolano tali movimenti in modo da agevolare l'attività degli operatori economici che operano sul mercato interno;

2. considerato, inoltre, che è attualmente in corso di revisione la direttiva sulla salute degli animali, ritenga essa opportuno, in questo contesto più ampio, prendere in considerazione l'estensione della durata del tempo di permanenza presso le stalle di sosta degli animali delle specie bovina e suina provenienti da territori unionistici e destinati esclusivamente a macelli locali/nazionali.

3. Può inoltre, può rendere noti i tempi previsti e/o stimati per la realizzazione della revisione in oggetto?

Risposta di John Dalli a nome della Commissione
(22 giugno 2012)

Conformemente all'articolo 2, paragrafo 2, lettera q) della direttiva 64/432/CEE del Consiglio ([1]) («la direttiva») per commerciante s'intende una persona fisica o giuridica che compra e vende, direttamente o indirettamente, animali a titolo commerciale, ha un regolare avvicendamento di tali animali, e al massimo entro 30 giorni dall'acquisto di animali, li rivende e li trasferisce dai primi impianti ad altri impianti che non sono di sua proprietà, e soddisfa le condizioni stabilite all'articolo 13 della direttiva.

Se capi bovini e suini sono tenuti negli spazi di proprietà del commercianti per un periodo superire a 30 giorni essi costituiscono automaticamente una mandria o un branco e sono assoggettati di conseguenza a tutti i requisiti in tema di salute degli animali previsti per i gruppi di bovini e suini di cui all'allegato A della direttiva.

Nel quadro della proposta di nuova legislazione in tema di salute degli animali che dovrebbe essere adottata entro la fine del 2012 la Commissione intende proporre alcune semplificazioni delle regole vigenti in merito al commercio dei bovini e dei suini destinati alla macellazione. Tuttavia, considerato che lo spostamento continuo di animali da e verso le stalle del commerciante presenta gravi rischi che possono pregiudicare lo status di salute animale dell'UE che è migliorato progressivamente negli ultimi decenni, non è possibile contemplare un'estensione significativa del summenzionato periodo di 30 giorni a meno che non si pongano in atto misure alternative di attenuazione del rischio che alla fin fine potrebbero non portare a una semplificazione del sistema attuale.

([1]) Direttiva 64/432/CEE del Consiglio, del 26 giugno 1964, relativa a problemi di polizia sanitaria in materia di scambi intercomunitari di animali delle specie bovina e suina, GU 121 del 29.7.1964, pag. 1977/64.

(English version)

Question for written answer P-005118/12
to the Commission
Sergio Berlato (PPE)
(21 May 2012)

Subject: Intra-Community trade in bovine animals and swine, and problems with lairage facilities

On 26 June 1964, the Council adopted Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine. In particular, this directive stipulates a maximum time limit for which bovine animals and swine can be kept in lairage facilities.

Over the years, the animal health problems involved in intra-Community trade in animals have become more complex and sophisticated. They therefore require an appropriate amendment of some of the content of Directive 64/432/EEC. However, legislators have not updated the maximum limit for the time spent in lairage facilities by the animals in question, as would be desirable in line with the modern requirements of the market; this limit has not been extended beyond the established period of 30 days.

The aim of limiting the time animals spend in dealers' facilities to 30 days was to reduce the risk of spreading infectious diseases to other shipments passing through the same lairage facilities. However, thanks to strict health safeguards, this risk is significantly smaller in the case of animals originating from the European Union and destined exclusively for local/national abattoirs.

Can the Commission state whether:

1. Given the uniform welfare conditions in the territories of the EU, as well as the careful checks carried out on incoming animals and their movement within the EU, it believes that the regulations governing their movement could be simplified in order to facilitate the activity of businesses operating in the internal market?

2. Furthermore, given that the directive on animal health is currently being reviewed, does it believe it would be appropriate, within this broader context, to consider extending the length of time for which bovine animals and swine from EU countries which are destined solely for local/national abattoirs may be kept in lairage facilities?

3. Can it also state what the envisaged and/or estimated time needed to complete the review in question might be?

Answer given by Mr Dalli on behalf of the Commission
(22 June 2012)

In accordance with Article 2(2)(q) of Council Directive 64/432/EEC ([1]) ('the directive') a dealer means any natural or legal person who buys and sells animals commercially either directly or indirectly, who has a regular turnover of these animals and who within a maximum of 30 days of purchasing animals resells them or relocates them from the first premises to another premises not within his ownership and meets the conditions laid down in Article 13 of the directive.

In case bovine animals and swine are kept on a dealer's premises for a period exceeding 30 days, those animals automatically form a herd and consequently shall be subjected to all animal health requirements foreseen for bovine and swine herds set out in Annex A to the directive.

In the framework of the proposal for new animal health legislation planned for adoption by the end of 2012, the Commission intends to propose some simplifications of existing rules for trade in bovine animals and swine destined for slaughter. However, given that the continuous movement of animals from and to dealers' premises pose major risks which may jeopardise the EU animal health status that has progressively improved in the last decades, any significant extension of the abovementioned 30-day period cannot be envisaged unless appropriate alternative risk mitigating measures are put in place which may finally not lead to a simplification of the current system.

([1]) Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine, OJ 121, 29.7.1964, p. 1977/64.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005119/12
à Comissão
João Ferreira (GUE/NGL)
(21 de maio de 2012)

Assunto: Subidas de escalão do IVA de bens e serviços em Portugal

De acordo com notícias divulgadas em Portugal (Agência Lusa), «a meta do défice orçamental deste ano está a deslizar por causa do agravamento da recessão e, portanto, vai ser preciso aumentar impostos». As notícias atribuem à Comissão Europeia a afirmação de que «mais produtos e serviços devem subir de escalão» de IVA. Ainda segundo a Comissão, «do lado da receita, os planos de consolidação para 2012 assentam sobretudo numa taxação indireta mais alta, devendo mudar a estrutura do IVA, com mais bens e serviços a serem abrangidos pelas taxas intermédia e normal mais altas».

Apesar de não ser totalmente clara na redação, a Comissão indica que estarão em estudo novas subidas de escalão de mais bens e serviços.

Solicito à Comissão que me informe sobre o seguinte:

1. Que estudos em concreto elaborou, ou está a elaborar, a Comissão e quais as suas conclusões?

2. Que subidas de escalão estão a ser consideradas e para que bens e serviços?

3. A que título e por que razão procedeu a Comissão à elaboração destes estudos? Como justifica esta ingerência numa área de competência dos Estados-Membros?

4. Tem o governo português conhecimento dos referidos estudos? Qual o seu envolvimento neste processo?

5. Que países da UE têm neste momento uma taxa máxima de IVA igual ou superior à de Portugal (23 %)?

Resposta dada por Olli Rehn em nome da Comissão
(7 de Agosto de 2012)

A Comissão não tem conhecimento de qualquer relatório publicado sob a sua autoridade que diga que «a meta do défice orçamental deste ano está a deslizar por causa do agravamento da recessão e, portanto, vai ser preciso aumentar os impostos».

É, porém, correto que, no quadro do Semestre Europeu, a Comissão, na sua recomendação para uma «Recomendação do Conselho relativa ao Programa Nacional de Reformas de 2012 de Portugal e à emissão de um parecer do Conselho sobre o Programa de Estabilidade de Portugal para o período 2012/2016», se refere ao facto de o orçamento português para 2012 ter previsto o aumento do número de mercadorias e serviços tributados à taxa normal de IVA em vez da taxa reduzida ([1]). Este aumento do número de mercadorias e serviços tributados à taxa normal de IVA foi uma decisão autónoma do Governo português no quadro do programa de ajustamento económico, num esforço para consolidar as finanças públicas. A Comissão não efetuou estudos específicos sobre este tema, nem sugeriu quaisquer aumentos concretos da taxa do IVA.

A Comissão não efetua análises regulares à eficiência dos sistemas fiscais na União Europeia. A Comissão remete o Senhor Deputado para os relatórios anuais dos seus serviços sobre a monitorização das receitas e das reformas fiscais nos Estados-Membros («*Monitoring tax revenues and tax reforms in Member States*») ([2]). Nesses relatórios, são analisados, do ponto de vista teórico e político, os prós e os contras das alterações na estrutura do IVA, tendo em conta a dimensão europeia da questão. A edição de 2011 do relatório apresenta um panorama das taxas normais de IVA em toda a UE. O relatório mostra que as taxas máximas de IVA na Grécia, na Polónia, na Finlândia, na Roménia, na Dinamarca, na Hungria e na Suécia são iguais ou superiores às de Portugal ([3]).

([1]) COM(2012)324 de 30 de maio de 2012.
([2]) (http://ec.europa.eu/economy_finance/publications/european_economy/2011/pdf/ee-2011-5_en.pdf).
([3]) Em 1 de janeiro de 2012, a Irlanda aumentou a sua taxa normal de IVA de 21 % para 23 % e a Hungria de 25 % para 27 %.

(English version)

Question for written answer E-005119/12
to the Commission
João Ferreira (GUE/NGL)
(21 May 2012)

Subject: Increase in the rate of VAT on goods and services in Portugal

According to news reports in Portugal (Agência Lusa), 'the goal of deficit reduction this year will not be achieved due to the deepening of the recession, therefore it will be necessary to increase taxes'. The reports quoted the European Commission as stating that 'more products and services should attract a higher rate' of VAT. Also, according to the Commission, 'in terms of revenue, plans for consolidation in 2012 are based on higher indirect taxes, with a change in the structure of VAT, with more goods and services subject to higher normal and intermediate tax rates'.

Although the wording is not completely clear, the Commission is indicating that new rate increases for more goods and services are being studied.

I ask the Commission to answer the following:

1. What specific studies has the Commission carried out, or does it intend to carry out, and what are their conclusions?

2. What rate increases are being considered, and for which goods and services?

3. On what basis and for what reason has the Commission carried out these studies? How does it justify such interference in an area lying within the competence of Member States?

4. Is the Portuguese Government aware of these studies? How has it been involved in the process?

5. What EU countries currently have a maximum VAT rate that is the same or higher than that in Portugal (23%)?

Answer given by Mr Rehn on behalf of the Commission
(7 August 2012)

The Commission is not aware of any report issued under its authority that claims that 'the goal of the deficit reduction this year will not be achieved due to the deepening of the recession, therefore it will be necessary to increase taxes'.
It is correct, however, that in the framework of the European Semester the Commission in its 'Recommendation for a Council Recommendation on Portugal's 2012 national reform programme and delivering a Council Opinion on Portugal's stability programme for 2012-2016' refers to the fact that the Portuguese budget for 2012 had envisaged an increase in the number of goods and services taxed at the standard VAT rate instead of the reduced VAT rate ([1]).

This increase in the number of goods and services taxed under the standard VAT rate has been an autonomous decision by the Portuguese Government in the framework of the economic adjustment programme in an effort to consolidate public finances. The Commission has not carried out specific studies on this topic, nor has it suggested any specific rate increases.

The Commission does carry out regular analysis on the efficiency of tax systems in the European Union. The Commission would refer the Honourable Member of to the annual reports of its services on 'Monitoring tax revenues and tax reforms in Member States' ([2]). In these reports the pros and cons of changes in the VAT structure are analysed from a theoretical and policy perspective, taking into account the EU dimension of the issue. The 2011 edition of the report contains an overview of standard VAT rates across the EU. It shows that the maximum VAT rates in Greece, Poland, Finland, Romania, Denmark, Hungary and Sweden are either the same or higher than in Portugal ([3]).

([1]) COM(2012) 324 of 30 May 2012.
([2]) http://ec.europa.eu/economy_finance/publications/european_economy/2011/pdf/ee-2011-5_en.pdf
([3]) As from 01.01.2012, Ireland raised its standard rate from 21 to 23 % and Hungary from 25 to 27 %.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005120/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(21 Μαΐου 2012)

Θέμα: Εφαρμογή του ετήσιου προγράμματος για το 2011 για την αντιμετώπιση της παράνομης μετανάστευσης στην Ελλάδα

Είναι σε θέση να αξιολογήσει η Επιτροπή την εφαρμογή του ετήσιου προγράμματος για το 2011 για την αντιμετώπιση της παράνομης μετανάστευσης στην Ελλάδα, συμπεριλαμβανομένων των μέτρων έκτακτης ανάγκης που ελήφθησαν από το Ευρωπαϊκό Ταμείο Προσφύγων; Η Ελλάδα ανταποκρίνεται στον οδικό χάρτη που έχει θέσει στο πρόγραμμά της για τον έλεγχο των παράνομων μεταναστευτικών ροών; Διαπιστώνει αποκλίσεις, και αν ναι σε ποια συγκεκριμένα μέτρα;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(11 Ιουλίου 2012)

Η Επιτροπή συνεργάζεται με την Ελλάδα για τη διαμόρφωση μιας ολοκληρωμένης στρατηγικής αντιμετώπισης της παράνομης μετανάστευσης, ιδίως μέσω των τουρκικών συνόρων. Μέχρι στιγμής έχουν εφαρμοστεί ορισμένα μέτρα που έχουν αποφέρει συγκεκριμένα αποτελέσματα, όπως καλύτερο τεχνικό εξοπλισμό στα σύνορα, βελτιωμένη κατάρτιση του προσωπικού και αποτελεσματικότερες πολιτικές επιστροφής.

Οι προσπάθειες θα πρέπει να ενταθούν προκειμένου να αντιμετωπιστούν οι πολλές προκλήσεις τις οποίες εξακολουθεί να αντιμετωπίζει η Ελλάδα, ιδίως εξασφαλίζοντας επαρκές προσωπικό στα σύνορα, εφαρμόζοντας στρατηγική για την ολοκληρωμένη διαχείριση των συνόρων, εντείνοντας περαιτέρω τις επιχειρήσεις επιστροφής και βελτιώνοντας τις διοικητικές διαδικασίες ώστε να αυξηθεί η απορρόφηση των κονδυλίων της ΕΕ που έχουν τεθεί στη διάθεση της Ελλάδας.

Τα ετήσια προγράμματα της Ελλάδας για το Ταμείο Εξωτερικών Συνόρων και το Ευρωπαϊκό Ταμείο για τους Πρόσφυγες, συμπεριλαμβανομένων των έκτακτων μέτρων, εγκρίθηκαν τον Νοέμβριο και τον Δεκέμβριο του 2011 αντίστοιχα. Η επιλέξιμη περίοδος εκτέλεσης και για τα δύο προγράμματα λήγει στις 30 Ιουνίου 2013. Η Επιτροπή θα είναι σε θέση να αξιολογήσει την εφαρμογή των προγραμμάτων αυτών μόνο μετά την υποβολή των τελικών εκθέσεων κλεισίματος που αναμένονται ως τις 31 Μαρτίου 2014.

(English version)

Question for written answer E-005120/12
to the Commission
Georgios Papanikolaou (PPE)
(21 May 2012)

Subject: Implementation of the 2011 annual programme for dealing with illegal immigration in Greece

Is the Commission in a position to evaluate the implementation of the 2011 annual programme for dealing with illegal immigration in Greece, including the emergency measures taken by the European Refugee Fund? Is Greece responding to the roadmap it uses in its programme for the control of the illegal immigration flows? Has the Commission noticed any deviations from it, and if so, in respect to which specific measures?

Answer given by Ms Malmström on behalf of the Commission
(11 July 2012)

The Commission is working alongside Greece to put in place a comprehensive strategy to address irregular migration, notably via the Turkish border. So far a number of measures have been put in place and have brought some concrete results, such as better technical equipment at borders, improved training of staff and more effective return policies.

Efforts will need to be intensified in order to address the many challenges which still confront Greece, notably by providing for adequate staff at the borders, implementing an Integrated Border Management strategy, further stepping up return operations, and improving the administrative procedures to increase the uptake of EU Funds available to Greece.

The Greek annual programmes for the External Borders Fund and the European Refugee Fund including Emergency Measures were adopted respectively in November and December 2011. The eligible implementation period for both programmes will finish on 30 June 2013. The Commission will be able to evaluate the implementation of these programmes only after the submission of the final closure reports by Greece due by 31 March 2014.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005121/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(21 Μαΐου 2012)

Θέμα: Σοβαρές καθυστερήσεις στο Πρόγραμμα Δημοσίων Επενδύσεων στην Ελλάδα

Βάσει του τρέχοντος προϋπολογισμού, στο τετράμηνο Ιανουαρίου — Απριλίου 2012 έπρεπε να έχουν εκταμιευθεί 1,88 δισ. ευρώ, δηλαδή περίπου 25 % του συνόλου της χρηματοδότησης του ΠΔΕ που ανέρχεται εφέτος σε 7,3 δισ. ευρώ. Ωστόσο, για αυτό το διάστημα εκταμιεύθηκαν μόλις 956 εκατ. ευρώ, δηλαδή σχεδόν τα μισά από όσα προέβλεψε ο προϋπολογισμός. Στην πράξη αυτό έχει ως αποτέλεσμα πολλές επιχειρήσεις που έχουν υπαχθεί στον επενδυτικό νόμο να αναμένουν χρήματα που τους οφείλει το κράτος και η αγορά να έχει ξεμείνει από ρευστότητα. Παράλληλα, έχει αρνητικές επιπτώσεις στην προσπάθεια βελτίωσης των αναπτυξιακών ρυθμών της Ελλάδας αλλά και της απορρόφησης πόρων από τα κοινοτικά διαρθρωτικά ταμεία. Ενδεικτικό είναι ότι έχουν σταματήσει να εκδίδονται αποφάσεις κατανομής πίστωσης για έργα του ΠΔΕ που χρηματοδοτούνται από το ΕΣΠΑ.

Ερωτάται η Επιτροπή:

1. Για ποιόν λόγο παρατηρείται αυτή η μεγάλη καθυστέρηση ή και στασιμότητα στην υλοποίηση του ελληνικού ΠΔΕ;

2. Καθώς η ειδική Ομάδα Δράσης που δραστηριοποιείται εδώ και αρκετούς μήνες στην Ελλάδα είναι επιφορτισμένη και με συμβουλευτικές αρμοδιότητες για την αποτελεσματικότερη αξιοποίηση των κοινοτικών πόρων στο πλαίσιο του ΕΣΠΑ, ποιοι είναι οι λόγοι που δεν έχει επιφέρει μέχρι σήμερα αποτελέσματα;

3. Εκτιμά ότι η συγκεκριμένη καθυστέρηση στο πρώτο τρίμηνο του οικονομικού έτους θα επιφέρει νέες αρνητικές επιπτώσεις στους ήδη επιβαρυμένους ρυθμούς ανάπτυξης της χώρας;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(18 Ιουλίου 2012)

1. Το Πρόγραμμα Δημοσίων Επενδύσεων αποτελείται από έργα που συγχρηματοδοτούνται από την ΕΕ στο πλαίσιο του ΕΣΠΑ και έργα που χρηματοδοτούνται εξολοκλήρου από εθνικά κονδύλια. Καθώς περιλαμβάνει χιλιάδες έργα, είναι δύσκολο για την Επιτροπή να παράσχει μια ολοκληρωμένη και συνοπτική εικόνα των εμποδίων που δυσκολεύουν την εφαρμογή. Ωστόσο, η Επιτροπή εντόπισε μια σειρά παραγόντων τους οποίους γνωρίζουν οι ελληνικές αρχές. Ορισμένοι από αυτούς τους παράγοντες σχετίζονται με την τρέχουσα οικονομική κατάσταση, όπως η διάθεση ρευστότητας του τραπεζικού τομέα ή η χρεοκοπία των εργοληπτών. Άλλοι σχετίζονται με τις μεγάλες και χρονοβόρες διαδικασίες όπως η αδειοδότηση, οι διυπουργικές αποφάσεις, οι τεχνικές και οικονομικές αδυναμίες των δικαιούχων, η ανεπαρκής διαχείριση του έργου και οι μακρόχρονες δικαστικές διαδικασίες. Η παρατεταμένη προεκλογική περίοδος θεωρείται επίσης ότι έχει επηρεάσει αρνητικά την υλοποίηση κάποιων έργων.

2. Η Ομάδα Δράσης επικεντρώνεται στην τόνωση της απασχόλησης των νέων και την προώθηση της επιχειρηματικότητας αξιοποιώντας τους πόρους των Διαρθρωτικών Ταμείων της ΕΕ. Ένα σχέδιο δράσης προβλέπεται να ολοκληρωθεί έως το τέλος του Ιουνίου 2012. Το σχέδιο δράσης περιλαμβάνει τη συνέχιση των υφιστάμενων μέτρων που αποδίδουν, τη δημιουργία νέων δράσεων που μπορούν να ανταποκριθούν στις ανάγκες της οικονομίας της Ελλάδας καθώς και τη θέσπιση μέτρων που εστιάζουν στις ΜΜΕ ([1]).

3. Οι καθυστερήσεις στην εφαρμογή των επενδυτικών προγραμμάτων επηρεάζουν αρνητικά τις προοπτικές ανάπτυξης. Οι επιπτώσεις μπορεί να είναι ακόμη μεγαλύτερες στη σημερινή κατάσταση της παρατεταμένης ύφεσης στην Ελλάδα και των αρνητικών προσδοκιών για μια γρήγορη ανάκαμψη. Ωστόσο, εκτός από τα παραπάνω μέτρα που σχετίζονται με τη χρήση των πόρων των Διαρθρωτικών Ταμείων, η εφαρμογή των δράσεων που προβλέπονται στο πρόγραμμα οικονομικής προσαρμογής της Ελλάδας ([2]) αναμένεται να αναστρέψει τις αρνητικές τάσεις στα επόμενα τρίμηνα.

([1]) Για παράδειγμα, βελτίωση του περιβάλλοντος των επιχειρήσεων, παροχή ενίσχυσης σε καινοτόμους εταιρείες ή ορθολογικοποίηση των τραπεζικών διαδικασιών.

([2]) Δηλαδή η επιτάχυνση των διαρθρωτικών μεταρρυθμίσεων, το σχέδιο διευθέτησης των μη καταβεβλημένων φόρων και οι προσπάθειες που καταβάλλονται για να αποκατασταθούν οι συνθήκες ρευστότητας των τραπεζών.

(English version)

Question for written answer E-005121/12
to the Commission
Georgios Papanikolaou (PPE)
(21 May 2012)

Subject: Serious delays in the Public Investment Programme in Greece

On the basis of the current budget, in the four months between January and April 2012 a sum of EUR 1.88 billion should have been disbursed, that is to say around 25% of the total Public Investment Programme funding, which this year amounts to EUR 7.3 billion. But for the time period in question the sum disbursed was in fact EUR 956 million, that is to say around half of the amount provided for in the budget. The result of this in practice has been that many businesses — that have been brought under the provisions of the investment law and are expecting money owed to them by the State and the market — have run out of cash. At the same time endeavours to improve Greek growth rates have been impacted negatively, as has the absorption of funds from the EU's structural funds. It is indicative that decisions are no longer being issued in relation to distribution of credits for Public Investment Programme works funded by the NSRF.

Can the Commission answer the following:

1. For what reason is this great delay, or even stagnation, to be observed vis-à-vis implementation of the Public Investment Programme in Greece?

2. Given that the special Action Group that has been in operation for some months in Greece is also charged with advisory competencies for the purpose of more effective utilisation of EU funds within the NSRF framework, what are the factors that have led to the present situation?

3. Does it consider that this specific delay in the first quarter of the current economic year will have further detrimental effects on the country's already weakened growth rates?

Answer given by Mr Rehn on behalf of the Commission
(18 July 2012)

1. The Public Investment Programme is composed of both EU co-funded projects under the NSRF and projects exclusively financed by national fund. As it includes thousands of projects, it is difficult for the Commission to provide a comprehensive and synthetic view of obstacles hindering implementation. Nevertheless, the Commission has identified a series of recurring factors, well known to **the Greek authorities. Some of these factors are linked to the present economic situation, like availability of liquidity from the banking sector or bankruptcy of contractors. Others are related to long and time consuming procedures administrative procedures like licensing, inter-ministerial decisions or technical and financial weaknesses of beneficiaries, like weak project management or to long judicial proceedings, The prolonged pre-electoral period is also deemed to have negatively affected the implementation of a number of projects.**

2. The focus of the Action Team is to boost youth employment and promote entrepreneurship through the integrated use of EU Structural Funds. An Action Plan **is foreseen to be completed by the end of June 2012. The action plan includes the continuation of existing measures that work well, the creation of new actions that can respond to the needs of the Greek economy, as well as the adoption of measures that focus on SMEs** ([1]).
3. Delays in the implementation of investment plans adversely affect growth prospects. In the current situation of prolonged recession in Greece and negative expectations for a quick recovery, the impact may even be higher. However, besides the above measures related with the use of the Structural Funds' resources, the implementation of the actions foreseen in the economic adjustment programme of Greece[2] are expected to reverse negative trends in coming quarters.

([1]) For example improving the business environment, providing support to innovative firms or streamlining banking procedures.
([2]) Namely, the acceleration of structural reforms, the planned settlement of arrears and the efforts undertaken to restore bank liquidity conditions.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-005122/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(21 Μαΐου 2012)

Θέμα: Πορεία της ηλεκτρονικής διακυβέρνησης στην Ελλάδα

Από παλαιότερες εκθέσεις της Επιτροπής προέκυπτε πως η Ελλάδα ήταν μία από τις τελευταίες χώρες στον αριθμό και στο ποσοστό των προσφερομένων διαδικτυακών υπηρεσιών προς τους πολίτες της. Καθώς, ωστόσο, στο επιχειρησιακό πρόγραμμα του ΕΣΠΑ «Ψηφιακή Σύγκλιση» έχει αναγραφεί ποσό 860 εκατομμυρίων ευρώ εκ των οποίων περίπου τα μισά αφορούν την βελτίωση των ηλεκτρονικών υπηρεσιών και εφαρμογών προς τον πολίτη, είναι σε θέση να με ενημερώσει η Επιτροπή αν την τελευταία διετία η Ελλάδα έχει σημειώσει πρόοδο στον τομέα αυτό; Καθώς το επόμενο έτος ολοκληρώνεται το πολυετές δημοσιονομικό πρόγραμμα, είναι σε θέση να με ενημερώσει η Επιτροπή κατά πόσον η χώρα έχει σημειώσει ικανοποιητική σύγκλιση με τους εταίρους της στον τομέα της ηλεκτρονικής διακυβέρνησης; Επιτυγχάνονται οι στόχοι που τέθηκαν στην εκκίνηση του προγράμματος αυτού;

Απάντηση του κ. Hahn εξ ονόματος της Επιτροπής
(10 Ιουλίου 2012)

Το πρόγραμμα «Ψηφιακή Σύγκλιση» εστιάζεται σε δύο σημαντικούς στόχους, δηλαδή στο ψηφιακό άλμα στην παραγωγικότητα και στο ψηφιακό άλμα στην ποιότητα. Έχουν επιτευχθεί πολλά ελπιδοφόρα αποτελέσματα. Σύμφωνα με τα πιο πρόσφατα διαθέσιμα δεδομένα στον πίνακα αποτελεσμάτων του ψηφιακού θεματολογίου (2009 έως 2011), η Ελλάδα σημείωσε σημαντική πρόοδο κατά τα τελευταία δύο έτη: η ευρυζωνική διείσδυση αυξήθηκε από 15,6 γραμμές ανά 100 έως 20,8 γραμμές ανά 100· ο αριθμός των νοικοκυριών που έχουν ευρυζωνική σύνδεση αυξήθηκε κατά 12 %· και η χρήση των υπηρεσιών της ηλεκτρονικής διακυβέρνησης (e-government) από πολίτες που πραγματοποιούν ηλεκτρονικές συναλλαγές με δημόσιες αρχές αυξήθηκε κατά το ίδιο ποσοστό.

Η ανάπτυξη της ηλεκτρονικής εκπαίδευσης (e-education) στα σχολεία, η προώθηση της ηλεκτρονικής διακυβέρνησης στο ευρύτερο πλαίσιο της μεταρρύθμισης της δημόσιας διοίκησης και η ηλεκτρονική υγεία (e-health)/συνταγογράφηση αποτελούν ορισμένα από τα θεμελιώδη μέτρα στα οποία η Ελλάδα σημειώνει πρόοδο.

Μολονότι το σημερινό πολυετές δημοσιονομικό πλαίσιο ισχύει μέχρι το 2013, σύμφωνα με τους κανονισμούς της πολιτικής συνοχής, οι ελληνικές αρχές προβλέπουν να ολοκληρώσουν τα συναφή σχέδια έως το τέλος του 2015. Ο αντίκτυπος πολλών εν εξελίξει σχεδίων στον τομέα των ΤΠΕ — όπως εκείνα που απαριθμούνται στον κατάλογο 180 σχεδίων προτεραιότητας — ενδέχεται συνεπώς να μην ορατός για σειρά ετών.

(English version)

Question for written answer E-005122/12
to the Commission
Georgios Papanikolaou (PPE)
(21 May 2012)

Subject: Progress of electronic government in Greece

From older reports to the Commission, it has emerged that Greece has been at the bottom of the list in terms of the number and proportion of Internet services being made available to its citizens. Nevertheless, given that in the NSRF operational programme Digital Convergence there is reference to a sum of EUR 860 million, of which about half is intended for the improvement of electronic services and applications involving citizens, is the Commission in a position to say whether in the last two years Greece has achieved any progress in this sector? Considering that next year will see the completion of the multiannual financial framework, is the Commission in a position to say to what extent the country will have achieved a satisfactory convergence with its partners in the sector of electronic government? Have the objectives established at the outset of the programme been attained?

Answer given by Mr Hahn on behalf of the Commission
(10 July 2012)

The Digital Convergence programme focuses on two major objectives, namely the digital leap in productivity and the digital leap in quality of life. Promising results are being achieved. According to the latest data available in the Digital Agenda Scoreboard (2009 to 2011), Greece has made significant progress in the past two years: broadband penetration has increased from 15.6 lines per 100 to 20.8 lines per 100; the number of households having a broadband connection has increased by 12 %; and the use of e-government services by citizens interacting online with public authorities has increased by the same percentage.

The development of e-education in schools, the promotion of e-government within the wider context of public administration reform, and e-health/prescriptions are some of the key measures in which Greece is making progress.

While the current multi-annual financial framework runs until 2013, under cohesion policy regulations, the Greek authorities have until the end of 2015 for completing the associated projects. The impact of many ongoing ICT projects — such as those detailed in the list of 180 priority projects — may therefore not be visible for a number of years.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005127/12
à Comissão
João Ferreira (GUE/NGL)
(21 de maio de 2012)

Assunto: Ataques de «short-selling» à dívida soberana portuguesa

De acordo com notícias recentes, os títulos da dívida soberana portuguesa estão a ser alvo de ataques de «short-selling». A ação dos especuladores (entre os quais avultam fundos de investimento norte-americanos) levou a uma subida acentuada dos juros das obrigações portuguesas, com a «yield» a dez anos cada vez mais perto dos 12 %, enquanto que os juros a 5 anos estão acima dos 14 %. Esta não é a primeira vez que Portugal é alvo desta prática, que acentua a intolerável drenagem de recursos do país para os especuladores financeiros.

Tendo em conta a persistência de situações como a descrita, mesmo depois de a União Europeia ter adotado medidas que, de acordo com os seus responsáveis, visariam controlar a especulação e os seus efeitos, pergunto à Comissão:

1. Não considera que a persistência destas práticas por parte dos especuladores, bem assim como do saque de recursos públicos que elas viabilizam, evidenciam a insuficiência e ineficácia das medidas tomadas pela UE neste domínio?

2. Que medidas pensa adotar para corrigir estas situações?

Resposta dada por Michel Barnier em nome da Comissão
(17 de Julho de 2012)

A Comissão tomou medidas concretas e rápidas, a fim de reforçar a transparência e o funcionamento da venda a descoberto («short selling») e dos mercados de swaps de risco de incumprimento através da sua proposta para um regulamento relativo às vendas a descoberto e a alguns aspetos dos swaps de risco de incumprimento. Este regulamento foi adotado pelo Parlamento Europeu e pelo Conselho em março de 2012 e entrará em vigor a 1 de novembro de 2012. Atualmente, a Comissão está a finalizar os regulamentos delegados e de execução relativos à venda a descoberto, tendo em conta as propostas de normas técnicas e os pareceres técnicos apresentados pela Autoridade Europeia dos Valores Mobiliários e dos Mercados (ESMA).

O regulamento tem como objetivo aumentar a transparência, reduzir certos riscos associados à venda a descoberto, em especial vendas a descoberto sem garantia de detenção dos ativos e swaps de risco de incumprimento não cobertos em relação à dívida pública e garantir uma abordagem regulamentar comum em todos os Estados-Membros. As autoridades competentes relevantes devem ser informadas acerca das posições curtas significativas relativamente à dívida soberana da UE. A venda a descoberto da dívida pública está limitada através da chamada regra de localização segundo a qual o investidor tem de tomar as medidas adequadas, a fim de assegurar que será capaz de cobrir a venda a descoberto em causa. O regulamento proíbe igualmente a entrada de pessoas singulares ou coletivas em swaps de risco de incumprimento não cobertos. As disposições de transparência e as isenções aplicam-se a todas as pessoas, residentes ou estabelecidas fora da UE.

A Comissão irá rever a aplicação e a eficácia do regulamento, até ao final de junho de 2013.

(English version)

Question for written answer E-005127/12
to the Commission
João Ferreira (GUE/NGL)
(21 May 2012)

Subject: 'Short-selling' attacks on Portuguese sovereign debt

According to recent reports, Portuguese sovereign debt bonds have been the target of 'short-selling' attacks. The actions of speculators (first and foremost American investment funds) have led to a sudden rise in Portuguese bond interest rates, with the ten-year yield approaching 12% and the five-year rate above 14%. This is not the first time that Portugal has been targeted by this practice, which is exacerbating the intolerable draining of the country's resources by financial speculators.

Given that situations such as the one described are continuing to occur, in spite of the fact that the European Union has taken steps aimed, in the words of its leaders, at controlling speculation and its effects:

1. Does the Commission not consider that the continuing speculation of this kind, and the resulting plundering of public resources, demonstrate the inadequacy and ineffectiveness of EU action?

2. What measures will it take to put an end to such situations?

Answer given by Mr Barnier on behalf of the Commission
(17 July 2012)

The Commission has taken concrete and rapid steps to enhance the transparency and functioning of short selling and credit default swaps (CDS) markets through its proposal for a regulation on short selling and certain aspects of CDS. This regulation was adopted by the European Parliament and the Council in March 2012 and will enter into force on 1 November 2012. The Commission is currently finalising the delegated and implementing regulations on short selling, in light of the draft technical standards and technical advice submitted by the European Securities and Markets Authority (ESMA).

The regulation aims for enhanced transparency, a reduction of certain risks associated with short selling, in particular uncovered short selling and uncovered CDS in relation to sovereign debt, and to ensure a common regulatory approach across Member States. Significant short positions in EU sovereign debt will need to be notified to the relevant competent authority. Uncovered short selling of sovereign debt is restricted through a so-called locate rule according to which the investor has to make appropriate arrangements to ensure that he will be able to cover the short sale concerned. The regulation also prohibits natural or legal persons from entering into uncovered CDS in sovereign debt. The transparency provisions and exemptions apply to all persons, whether resident or established outside the EU.

The Commission will review the application and effectiveness of the regulation by end June 2013.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005128/12
à Comissão
João Ferreira (GUE/NGL)
(21 de maio de 2012)

Assunto: Declarações de comissários europeus sobre o cenário de saída da Grécia do euro

Em entrevista ao jornal «De Staandard», o comissário do Comércio Karel De Gucht garantiu que «hoje há, no interior do Banco Central Europeu e da Comissão Europeia, serviços que estão a trabalhar em cenários de emergência, caso a Grécia saia do euro».

Horas depois, o comissário para os Assuntos Económicos, Olli Rehn, veio afirmar que «Karel De Gucht é responsável pelo comércio. Eu sou o responsável pelos assuntos financeiros e económicos e pelas relações com o Banco Central Europeu». Acrescentou ainda, segundo declarações divulgadas pela própria Comissão Europeia, que «não estamos a trabalhar num cenário de saída da Grécia».

Em face destas declarações, aparentemente contraditórias, dos dois comissários, solicito à Comissão que me informe sobre o seguinte:

1. Que serviços da Comissão estão a trabalhar nos cenários de emergência referidos pelo comissário De Gucht?

2. Efetuou a Comissão algum estudo sobre a eventual saída da Grécia, ou de qualquer outro país, do euro? Qual o conteúdo e conclusões do estudo e que cenários foram considerados?

3. Que avaliação faz a Comissão dos impactos da adesão e permanência da Grécia e dos demais países da zona euro na moeda única, em termos de competitividade da respetiva economia, da evolução da balança comercial e da dívida externa, entre outros parâmetros (como a evolução dos salários e o seu peso no rendimento nacional)?

4. Considera a possibilidade de propor uma compensação pelas perdas sofridas aos países mais prejudicados com a adesão e permanência na UEM, para a qual contribuam os países que dela mais beneficiaram?

Resposta dada por Olli Rehn em nome da Comissão
(23 de julho de 2012)

A Comissão e os seus serviços estão empenhados em preservar a integridade da zona do euro e em fazer o necessário para atingir esse objetivo. Diversos representantes da Comissão manifestaram o seu profundo desejo de que a Grécia continue a fazer parte da zona do euro e de que a Comissão continue a fazer tudo o que estiver ao seu alcance para tal ser possível. Eu próprio o sublinhei nas minhas observações ao Parlamento em 22 de maio de 2012: «Queremos que a Grécia continue a fazer parte da família europeia e do euro. Após ter vivido acima as suas posses durante um período demasiado longo, a viagem que a Grécia está a empreender é difícil e exigente, mas é um caminho que fazemos juntos, no âmbito de um pacto de solidariedade».

A crise económica e financeira veio tornar patentes os casos de desempenho e de políticas económicas pouco sãs e insustentáveis que levaram vários Estados-Membros da UE a defrontar-se com desafios muito graves nos últimos anos. A análise aprofundada e o acompanhamento da evolução da situação em matéria de competitividade e de desequilíbrios macroeconómicos foram, pois, colocados no âmago do semestre europeu e do reforço do governo da União Económica e Monetária, com vista a evitar o seu aparecimento no futuro e a corrigi-los rapidamente, sempre que representem ameaças graves.

A solidariedade entre os Estados-Membros mais ricos e os Estados-Membros mais pobres não constitui apenas uma expressão verbal. Os Fundos Estruturais e o Fundo de Coesão foram criados há muitos anos para prestar um apoio seletivo que permita às regiões e setores económicos desfavorecidos recuperarem o seu atraso relativamente ao resto da UE.

(English version)

Question for written answer E-005128/12
to the Commission
João Ferreira (GUE/NGL)
(21 May 2012)

Subject: Statements by Commissioners on a Greek euro exit scenario

In an interview with the newspaper *De Standaard*, Trade Commissioner Karel De Gucht stated that at the European Central Bank, as well as at the Commission, departments were working on emergency scenarios in the event of a Greek euro exit.

A few hours later, Economic and Monetary Affairs Commissioner Olli Rehn stated that Karel De Gucht was in charge of trade and that he, Rehn, alone was responsible for financial and economic matters and for relations with the European Central Bank. He also added that, according to statements by the Commission itself, a Greek exit scenario was not being worked on.

In view of these apparently contradictory statements by the two Commissioners:

1. Which Commission departments are working on the emergency scenarios referred to by Commissioner De Gucht?

2. Has the Commission carried out any studies on the possible exit of Greece, or of any other country, from the eurozone? If so, what is the substance and what are the conclusions of those studies, and what scenarios were looked into?

3. How does the Commission view the impact of the adoption and retention of the single currency by Greece and other countries within the eurozone in terms of the competitiveness of their economies, movements in trade balances and external debt, among other parameters (such as movements in pay and their significance for domestic product?

4. Is the Commission considering the possibility of compensation for losses suffered by countries most disadvantaged by European Monetary Union membership, to which the countries that have benefited most from it might contribute?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

The Commission and its departments concentrate their work on preserving the integrity of the euro area and what is needed for achieving this objective. Several representatives of the Commission expressed their strong desire that Greece should remain a member of the euro area and that the Commission will continue to do everything in its power for this to happen. I myself stressed in my remarks to the Parliament on 22 May 2012: 'We want Greece to remain part of the European family and of the euro. After living beyond its means for too long, the journey Greece is undertaking is difficult and demanding, but it is a journey we are taking together, in a pact of solidarity.'

The economic and financial crisis has made evident those cases of unhealthy and unsustainable economic developments and policies which led several EU Member States to face very serious challenges in recent years. The in-depth analysis and monitoring of developments in competitiveness and macroeconomic imbalances have been therefore placed at the heart of EU semester and the strengthened governance of the Economic and Monetary Union with a view to prevent their emergence in future and rapidly correct them when they represent severe threats.

Solidarity between richer and poorer Member States is not only a verbal phrase. The Structural Funds and Cohesion Fund have been created many years ago to provide targeted support to allow disadvantaged regions and economic sectors catching up with the rest of the EU.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005129/12
à Comissão
João Ferreira (GUE/NGL)
(21 de maio de 2012)

Assunto: Compensação do setor das pescas pelas múltiplas utilizações do espaço marítimo

As crescentes utilizações múltiplas do espaço marítimo têm vindo a gerar conflitos entre atividades diversas que nele se desenvolvem. Em Portugal, por exemplo, diversas comunidades costeiras têm vindo a ser prejudicadas por restrições impostas à pesca em virtude de outras atividades desenvolvidas no mar, tais como prospeções de hidrocarbonetos, manobras militares, instalações de cabos submarinos, provas desportivas ou outras.

Em face do exposto, solicito à Comissão que me informe sobre o seguinte:

A que instrumentos comunitários — existentes ou a criar — poderão os Estados-Membros recorrer para financiar compensações aos pescadores e armadores afetados por paragens da atividade da pesca determinadas por outras atividades realizadas no espaço marítimo?

Resposta dada por Maria Damanaki em nome da Comissão
(17 de Julho de 2012)

Tal como estipulado no regulamento relativo ao Fundo Europeu das Pescas ([1]), o apoio financeiro à cessação temporária das atividades de pesca está ligado às medidas destinadas a adaptar as capacidades da frota de pesca da UE às unidades populacionais de peixes disponíveis. As medidas de cessação temporária são, assim, aplicadas através da atribuição de auxílios públicos aos proprietários de navios de pesca e aos pescadores afetados por planos de ajustamento do esforço de pesca.

No caso mencionado pelo Senhor Deputado, a cessação temporária não está associada ao estado das unidades populacionais, a uma catástrofe natural ou ao encerramento de pescarias por motivos de saúde pública ou de outros acontecimentos extraordinários.

Nestas circunstâncias, as autoridades portuguesas, que são responsáveis pelo licenciamento das referidas atividades marítimas, devem examinar o caso para exigir que os outros utilizadores do espaço marítimo criem sistemas de indemnização para as partes interessadas afetadas pelo estabelecimento ou desenvolvimento das suas atividades.

([1]) Regulamento (CE) n.° 1198/2006 do Conselho, de 27 de julho de 2006, JO L 223 de 15.8.2006, p. 1.

(English version)

Question for written answer E-005129/12
to the Commission
João Ferreira (GUE/NGL)
(21 May 2012)

Subject: Compensation to the fisheries sector necessitated by the growing variety of uses of maritime space

The increasingly varied uses to which maritime space is being put are leading to conflicts among the activities taking place within it. In Portugal, for example, several coastal communities have suffered because of restrictions on fishing resulting from other activities at sea, such as oil exploration, military manoeuvres, laying of undersea cables, sporting competitions, and so forth.

Which existing or future Community instruments can Member States employ in order to finance compensation for fishermen and shipowners affected by fishing stoppages caused by other activities carried out in maritime space?

Answer given by Ms Damanaki on behalf of the Commission
(17 July 2012)

As stipulated in the regulation on the European Fisheries Fund ([1]), financial support for the temporary cessation of fishing activities is linked to measures to adapt the capacity of the EU fishing fleet to available fish stocks. Temporary cessation measures are therefore implemented through the allocation of public aid to owners of fishing vessels and fishermen affected by fishing effort adjustment plans.

In the case mentioned by the Honourable Member, temporary cessation is not linked to the state of stocks, a natural disaster or to the closure of a fishery for reasons of public health or other exceptional occurrence.

In these circumstances, it is for the Portuguese authorities that are responsible for the licensing of the mentioned maritime activities to examine the case for requiring those other users of maritime space to establish compensation schemes for stakeholders affected by the establishment or development of their activities.

([1]) Council Regulation (EC) No 1198/2006 of 27 July 2006, OJ L 223, 15.8.2006, p. 1.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005130/12
à Comissão
João Ferreira (GUE/NGL)
(21 de maio de 2012)

Assunto: Mecanismos para acorrer a situações de emergência no setor das pescas

A proposta de regulamento do Conselho que estabelece o quadro financeiro plurianual para o período 2014/2020 propõe uma nova reserva especial para as crises no setor agrícola, com um montante anual de 500 milhões de euros, a mobilizar para além dos limites máximos do quadro financeiro, tendo em conta «a vulnerabilidade do setor agrícola às grandes crises».

Tendo em conta:

— A vulnerabilidade que o setor das pescas igualmente apresenta em relação às grandes crises (determinadas por fatores como catástrofes naturais, alterações na disponibilidade dos recursos, variações súbitas do custo de determinados fatores de produção, entre outros);

— A importância do setor das pescas para o equilíbrio das balanças alimentares dos Estados-Membros, para a segurança e soberania alimentares;

— A importância do setor das pescas para o emprego e qualidade de vida das regiões e comunidades costeiras;

Solicito à Comissão que me informe sobre o seguinte:

1. Poderão os novos mecanismos previstos para o setor agrícola, como a nova reserva especial, serem igualmente mobilizados para acorrerem a situações de emergência no setor das pescas?

2. Que mecanismos — existentes ou a criar — estão previstos para acorrer a situações de emergência no setor das pescas?

Resposta dada por Maria Damanaki em nome da Comissão
(22 de Junho de 2012)

Na sua proposta para o quadro financeiro plurianual para o período 2014/2020, a Comissão incluiu uma série de medidas destinadas a melhorar as disposições em vigor no que diz respeito a respostas a situações de emergência. Uma delas é a nova «reserva especial para as crises no setor agrícola», a que o Senhor Deputado faz referência na sua questão. Serão estabelecidas, no respetivo ato legislativo, regras pormenorizadas acerca da elegibilidade para beneficiar da assistência desta reserva. Contudo, tendo em conta que é especificamente orientada para o setor agrícola, é improvável que esta reserva específica possa, no futuro, ser mobilizada para o setor das pescas. O Fundo de Solidariedade da União Europeia, que foi criado para fazer face a grandes catástrofes nacionais, poderia, no entanto, ser mobilizado para responder a determinadas situações de emergência no setor das pescas.

Para o período atual (2007/2013), o Fundo Europeu das Pescas inclui disposições destinadas a obviar ao impacto das limitações da pesca por razões de conservação, devido a circunstâncias excecionais (como catástrofes naturais) ou por razões de saúde pública (auxílios à cessação temporária da atividade).

Para o setor da aquicultura, a proposta para um Fundo Europeu dos Assuntos Marítimos e das Pescas (2014/2020) prevê um seguro específico para as populações aquícolas. A fim de salvaguardar os rendimentos dos produtores aquícolas, o FEAMP pode apoiar a contribuição para um seguro para as populações aquícolas que cubra as perdas provocadas por catástrofes naturais, fenómenos climáticos adversos, alterações súbitas na qualidade da água, doenças em animais de aquicultura ou destruição das instalações de produção.

(English version)

Question for written answer E-005130/12
to the Commission
João Ferreira (GUE/NGL)
(21 May 2012)

Subject: Mechanisms for responding to emergency situations in the fisheries sector

The proposal for a Council regulation setting out the 2014-2020 multiannual financial framework provides for a new special reserve for crises in the agricultural sector with an annual sum of EUR 500 million to be mobilised over and above the ceilings of the financial framework, given 'the vulnerability of the agricultural sector to major crises'.

Bearing in mind:

— the similar vulnerability of the fisheries sector to major crises (due to factors such as natural disasters, changes in resource availability, or sudden variations in certain production costs);

— the importance of the fisheries sector for the food balances of Member States and for food safety and sovereignty; and

— the importance of the fisheries sector for employment and the quality of life in coastal regions and communities,

1. Can the new arrangements proposed for the agricultural sector, for example the new special reserve, likewise be mobilised to tackle emergency situations in the fisheries sector?

2. What provision has been or will be made to deal with emergency situations in the fisheries sector?

Answer given by Ms Damanaki on behalf of the Commission
(22 June 2012)

In its proposal for the Multi-Annual Financial Framework 2014-2020, the Commission has included a number of measures designed to improve existing provisions with regard to responses to emergency situations. One of them is the new 'Special Reserve for crisis in the agricultural sector' to which the Honourable Member refers to in his question. Detailed rules for eligibility for the assistance from this Reserve will be laid down in its specific legal act. However, considering that it is specifically targeted at the agricultural sector, it is unlikely that this specific reserve could be mobilised for the fisheries sector in the future. The European Union Solidarity Fund, which was established in order to deal with major national disasters, could however be mobilised to respond to certain emergency situations in the fisheries sector.

For the current period (2007-2013), the European Fisheries Fund includes provisions designed to deal with the impact of fishing limitations for conservation purposes or due to exceptional circumstances (like natural disasters) or for public health reasons (aid for temporary cessation).

For the aquaculture sector, the proposed European Maritime and Fisheries Fund (2014-2020), envisages a specific stock insurance. In order to safeguard the income of aquaculture producers, the EMFF may support the contribution to an aquaculture stock insurance which covers the losses due to natural disasters, adverse climatic events, sudden water quality changes, diseases in aquaculture or destruction of production facilities.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005131/12
an die Kommission
Hermann Winkler (PPE)
(21. Mai 2012)

Betrifft: Audiovisuelle Werbung für EU-Erweiterung: Details zum Rahmenvertrag

Im Rahmen ihrer Informations- und Kommunikationskampagne zur Erweiterung der EU hat die Kommission mehrere Videowerbefilme erstellt.

Laut Aussage der EU-Kommission wurde der Auftrag für diese Kampagne im Rahmen eines bestehenden Rahmenvertrags nach einer Ausschreibung erteilt (siehe Antwort der EU-Kommission vom 27.4.2012 auf die parlamentarischen Anfragen E-002273/12, E-002701/12, E-002885/12, E-002291/12 und E-002647/12).

Der Verfasser dieser Anfrage möchte gerne die Details zu dieser Ausschreibung sowie zum o. g. Rahmenvertrag erfahren:

1. Wie lauten die Details für die Ausschreibung?

2. Welche Laufzeit hat der Rahmenvertrag?

3. Zwischen welchen Vertragsparteien wurde dieser Rahmenvertrag geschlossen?

4. Welchen konkreten Inhalt hat dieser Rahmenvertrag?

4a. Bezeichnet dieser Rahmenvertrag Festpreise für bestimmte Leistungen?

5. Welche Kündigungsmöglichkeiten bietet der Rahmenvertrag?

6. Besteht im Zuge einer hohen Transparenz bei der Verwendung öffentlicher Gelder die Möglichkeit, den Rahmenvertrag einzusehen?

Antwort von Herrn Füle im Namen der Kommission
(27. Juli 2012)

Der Auftrag für die audiovisuelle Kampagne wurde im Wege eines Wettbewerbsverfahrens zwischen den Auftragnehmern im Rahmen eines von der Generaldirektion Kommunikation geschlossenen bestehenden Rahmenvertrags am 19. Juli 2011 an MOSTRA S.A. vergeben.

Die Laufzeit des Rahmenvertrags betrug 24 Monate und wurde jeweils zwischen der Europäischen Union und dem Konsortium MOSTRA S.A./Pleon, Media Consulta International Holding AG und European Service Network S.A. geschlossen. Gegenstand des Vertrags ist die Erbringung integrierter Kommunikationsdienstleistungen für die Kommission. Die für die Dienstleistungen festgesetzten Preise gehen aus dem Anhang des Vertrags hervor. Der Rahmenvertrag und damit auch der Auftrag für die Kampagne sind am 12. März 2012 ausgelaufen. Während der Laufzeit des Vertrags galten die üblichen Kündigungsoptionen.

Der Antrag des Herrn Abgeordneten auf Einsicht in den Rahmenvertrag wurde an die zuständigen Kommissionsdienststellen weitergeleitet und wird im Einklang mit der Verordnung Nr. 1049/2001 ([1]) über den Zugang der Öffentlichkeit zu Dokumenten behandelt.

([1]) ABl. L 145 vom 31.5.2001, S. 43.

(English version)

Question for written answer E-005131/12
to the Commission
Hermann Winkler (PPE)
(21 May 2012)

Subject: Audiovisual promotion of EU enlargement: details of the framework contract

As part of its information and communication campaign on EU enlargement, the Commission has produced several promotional videos.

According to the Commission, the contract for that campaign was awarded as part of an existing framework contract after a tendering procedure (see the Commission's answer dated 27 April 2012 to parliamentary Questions E-002273/12, E-002701/12, E-002885/12, E-002291/12 and E-002647/12).

I would like to know what the details are of this tendering procedure and of the abovementioned framework contract.

1. What are the details of the tendering procedure?

2. What is the duration of the framework contract?

3. Between which parties was the framework contract concluded?

4. What is the specific content of the framework contract?

4a. Does the framework contract lay down fixed prices for particular services?

5. What termination options are contained in the framework contract?

6. In view of efforts to ensure a high level of transparency as to the use of public monies, is it possible to have access to the framework contract?

Answer given by Mr Füle on behalf of the Commission
(27 July 2012)

The contract for the audiovisual campaign was awarded to Mostra S.A. on 19 July 2011, following competition between the framework contractors participating in an existing Framework Contract concluded by the Commission's Directorate-General for Communication.

The framework Contract was concluded for a duration of 24 months. It was concluded between the European Union and respectively: the consortium MOSTRA S.A./Pleon, Media Consulta International Holding AG and European Service Network S.A. The subject of this Contract is the supply to the Commission of integrated communication services. The prices for the services identified were annexed to the Contract. The framework contract, and therefore also the contract for the campaign, have expired on 12 March 2012. For the duration of the contract, the usual termination options applied.

The Honourable Member's request for access to the framework Contract has been passed to the competent Commission services and will be treated under Regulation No 1049/2001([1]) regarding public access to documents.

([1]) OJ L145, 31.05.2001, page 43.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005132/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(21 maggio 2012)

Oggetto: VP/HR — Attacco all'intellettuale musulmana Irshad Manji da parte di fondamentalisti islamici in Indonesia

Irshad Manji, una femminista canadese, intellettuale musulmana e ricercatrice presso la Fondazione europea per la democrazia, è stata attaccata da fondamentalisti islamici nel corso di una visita in Indonesia all'inizio di maggio 2012, mentre era in viaggio nel paese del sud-est asiatico per presentare il suo nuovo libro «Allah, Liberty and Love», recentemente tradotto in indonesiano. Durante la presentazione a Yogyakarta, l'edificio che ospitava la manifestazione è stato preso d'assalto da estremisti islamici mascherati, armati di spranghe di ferro e bastoni e decisi a interrompere l'evento. Irshad Manji è stata protetta da alcune delle persone presenti, ma il suo assistente è stato colpito con una sbarra di metallo. A causa dell'incidente, l'evento è stato annullato.

Manji ha dichiarato che in una visita in Indonesia quattro anni prima aveva trovato una nazione caratterizzata da tolleranza, apertura e pluralismo, ma che da allora il paese è cambiato, e si è permesso ad estremisti islamici di impedire il legittimo dibattito su una questione che sta a cuore agli indonesiani — la riforma dell'Islam dall'interno. Durante una visita ad Amsterdam per presentare il suo ultimo libro, Manji è stata attaccata da un altro gruppo salafita.

1. Con riguardo alla vicenda citata , il problema della crescente militanza islamica in Indonesia suscita le preoccupazione del Vicepresidente/Alto Rappresentante nonché dei funzionari del Servizio europeo per l'azione esterna? Qual è la valutazione del SEAE?

2. Quali misure potrebbe adottare l'UE per sostenere gli intellettuali musulmani che si esprimono apertamente e subiscono minacce in Europa e altrove? Sono già state poste in essere misure in tal senso e, se sì, quali?

3. È disponibile il VP/HR a discutere il problema del radicalismo islamico con il Presidente indonesiano Susilo Bambang Yudhoyono?

4. È già stato sollevato, in passato, tale problema e, in caso affermativo, qual è stata la risposta delle autorità indonesiane?

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

L'influenza e le attività di gruppi estremisti continuano a preoccupare l'Unione europea, in procinto di avviare un programma di cooperazione con l'Indonesia in materia di lotta al terrorismo, che rivolgerà particolare attenzione alla prevenzione dell'estremismo e del radicalismo.

Un tema ricorrente del dialogo annuale sui diritti umani tra l'Unione europea e l'Indonesia, la cui riunione più recente si è svolta nel maggio 2012, riguarda l'esigenza di garantire il pieno rispetto dei diritti umani, l'ottemperanza agli obblighi internazionali assunti dall'Indonesia in materia di diritti umani e la tutela delle minoranze, anche nell'ambito dell'estremismo religioso.

L'Alta Rappresentante/Vicepresidente ha inoltre cercato di stimolare il dibattito pubblico in Indonesia sulla necessità di combattere l'estremismo e promuovere la tolleranza. Nell'ottobre 2011, la delegazione dell'UE ha organizzato a tal fine un'importante conferenza sul tema diritti umani e fede.

Il ministero indonesiano degli affari religiosi ha appena istituito un programma di borse di studio per funzionari delle istituzioni europee e gruppi di lavoro di tre settimane in Indonesia al fine di promuovere il dialogo tra funzionari per meglio affrontare questioni analoghe a quella sollevata dall'onorevole parlamentare.

Nel caso specifico di Irshad Manji, la delegazione dell'UE a Giacarta ha incontrato rappresentanti della Gadjah Mada University, che hanno espresso il proprio rammarico per aver dovuto annullare l'evento e per le conseguenti ripercussioni negative sulla libertà di parola nelle università. Essi hanno fatto notare che tale decisione è stata presa in mancanza di un'adeguata protezione da parte della polizia.

L'UE continuerà a insistere affinché siano adeguatamente tutelati i gruppi minoritari, sulla base delle discussioni già svoltesi nel quadro del dialogo sui diritti umani tra l'Unione europea e l'Indonesia.

(English version)

Question for written answer E-005132/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(21 May 2012)

Subject: VP/HR — Islamic fundamentalists attack Muslim intellectual Irshad Manji in Indonesia

Irshad Manji, a Canadian feminist, Muslim intellectual and fellow at the European Foundation for Democracy, was attacked by Islamic fundamentalists during a visit to Indonesia in early May 2012. She had travelled to the south-east Asian country to present her new book 'Allah, Liberty and Love', recently translated into Indonesian. During the presentation in Yogyakarta, the building was stormed by masked Islamic extremists wielding iron bars and sticks, and determined to disrupt the event. She was protected by other attendees but her assistant was hit with a metal pole. In response to the incident, the event was closed.

Manji has said that, when she visited Indonesia four years earlier, she experienced a nation of tolerance, openness and pluralism but the country has since changed, and 'Islamic radicals have been allowed to close down legitimate debate about issues which Indonesians hold dear to their hearts — the reform of Islam from within'. During a visit to Amsterdam to present her latest book, Manji was attacked by another Salafist group.

1. In reference to the case above, are the Vice-President/High Representative and other European External Action Service officials concerned with the problem of growing Islamic militancy in Indonesia? What is the assessment of the EEAS?

2. What steps could the EU adopt to support outspoken Muslim intellectuals who face threats within Europe and beyond? Are any such measures already in place and, if so, what are they?

3. Is the VP/HR prepared to discuss the problem of Islamic radicalism with Indonesia's President Susilo Bambang Yudhoyono?

4. Has this issue been raised in the past and, if so, what was the response of the Indonesian authorities?

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

The EU remains concerned about the influence and activities of extremist groups. It is about to start a cooperation program with Indonesia in the field of counterterrorism which will place special emphasis on the issue of prevention of extremism and radicalisation.

A recurrent theme of the annual EU-Indonesia Human Rights Dialogue, which took place most recently in May 2012, has been the need to ensure the full respect of human rights, the fulfilment of Indonesia's international human rights obligations and the protection of minorities, including in the context of religious extremism.

The HR/VP has also sought to stimulate public debate in Indonesia about the need to tackle extremism and promote tolerance. In October 2011, the EU Delegation organised a major conference on Human Rights and Faith in Focus to that end.

The Indonesian Ministry of Religious Affairs has just established a scholarship program for officials in EU institutions and think tanks to spend three weeks in Indonesia with the objective of promoting dialogue among officials in order to better address issues such as that indicated by the Honourable Member.

In the specific case of Irshad Manji, the EU Delegation in Jakarta met representatives of Gadjah Mada University, who expressed regret that they had been compelled to close the event and the consequent negative implications for freedom of speech in universities. They noted that the closure had been prompted by the failure of the police to provide adequate protection.

The EU will continue to press for the proper protection of minority groups, building on the discussions that have already taken place in the context of the EU-Indonesia Human Rights Dialogue.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005133/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(21 maggio 2012)

Oggetto: VP/HR — Giornalisti palestinesi censurati

Il 7 maggio l'*International Herald Tribune* ha riportato che, dall'inizio della Primavera araba dello scorso anno, le autorità palestinesi hanno adottato misure repressive nei confronti dei palestinesi che esprimono la propria opinione. Il quotidiano cita il caso del giornalista palestinese Yousef Shayeb, che ha pubblicato un articolo su un giornale giordano in cui accusava di corruzione e spionaggio funzionari palestinesi impegnati in una missione diplomatica a Parigi. La conseguenza è stata che ha trascorso otto giorni in prigione, essendo il primo giornalista professionista ad essere arrestato dalle autorità palestinesi a causa del suo lavoro. Molti altri giornalisti sarebbero stati interrogati dalle forze di sicurezza.

Un blogger, Jamal Abu Raihan, è stato in prigione per tre settimane dopo aver pubblicato su Facebook un articolo satirico sul presidente Mahmoud Abbas, in cui si pronunciava in merito al problema della corruzione. Su ordine del procuratore generale Ahmad al-Mughni, l'Autorità palestinese ha lavorato per bloccare l'accesso a siti Internet che sostenevano il rivale di Abbas, Muhammad Dahlan, e ha chiesto la carcerazione per due settimane di un residente palestinese che aveva accusato di corruzione il ministro delle Comunicazioni su un sito di social network. In risposta alle critiche nei confronti delle misure repressive, Abbas ha esortato le agenzie dell'autorità palestinese a garantire la libertà di opinione ed espressione, definendola un «sacro diritto» sancito dalla legge palestinese.

Shayeb sta attualmente subendo un processo intentato contro di lui dal ministro degli Esteri palestinese e dell'ambasciatore in Francia, ma ha dichiarato di confidare in un esito positivo. Tuttavia, il quotidiano dichiara che molti palestinesi non si fidano del sistema legale dell'Autorità palestinese. Il responsabile delle comunicazioni del sindacato palestinese dei giornalisti ha dichiarato: «Sono sicuro al 100 % che non abbiamo su un sistema giudiziario indipendente.»

1. È il Vicepresidente/Alto Rappresentante a conoscenza delle segnalazioni di censura e vessazioni nei confronti dei giornalisti da parte dell'Autorità palestinese?

2. Ha il SEAE seguito i casi delle persone citate?

3. Ritiene il SEAE che la libertà di espressione e di stampa subisca limitazioni da parte delle autorità palestinesi? In caso di risposta affermativa, qual è la gravità del problema?

4. Quali passi è disposto a compiere il VP/HR al fine di sollevare la questione presso i funzionari palestinesi competenti?

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

L'UE prende molto sul serio ogni segnalazione di violazione dei diritti umani da parte dell'Autorità palestinese (AP). L'UE è a conoscenza delle limitazioni della libertà di espressione e di stampa nei Territori palestinesi occupati, pur riconoscendo che l'AP ha compiuto passi in avanti per migliorare la situazione. La polarizzazione tra le principali fazioni politiche palestinesi ha avuto un impatto negativo sulla libertà di stampa nei Territori palestinesi occupati.

Durante la riunione del sottocomitato UE-AP per i diritti umani, il buon governo e lo Stato di diritto tenutasi a Bruxelles l'8 maggio 2012, l'UE ha sollevato una serie di questioni relative alle violazioni delle libertà fondamentali nei Territori palestinesi occupati che destano forte preoccupazione, prima fra tutte la violazione della libertà di espressione e di stampa, come per esempio l'arresto di giornalisti e la chiusura di siti web, iniziativa poi revocata dal Presidente Abbas. Anche il rappresentante UE in Cisgiordania e nella Striscia di Gaza segue attentamente tali questioni nei suoi frequenti contatti con i rappresentanti del governo dell'Autorità palestinese. Nell'ambito delle discussioni bilaterali tra l'UE e l'AP vengono infatti affrontati anche casi specifici come quello del sig. Shayeb.

(English version)

Question for written answer E-005133/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(21 May 2012)

Subject: VP/HR — Palestinian journalists censored

On 7 May, the *International Herald Tribune* reported that, since the start of last year's Arab Spring, the Palestinian authorities have been clamping down on Palestinians who voice their opinions. The newspaper cites the case of Palestinian journalist Yousef Shayeb, who published an article in a Jordanian paper that accused Palestinian officials at a diplomatic mission in Paris of corruption and espionage. As a result, he spent eight days in prison, and is the first professional journalist to be jailed by the Palestinian authorities because of his work. Many other journalists have reportedly been questioned by security forces.

A blogger, Jamal Abu Raihan, has been in prison for three weeks after he posted a satirical piece regarding Chairman Mahmoud Abbas on Facebook, in which he spoke out against the problem of corruption. On the orders of Attorney General Ahmad al-Mughni, the Palestinian Authority (PA) has worked to block access to websites supporting Mr Abbas' rival, Muhammad Dahlan, and has sought the imprisonment of a Palestinian resident for two weeks after he accused the communications minister of corruption on a social networking site. In response to the criticism against the crackdown, Mr Abbas has urged Palestinian Authority agencies to ensure freedom of opinion and expression, calling it a 'sacred right' enshrined in Palestinian law.

Mr Shayeb is currently being sued by the Palestinian foreign minister and the ambassador to France, but has said he is confident of a successful outcome. However, the newspaper states that many Palestinians do not have faith in the PA's legal system. The Palestinian Journalists Syndicate's communications officer has said: 'I believe 100% that we do not have an independent judicial system.'

1. Is the Vice-President/High Representative aware of reports of censorship and harassment of journalists by the Palestinian Authority?

2. Has the EEAS followed the cases of the individuals mentioned above?

3. Does the EEAS believe that freedom of expression and of the press is being curtailed by the Palestinian authorities? If so, how serious is the problem?

4. What steps is the VP/HR prepared to take in order to raise this issue with the relevant Palestinian officials?

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

The EU takes reports of any human rights violations by the Palestinian Authority (PA) very seriously. It is aware that there have been restrictions to freedom of expression and press in the occupied Palestinian territory (oPt), while also acknowledges that positive steps have been taken by the PA to improve the situation. The polarisation between main Palestinian political factions has had a negative impact on the freedom of press in the oPt.

In the EU-PA Subcommittee on Human Rights, Good Governance and Rule of Law held in Brussels on 8 May 2012 the EU raised a number of issues related to violations to fundamental freedoms in the oPt, including serious concerns about violations of freedom of expression and freedom of the press, such as arrests of journalists and the closing of websites, which was eventually revoked by President Abbas. These matters are also followed closely as well and addressed by the EU Representative to West Bank and the Gaza Strip in his frequent contacts with Palestinian Authority government representatives. Also specific cases, such as that of Mr Shayeb, are raised in bilateral discussions between the EU and the Palestinian Authority.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005134/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(21 maggio 2012)

Oggetto: VP/HR — Importazioni indiane di petrolio dall'Iran

All'inizio di maggio 2012, il Segretario di Stato degli Stati Uniti Hillary Clinton ha esortato l'India a ridurre ulteriormente la propria dipendenza dalle importazioni di petrolio dall'Iran. Ha anche proposto di imporre sanzioni all'India qualora non interrompa i rapporti commerciali con l'Iran entro la fine del prossimo mese. Il Segretario di Stato ha affermato che l'India può soddisfare il suo fabbisogno di petrolio importandolo da altri paesi e si è rifiutata di esonerare il paese dal rispetto della scadenza. Bloomberg riferisce che l'India ridurrà gli acquisti di petrolio greggio dall'Iran da 17,5 milioni di tonnellate a 14 milioni di tonnellate in 12 mesi fino al 31 marzo 2013. L'India attualmente importa il 10 % del suo petrolio dall'Iran, percentuale che secondo una relazione del Congresso degli Stati Uniti è dunque scesa rispetto al 16 % del 2008.

Il quotidiano britannico *Daily Telegraph* riferisce che l'Iran è considerato la via di accesso dell'India all'Afghanistan e all'Asia centrale e continua ad essere il suo secondo principale fornitore di petrolio, dopo l'Arabia Saudita. Il quotidiano rileva che, nonostante siano state effettuate delle riduzioni, questo ha generato tensioni nell'economia in crescita del paese. Di recente, i leader della federazione delle Camere di commercio indiane hanno accolto una delegazione commerciale iraniana al fine di discutere su come evadere le sanzioni dell'UE e degli Stati Uniti creando nuove procedure di pagamento. L'Iran accetta i pagamenti per alcune delle sue esportazioni in rupie indiane. Alcuni funzionari indiani hanno dichiarato che non è possibile ridurre rapidamente le importazioni di petrolio del paese senza subire ripercussioni a livello economico.

1. Qual è la posizione del VP/HR relativamente alla persistente dipendenza dell'India dalle importazioni di petrolio dall'Iran?

2. Intende l'UE adottare le proposte del Segretario di Stato degli Stati Uniti per l'imposizione di sanzioni nei confronti dell'India, qualora il paese non rispetti la data di scadenza per una netta riduzione delle importazioni di petrolio dall'Iran?

3. Intende il VP/HR affrontare la questione con il segretario di Stato degli Stati Uniti?

4. È il VP/HR pronto a dibattere la questione delle importazioni di petrolio dall'Iran con i funzionari indiani competenti? In tal caso, potrebbe illustrare alcune delle richieste formulate direttamente dall'UE riguardo al ruolo dell'India nella riduzione dei legami economici con l'Iran?

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

In risposta alle preoccupazioni dell'UE e della comunità internazionale circa il programma nucleare dell'Iran, nel gennaio 2012 l'UE ha deciso di rafforzare notevolmente gli elementi autonomi del suo regime di sanzioni contro l'Iran, prevedendo tra l'altro l'introduzione di un divieto sulle importazioni di petrolio greggio o prodotti petroliferi dall'Iran, nonché di misure correlate. Si tratta di misure significative, intese a colpire le entrate che il regime iraniano usa per finanziare il proprio programma nucleare.

Per rendere tali misure più efficaci, soprattutto alla luce della gravità delle preoccupazioni relative all'Iran, negli ultimi mesi l'UE ha attivamente invitato tutti i paesi che importano petrolio dall'Iran ad allineare le loro politiche a queste misure UE, o almeno ad astenersi dall'importare il petrolio che l'UE ha cessato di importare dall'Iran. In questo contesto, si osserva che da alcuni anni l'India ha ridotto le importazioni di petrolio dall'Iran.

L'UE lavora in stretto contatto con i partner internazionali, compresi gli USA, per far fronte alle preoccupazioni della comunità internazionale relative al programma nucleare dell'Iran. Per quanto riguarda le importazioni di petrolio dall'Iran, è opportuno notare che la legislazione USA in materia di sanzioni prevede che i paesi che sono impegnati in determinate relazioni finanziarie con l'Iran e che riducono sensibilmente le importazioni di petrolio dall'Iran stesso possono ottenere un esonero dalle misure USA che altrimenti limiterebbero fortemente l'accesso delle banche di tali paesi ai mercati finanziari USA. Vista la riduzione, da parte dell'India, delle importazioni di petrolio dall'Iran, all'inizio di giugno 2012 gli USA hanno accordato all'India un esonero per un periodo transitorio di sei mesi.

Questa questione e le nostre preoccupazioni circa il programma nucleare dell'Iran sono state sollevate e discusse più volte nel quadro del dialogo politico tra l'UE e l'India.

(English version)

Question for written answer E-005134/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(21 May 2012)

Subject: VP/HR — Indian oil imports from Iran

In early May 2012, US Secretary of State Hillary Clinton called on India to further cut its dependence on oil imports from Iran. Mrs Clinton also suggested that sanctions could be imposed on India if it does not stop trading with Iran by the end of next month. Mrs Clinton said that India can meet its oil requirements by importing from other countries, and refused to exempt the country from complying with the deadline. Bloomberg reports that India will cut purchases of crude oil from Iran from 17.5 million tonnes to 14 million tonnes in the 12 months ending 31 March 2013. India currently imports 10% of its oil requirements from Iran, which according to a US Congressional report has been reduced from 16% in 2008.

The UK's *Daily Telegraph* newspaper reports that Iran is regarded as India's gateway to Afghanistan and Central Asia, and remains its second largest oil supplier after Saudi Arabia. The newspaper notes that although reductions have been made, this has put strains on the country's growing economy. Recently leaders of the Federation of Indian Chambers of Commerce welcomed an Iranian trade delegation in order to discuss how to evade EU and US sanctions by creating new payment procedures. Iran has been accepting payments for some of its exports in Indian rupees. Some Indian officials have suggested that it is not possible to rapidly reduce its imports of oil without suffering from some form of economic blowback.

1. What is the position of the HR/VP regarding India's continued dependence on Iranian oil imports?

2. Is the EU planning to adopt the US Secretary of State's proposals for the imposition of sanctions on India if it fails to comply with a deadline to dramatically curtail oil imports from Iran?

3. Does the HR/VP plan to raise this issue with the US Secretary of State?

4. Is the HR/VP prepared to discuss the issue of Iran's oil imports with the relevant Indian officials? If so, what are some of the EU's own requests regarding India's role in cutting economic links with Iran?

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

In response to the concerns of the EU and the international community over the nature of Iran's nuclear programme, the EU decided in January 2012 to considerably strengthen the autonomous elements of its sanctions regime against Iran, including the introduction of a prohibition on the import of crude oil or petroleum products from Iran, and related measures. These robust measures are designed to target revenues the Iranian regime uses to finance its nuclear programme.

In order to increase the effectiveness of the measures, particularly in view of the seriousness of the concerns regarding Iran, the EU has over the past months been actively calling on all countries importing Iranian oil to align their policies with these EU measures, or, as a minimum, to refrain from importing the oil no longer imported by the EU from Iran. In this context, it is noted that India has been reducing its oil imports from Iran over the last few years.

The EU is working closely together with international partners, including the US, regarding international concerns over Iran's nuclear programme. As regards oil imports from Iran, it should be noted that US sanctions legislation concerning Iran provides that countries which are engaged in certain financial relations with Iran and which substantially reduce their imports of Iranian oil may obtain a waiver from US measures which would otherwise subject those countries to serious limitations to their banks' access to the US financial market. Due to reductions of Indian oil imports from Iran, the US, in early June 2012, issued a waiver for India for an interim period of six months.

In the EU's political dialogue with India this issue and our concerns over Iran's nuclear programme have been raised and discussed on a number of occasions.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005137/12
alla Commissione
Fiorello Provera (EFD)
(21 maggio 2012)

Oggetto: Epidemia di colera ad Haiti

Il 10 maggio 2012 l'organizzazione umanitaria internazionale Medici senza frontiere (MSF) ha riferito che ad Haiti, con l'avvicinarsi della stagione delle piogge, il paese non è adeguatamente preparato ad affrontare il problema del colera. MSF dichiara che le strutture sanitarie in molte regioni del paese continuano a non essere in grado di rispondere alle fluttuazioni stagionali dell'epidemia di colera. Il sistema di sorveglianza che dovrebbe monitorare la situazione e lanciare l'allarme non è ancora ben funzionante. Ad aprile, nella capitale Port-au-Prince MSF ha curato 1 600 persone colpite dal colera, un numero che è quadruplicato in meno di un mese. Tuttavia, durante la sola stagione delle piogge dello scorso anno sono stati riportati almeno 200 000 casi di colera.

Il capo della missione MSF ad Haiti ha dichiarato: «È preoccupante che le autorità sanitarie non siano meglio preparate e si aggrappino a messaggi rassicuranti che non hanno niente a che fare con la realtà. Sono in corso diversi incontri tra governo, Nazioni Unite e partner umanitari, ma esistono poche soluzioni concrete». Secondo il ministero della Sanità pubblica e della Popolazione di Haiti, da ottobre 2010 le persone contagiate sono state 535 000 e si sono contati oltre 7 000 decessi.

Ad Haiti, gran parte della popolazione non ha accesso all'acqua corrente dolce e a servizi igienici. Solo circa l'1 % dei sopravvissuti al terremoto ha ricevuto del sapone. Secondo il direttore di MSF, «le persone hanno urgente bisogno di mezzi per proteggersi dal colera».

Un vaccino contro il colera che è utilizzato in alcune zone di Haiti può contribuire a controllare la malattia, ma non è una soluzione infallibile. Il vaccino fornisce l'immunità per circa tre anni e si stima che sia efficace solo al 70 %. Solo profondi miglioramenti al sistema idrico e ai servizi igienico-sanitari di Haiti costituiranno soluzioni durature all'epidemia, ma ciò richiederà tempo.

1. Alla luce del previsto aumento dei casi di colera ad Haiti durante la prossima stagione delle piogge, quali misure ha predisposto la Commissione per affrontare il problema? Può fornire esempi?

2. Prevede di lavorare con organizzazioni come MSF per coordinare gli sforzi di assistenza?

3. Quale tipo di assistenza pratica sta offrendo per migliorare le condizioni igieniche e l'accesso all'acqua dolce per le vittime del terremoto di Haiti? Può fornire esempi?

Risposta di Kristalina Georgieva a nome della Commissione
(27 luglio 2012)

1. Attraverso la propria rete di ONG internazionali la Commissione è presente nella maggior parte dei dipartimenti di Haiti; garantisce la fornitura di cure adeguate in caso di epidemie e promuove l'accesso all'acqua potabile e adeguate condizioni igienico-sanitarie. Prende inoltre misure per potenziare le capacità tecniche del personale locale in materia idrica e igienico-sanitaria a livello dipartimentale e di comunità al fine di rispondere a questa nuova minaccia alla salute pubblica. Questa strategia di prevenzione e trattamento del colera è ben coordinata con altri attori essenziali, ([1]) che contribuiscono anch'essi a potenziare le capacità delle autorità governative centrali di affrontare l'epidemia e fornire soluzioni durature per quanto riguarda i sistemi e gli impianti idrici e igienico-sanitari.

In caso di una grande epidemia che metta in difficoltà l'attuale organizzazione, la Commissione sarebbe pronta ad assegnare ulteriori fondi UE secondo le proprie prerogative.

2. La Commissione opera ad Haiti da molti anni attraverso i propri partner ([2]) per affrontare gravi bisogni umanitari. Partecipa al Cluster Sanità, nel quale le principali parti interessate discutono di strategie globali e concordano una risposta coordinata quando si verificano epidemie o crisi umanitarie improvvise. Nel 2012 l'UE continua a finanziare l'UNOCHA ([3]) per garantire nel tempo un adeguato coordinamento degli attori umanitari.

([1]) Organizzazione mondiale della sanità, Banca Mondiale, Banca interamericana di sviluppo e cooperazione spagnola.
([2]) Come MSF, le agenzie delle Nazioni Unite e il movimento internazionale della Croce Rossa/Mezzaluna Rossa.
([3]) Ufficio per il coordinamento degli affari umanitari.

3. Uno degli obiettivi principali della Commissione nel 2012 è aiutare i restanti sfollati interni a lasciare i campi il prima possibile. A tal fine fornisce sia soluzioni abitative che impianti e servizi idrici e igienico-sanitari (costruzione e ripristino di latrine e reti idriche, formazione per promuovere l'igiene). Nel frattempo, l'UE continua a sostenere determinate attività in materia idrica e igienico-sanitaria nei campi di sfollati (distribuzione idrica, pulizia delle latrine, promozione dell'igiene).

(English version)

Question for written answer E-005137/12
to the Commission
Fiorello Provera (EFD)
(21 May 2012)

Subject: Cholera outbreak in Haiti

On 10 May 2012, the international humanitarian organisation Médecins Sans Frontières (MSF) reported that in Haiti as the rainy season approaches the country is not sufficiently prepared to combat the problem of cholera. MSF says that health facilities in many regions of the country remain incapable of responding to the seasonal fluctuations of the cholera epidemic. The surveillance system, which is supposed to monitor the situation and raise the alarm, is still dysfunctional. In April, MSF treated 1 600 people for cholera in the capital Port-au-Prince, a number which has quadrupled in less than a month. However, during last year's rainy season alone at least 200 000 cases of cholera were reported.

The head of the MSF mission in Haiti has said: 'It is concerning that the health authorities are not better prepared and that they cling to reassuring messages that bear no resemblance to reality. There are many meetings going on between the government, the United Nations and their humanitarian partners, but there are few concrete solutions'. According to Haiti's Ministry of Public Health and Population, since October 2010 535 000 people have been infected and more than 7 000 have died.

In Haiti, most of the population do not have access to fresh running water or latrines. Only about 1% of the survivors of the earthquake have received soap. According to the head of MSF, 'people urgently need the means to protect themselves against cholera'.

A cholera vaccination being used in some parts of Haiti can help control the disease, but this is not a foolproof solution. The vaccine provides immunity for approximately three years and is estimated to be only 70% effective. Only major improvements to Haiti's water and sanitation systems will provide durable solutions to the epidemic, but that will take time.

1. In the light of the expected increase in cases of cholera in Haiti during the coming rainy season, what measures has the Commission prepared for dealing with this problem? Can it offer some examples?

2. Does the Commission plan to work with groups such as MSF to coordinate relief efforts?

3. What kind of practical assistance is the Commission offering to improve hygiene and access to fresh water for Haiti's earthquake victims? Can it offer some examples?

Answer given by Ms Georgieva on behalf of the Commission
(27 July 2012)

1. The Commission is present, through its network of international NGOs, in most Haitian departments, ensuring the provision of adequate treatment in case of outbreaks, promoting access to safe water, proper sanitation and hygiene while taking measures to reinforce the technical capacity of local health, water and sanitation staff at departmental and community level to respond to this new public health challenge. This cholera prevention and response strategy is well coordinated with other key actors ([1]) who are also reinforcing the capacity of the central governmental authorities to deal with the disease and provide durable solutions for water and sanitation systems/facilities.

In case of a major outbreak that would overwhelm the current setup, the Commission is ready to allocate additional EU funds as per its mandate.

2. The Commission has been working in Haiti for many years through its partners ([2]) to address acute humanitarian needs. The Commission participates in the health cluster, where key stakeholders exchange on global strategies and agree on a coordinated response when sudden outbreak/humanitarian crises occur. The EU continues, in 2012, to fund UNOCHA ([3]) to ensure continued successful coordination of humanitarian actors.

([1]) World Health Organisation, World Bank, Inter American Development Bank and Spanish cooperation.
([2]) Such as MSF, the United Nations Agencies and the International Red Cross/Crescent movement.
([3]) Office for the Coordination of Humanitarian Affairs.

3. One of the Commission's main 2012 objectives is to support the remaining internally displaced persons (IDPs) to leave the camps as soon as possible through the provision of housing solutions coupled with water and sanitation solution/facilities (construction and rehabilitation of latrines and water networks, hygiene promotion training). In the meantime, some limited water and sanitation activities (water distribution, latrine dislodging; hygiene promotion) in camps still receive EU support.

(English version)

Question for written answer E-005138/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(21 May 2012)

Subject: VP/HR — Women in senior positions in the European External Action Service

In a recent press release announcing the appointment of 17 heads and deputy heads of delegation, VP/HR Ashton is quoted as saying: 'I continue to encourage good female candidates to put themselves forward for posts in the EEAS, including at senior level'. Yet only 12% of the applications received came from female candidates.

1. What concrete measures is the EEAS taking to encourage more women to occupy senior positions in the EEAS, including at head-of-delegation level?

2. Baroness Ashton's Commission colleague Viviane Reding has said, on the subject of women on company boards, that 'self-regulation so far has not brought about satisfactory results'. Notwithstanding the recent appointments, only 20% of heads of EU delegations are women. Given Commissioner Reding's enthusiasm for quotas, would Baroness Ashton consider following her colleague's suggestion and imposing a 40% quota for women in respect of head-of-delegation posts? Or does she, like me, believe that posts should be awarded to the best person for the job?

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

EEAS selection procedures folllow the requirements set out in the Council Decision (Decision 427/2010), Article 6, paragraph 6, which states that 'recruitment to the EEAS shall be based on merit whilst ensuring adequate geographical and gender balance'. The HR/VP has regularly made clear her wish to see more female candidates apply for senior positions in the EEAS, including at Head of Delegation level. All efforts are made to ensure selection panels themselves display adequate gender balance in their composition. Female participation (whether from the EU institutions or the Member States) is encouraged in the Consulative Committee on Appointments, which acts as the pre-selection and interview panel for all senior appointments in the EEAS. Finally, during the selection process, care is taken to ensure that all candidates are assesed fairly, including where career paths are atypical given family commitments.

The basic principle of EEAS selection procedures is merit, in order to ensure that the staff of the EEAS is composed of those individuals best equipped to pursue the objectives of the organisation. In that context, the HR/VP has no current intention to introduce quotas for female staff in any category of staff, including Heads and Deputy Heads of Delegation.

Since the entry into force of the Lisbon Treaty, the number of female Heads and deputy Heads of Delegation has increased from 10 to 31.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005139/12
alla Commissione
Elisabetta Gardini (PPE)
(21 maggio 2012)

Oggetto: Terremoto in Emilia-Romagna, Veneto e Lombardia

Nelle scorse ore un terremoto di sei gradi della scala Richter ha colpito l'Emilia-Romagna, il Veneto e la Lombardia, causando la morte di sette persone e provocando danni ingenti in particolare nelle province di Modena e Ferrara. Il sisma e le successive scosse di assestamento hanno distrutto case, chiese, fabbriche e aziende agricole. Al momento gli sfollati sono più di quattromila, una cifra che è però destinata ad aumentare con il passare delle ore perché tanti edifici potrebbero essere dichiarati inagibili.

Secondo una prima stima, i danni ammontano a diversi milioni di euro; è in ginocchio, in particolare, il comparto agricolo e zootecnico, che in questa zona conta centinaia di aziende. Il Presidente della Regione Emilia-Romagna, Vasco Errani, e il responsabile nazionale della Protezione Civile, Franco Gabrielli, chiederanno al governo di dichiarare lo stato di emergenza nazionale.

In Italia la recente riforma della Protezione Civile ha stabilito che, in caso calamità naturale, lo Stato non risarcirà più i cittadini.

Considerata la condizione di difficoltà della popolazione, si chiede alla Commissione:

— È a conoscenza dell'emergenza in Emilia-Romagna, Lombardia e Veneto?

— È possibile mobilitare il Fondo di solidarietà dell'UE previsto per le calamità regionali?

Risposta di Johannes Hahn a nome della Commissione
(2 luglio 2012)

La Commissione ha piena conoscenza della gravità della situazione e continua a seguirla da vicino. Finora l'Italia non ha presentato domanda di assistenza internazionale. Dal primo sisma del 20 maggio in poi il Centro d'informazione e monitoraggio (MIC) è stato costantemente in contatto con la protezione civile italiana. Le informazioni ottenute dall'Italia in merito a questo evento sono state immediatamente trasmesse a tutti gli Stati partecipanti al Meccanismo di protezione civile dell'Unione europea. Attraverso il MIC l'Italia ha ricevuto anche una mappatura satellitare della situazione. Come per il terremoto che ha colpito L'Aquila nel 2009, se si avvertisse la necessità di ingegneri esperti di statica degli edifici che assistano nella valutazione dei danni agli immobili, il MIC trasmetterà la richiesta a tutti gli interessati per il tramite del Sistema comune di comunicazione e informazione in caso di emergenza. Il 30 maggio il Presidente della Commissione ha inviato un messaggio di condoglianze alle vittime. Il 3 giugno il Commissario responsabile per la politica regionale e il Vicepresidente della Commissione responsabile per l'industria e l'imprenditoria hanno visitato le aree colpite per ricevere informazioni di prima mano sullo svolgimento degli eventi e sulle necessità di aiuto.

La Commissione è in contatto con le autorità italiane per quanto concerne la mobilitazione del Fondo di solidarietà ed è pronta a fornire eventuali ulteriori orientamenti. La domanda delle autorità italiane andrebbe presentata entro 10 settimane dal verificarsi del primo danno. La Commissione non può però attivare il Fondo di solidarietà di propria iniziativa.

Affinché il Fondo di solidarietà dell'UE possa essere mobilitato devono essere soddisfatti diversi criteri concernenti l'entità e le conseguenze del danno diretto. Ove tali criteri siano soddisfatti la Commissione proporrà immediatamente un aiuto in cui l'importo verrà versato non appena il Parlamento europeo e il Consiglio lo avranno approvato attraverso un bilancio rettificativo. L'aiuto potrebbe essere usato retroattivamente e comprendere misure per la protezione immediata del patrimonio culturale a rischio.

(English version)

Question for written answer E-005139/12
to the Commission
Elisabetta Gardini (PPE)
(21 May 2012)

Subject: Earthquake in the Emilia-Romagna, Veneto and Lombardy regions

In the last few hours, an earthquake measuring six on the Richter scale has hit the regions of Emilia-Romagna, Veneto and Lombardy, causing the deaths of seven people and extensive damage in the provinces of Modena and Ferrara in particular. The earthquake and the subsequent aftershocks have destroyed houses, churches, factories and agricultural businesses. Currently more than 4 000 people are displaced but this figure is set to rise as the hours pass because many buildings might be declared unsafe.

According to an initial estimate, the damage amounts to several million euros; the agricultural and livestock industry, which in this area amounts to hundreds of businesses, is on its knees. The President of the Emilia-Romagna Region, Vasco Errani, and the national Civil Defence Chief, Franco Gabrielli, are asking the government to declare a state of national emergency.

In Italy, the recent reform of the Civil Defence service established that the state will no longer compensate citizens in the event of a natural disaster.

Given the difficulties faced by the population, can the Commission say:

— whether it is aware of the emergency in the Emilia-Romagna, Lombardy and Veneto regions;

— whether it would be possible to mobilise the EU Solidarity Fund for regional disasters?

Answer given by Mr Hahn on behalf of the Commission
(2 July 2012)

The Commission is fully aware of this serious situation and continues to monitor it closely. So far, Italy has not asked for international assistance. From the first earthquake on 20 May onwards, the Monitoring and Information Centre (MIC) has been constantly in contact with the Italian civil protection authorities. Information obtained from Italy on the event was immediately relayed to all participating States in the European Civil Protection Mechanism. Through the MIC, Italy also received satellite mapping of the situation. Similar to the 2009 earthquake in L'Aquila, should there be a renewed need for structural engineers to assist in buildings' damage assessment, the MIC will relay this to all stakeholders through the Common Emergency Communication and Information System. On 30 May, the President of the Commission sent a message of condolence to the victims. On 3 June, the Member of Commissioner responsible for Regional Policy and the Vice-President of the Commission responsible for Industry and Enterpreneurship visited the affected area to be informed first-hand of the circumstances and needs.

The Commission is in contact with the Italian authorities on the mobilisation of the Solidarity Fund and stands ready to give any further guidance. An application from the Italian authorities must be submitted within 10 weeks of the occurrence of the first damage The Commission may not however activate the Solidarity Fund on its own initiative.

For the EU Solidarity Fund to be mobilised, several criteria regarding the amount and the consequences of the direct damage must be met. If this is the case, the Commission will immediately propose an amount of aid which can be paid out as soon as the Parliament and the Council have approved it through an amending budget procedure. The aid could be used retroactively and include measures for the immediate protection of cultural heritage at risk.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-005140/12
til Kommissionen
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) og Jens Rohde (ALDE)
(21. maj 2012)

Om: Direktiv om lagring af data

Adskillige nationale forfatningsdomstole (i Rumænien, Tyskland og Tjekkiet) har erklæret, at de nationale love til gennemførelse af direktiv 2006/24/EF om lagring af data var i strid med forfatningen.

I sin dom af 5. maj 2010 valgte den irske højesteret at henvise direktivet til EU-Domstolen med henblik på en præjudiciel afgørelse, der skulle afgøre, om det krænkede de grundlæggende rettigheder i henhold til EU-traktaterne, EMRK og chartret om grundlæggende rettigheder.

Den 18. april 2012 bekendtgjorde Kommissionen, at den ville indlede overtrædelsesprocedurer mod en række medlemsstater (Østrig, Tjekkiet, Tyskland og Rumænien), som ikke har gennemført direktivet i national lovgivning. Den har allerede indledt en overtrædelsesprocedure mod Sverige.

I april 2011 offentliggjorde Kommissionen en evalueringsrapport om direktivet, ifølge hvilken instrumentet var blevet gennemført på forskellig vis af medlemsstaterne, og at dette havde ført til betydelige forskelle med hensyn til formålsbegrænsning, adgang til data, lagringsperioder og databeskyttelse. I rapportens konklusion stod der, at Kommissionen ville fremsætte et forslag om revision af bestemmelserne om lagring af data. Det forventes, at forslaget bliver fremsat i juli 2012.

— Kan Kommissionen oplyse om status for den sag, den irske højesteret har indledt?

— Vil Kommissionen indlede nye overtrædelsesprocedurer mod andre medlemsstater, og i bekræftende fald mod hvilke?

— Hvordan retfærdiggør Kommissionen sin beslutning om at køre en overtrædelsesprocedure, mens der verserer en retssag ved EU-Domstolen og set i lyset af dens bekendtgørelse, baseret på resultaterne, som blev offentliggjort i evalueringsrapporten, af, at den ville fremsætte et forslag om revision af bestemmelserne om lagring af data?

— Kan Kommissionen bekræfte, at den vil fremsætte et forslag i juli 2012, og kan den give nogen oplysninger om det planlagte indhold af den foreslåede revision?

Svar afgivet på Kommissionens vegne af Cecilia Malmström
(23. juli 2012)

Direktivet om lagring af data ([1]) blev vedtaget i marts 2006 af Europa-Parlamentet og Rådet, og alle medlemsstaterne skal overholde det. Kommissionens arbejde for en reform af EU's retlige rammer for lagring af data i tæt samarbejde med alle de forskellige aktører berører ikke medlemsstaternes juridiske forpligtelse til at overholde direktivet.

Kommissionen har derfor truffet foranstaltninger til at sikre en korrekt gennemførelse af direktivet, herunder ved at indlede overtrædelsesprocedurer mod en række medlemsstater. Procedurerne mod Tjekkiet, Tyskland, Rumænien og Sverige er endnu ikke afsluttet. Den 31. maj 2012 besluttede Kommissionen at afslutte proceduren mod Østrig og delvis at trække sagen mod Sverige tilbage, da disse medlemsstater har gennemført direktivet. Kommissionen undersøger fortsat, om direktivet er gennemført, og vil om nødvendigt indlede yderligere procedurer.

Kommissionen er opmærksom på, at den irske højesteret den 11. juni 2012 indbragte en række spørgsmål vedrørende direktivet for Den Europæiske Unions Domstol med henblik på en præjudiciel afgørelse, og at sagen blev registreret som sag C-293/12.

([1]) Direktiv 2006/24/EF.

Med hensyn til reformen af EU's retlige rammer for lagring af data er det Kommissionens opfattelse, at enhver revision af direktivet om lagring af data skal sikre, at lagrede data udelukkende bruges til de formål, som er fastsat i direktivet om lagring af data, og ikke til andre formål, som på nuværende tidspunkt er tilladt i henhold til direktivet om databeskyttelse inden for elektronisk kommunikation (e-data-direktivet). Kommissionen stræber derfor efter at foreslå en revision af datalagringsdirektivet samtidig med en fremtidig revision af e-data-direktivet. Ved alle forslag til ændring af e-data-direktivet vil der blive taget hensyn til resultaterne af forhandlingerne om reformen af EU's databeskyttelsesordning, som kommissæren for retlige anliggender, grundlæggende rettigheder og unionsborgerskab har ansvaret for.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005140/12
an die Kommission
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) und Jens Rohde (ALDE)
(21. Mai 2012)

Betrifft: Richtlinie über die Vorratsspeicherung von Daten

Mehrere nationale Verfassungsgerichte (in Rumänien, Deutschland und der Tschechischen Republik) haben bereits die nationalen Gesetze zur Umsetzung der Richtlinie 2006/24/EG über die Vorratsspeicherung von Daten für verfassungswidrig erklärt.

In seinem Urteil vom 5. Mai 2010 entschied der irische Hohe Gerichtshof, den EuGH um eine Vorabentscheidung darüber zu ersuchen, ob die Richtlinie gegen die in den EU-Verträgen, der EMRK und der Charta der Grundrechte verankerten Grundrechte verstößt.

Am 18. April 2012 kündigte die Kommission an, gegen mehrere Mitgliedstaaten (Österreich, Tschechische Republik, Deutschland und Rumänien) ein Vertragsverletzungsverfahren einleiten zu wollen, da diese die Richtlinie nicht in nationales Recht umgesetzt hatten. Ein Vertragsverletzungsverfahren wurde bereits gegen Schweden angestrengt.

Im April 2011 veröffentlichte die Kommission einen Bericht über die Bewertung der Richtlinie, in dem Unterschiede festgestellt wurden, was die Umsetzung der Maßnahme in den einzelnen Mitgliedstaaten anbelangt, mit der Folge, dass es nun beträchtliche Unterschiede in Bezug auf Zweckbindung, Datenzugriff, Speicherungsfristen und Datenschutz gibt. Daraufhin kündigte die Kommission an, einen Vorschlag zur Überarbeitung des Datenspeicherungsrahmens erarbeiten zu wollen; diesen Vorschlag wird sie voraussichtlich im Juli 2012 vorlegen.

— Kann die Kommission Auskünfte über den aktuellen Stand der vom irischen Hohen Gerichtshof vorgelegten Rechtssache erteilen?

— Gedenkt die Kommission, neue Vertragsverletzungsverfahren gegen andere Mitgliedstaaten einzuleiten, und falls ja, gegen welche?

— Wie rechtfertigt die Kommission ihre Entscheidung, Vertragsverletzungsverfahren einzuleiten, noch während eine Rechtssache beim EuGH anhängig ist, zumal sie angekündigt hat, auf Grundlage der Ergebnisse ihrer Bewertung einen Vorschlag zur Überarbeitung des Datenspeicherungsrahmens vorzulegen?

— Kann die Kommission bestätigen, dass sie im Juli 2012 einen derartigen Vorschlag vorlegen wird, und kann sie Auskünfte über den beabsichtigten Inhalt der vorgeschlagenen Überarbeitung erteilen?

Antwort von Frau Malmström im Namen der Kommission
(23. Juli 2012)

Die Richtlinie über die Vorratsspeicherung von Daten ([1]) wurde im März 2006 vom Europäischen Parlament und vom Rat angenommen und alle Mitgliedstaaten sind verpflichtet, ihr nachzukommen. Die Arbeit, die die Kommission in enger Absprache mit allen Beteiligten für eine Reform des EU-Rechtsrahmens für die Vorratsdatenspeicherung leistet, stellt die rechtliche Verpflichtung der Mitgliedstaaten zur Erfüllung der Richtlinie nicht in Frage.

Die Kommission hat Maßnahmen getroffen, um eine korrekte Umsetzung der Richtlinie sicherzustellen, und Vertragsverletzungsverfahren gegen eine Reihe von Mitgliedstaaten eingeleitet. Die Verfahren gegen die Tschechische Republik, Deutschland, Rumänien und Schweden sind noch anhängig. Am 12. Mai 2012 beschloss die Kommission, das Verfahren gegen Österreich einzustellen und die Rechtsache gegen Schweden teilweise zurückzuziehen, da diese Mitgliedstaaten die Richtlinie umgesetzt haben. Sie prüft die Umsetzung der Richtlinie weiter und wird gegebenenfalls weitere Verfahren einleiten.

Der Kommission ist bekannt, dass der irische Hohe Gerichtshof dem Europäischen Gerichtshof zu der Richtlinie Fragen zur Vorabentscheidung vorgelegt hat (als RS C-293/12 registriert).

([1]) Richtlinie 2006/24/EG.

Hinsichtlich der Reform des EU-Rechtsrahmens für die Vorratsdatenspeicherung vertritt die Kommission die Auffassung, dass jede Überarbeitung der Richtlinie über die Vorratsdatenspeicherung sicherstellen sollte, dass gespeicherte Daten ausschließlich für die in dieser Richtlinie vorgesehenen und nicht — wie derzeit nach der Datenschutzrichtlinie für die elektronische Kommunikation ([2]) erlaubt — für andere Zwecke verwendet werden. Aus diesem Grund beabsichtigt die Kommission, parallel zu einer künftigen Überarbeitung der Datenschutzrichtlinie für die elektronische Kommunikation eine Überarbeitung der Richtlinie über die Vorratsspeicherung von Daten vorzuschlagen. Jeder Vorschlag zur Reform der Datenschutzrichtlinie über die elektronische Kommunikation wird das Ergebnis der Verhandlungen über die Reform der Datenschutzregelung der EU berücksichtigen, die unter der Verantwortung des Kommissars für Justiz, Grundrechte und Bürgerschaft steht.

([2]) Richtlinie 2002/58/EG.

(Version française)

Question avec demande de réponse écrite E-005140/12
à la Commission
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) et Jens Rohde (ALDE)
(21 mai 2012)

Objet: Directive sur la conservation des données

Plusieurs cours constitutionnelles nationales (en Roumanie, Allemagne et République tchèque) ont déclaré que les lois nationales transposant la directive 2006/24/CE sur la conservation des données étaient inconstitutionnelles.

Dans son arrêt du 5 mai 2010, la Haute Cour irlandaise a décidé de poser une question préjudicielle sur cette directive à la CJUE afin de savoir si elle viole, ou non, les droits fondamentaux protégés par les traités de l'UE, la CEDH et la Charte des droits fondamentaux.

Le 18 avril 2012, la Commission a annoncé qu'elle lancerait une procédure d'infraction contre plusieurs États membres (Autriche, République tchèque, Allemagne et Roumanie) qui n'ont pas transposé la directive dans leur droit national. Elle a déjà lancé une telle procédure contre la Suède.

En avril 2011, la Commission a publié un rapport d'évaluation sur cette directive dans lequel elle a indiqué qu'il existait des disparités dans la manière dont l'instrument a été transposé par les États membres et que ces disparités avaient engendré des différences considérables dans les domaines du principe de la limitation, de l'accès aux données, des durées de conservation et de la protection des données. Dans sa conclusion, ce rapport a indiqué que la Commission présenterait une proposition de révision du cadre de la conservation des données et que cette proposition devrait être présentée en juillet 2012.

— La Commission pourrait-elle fournir des informations sur l'état d'avancement de la procédure judiciaire lancée par la Haute Cour irlandaise?

— La Commission entend-elle lancer de nouvelles procédures d'infraction contre d'autres États membres et, le cas échéant, lesquels?

— Comment la Commission justifie-t-elle sa décision de lancer des procédures d'infraction alors qu'une procédure est en cours devant la CJUE et étant donné qu'elle a annoncé, sur la base des conclusions présentées dans le rapport d'évaluation, qu'elle présenterait une proposition de révision du cadre de la conservation des données?

— La Commission pourrait-elle confirmer qu'elle présentera une proposition en juillet 2012? Pourrait-elle fournir des informations sur le projet de contenu de cette proposition de révision?

Réponse donnée par Mme Malmström au nom de la Commission
(23 juillet 2012)

La directive sur la conservation des données ([1]) a été adoptée par le Parlement européen et le Conseil en mars 2006, et tous les États membres sont tenus de s'y conformer. Les travaux menés par la Commission, en étroite concertation avec l'ensemble des parties prenantes, pour réformer le cadre juridique de l'UE relatif à la conservation des données ne remettent nullement en cause l'obligation légale qu'ont les États membres de respecter les dispositions de la directive.

La Commission a pris des mesures pour garantir une transposition correcte de la directive, notamment en lançant des procédures d'infraction contre plusieurs États membres. De telles procédures sont pendantes à l'égard de la République tchèque, de l'Allemagne, de la Roumanie et de la Suède. Le 31 mai 2012, la Commission a décidé de mettre un terme à la procédure contre l'Autriche et d'abandonner partiellement celle visant la Suède, étant donné que ces États membres ont transposé la directive. La Commission continue à examiner la transposition de la directive et engagera de nouvelles procédures en cas de nécessité.

La Commission n'ignore pas que la High Court of Ireland a adressé à la Cour de justice de l'Union européenne, le 11 juin 2012, une demande de décision préjudicielle portant sur ladite directive, enregistrée sous le numéro d'affaire C-293/12.

([1]) Directive 2006/24/CE.

Concernant la réforme du cadre juridique de l'UE relatif à la conservation des données, la Commission estime que toute révision de la directive en question devrait garantir que les données conservées seront utilisées exclusivement aux fins prévues dans ladite directive, et non à d'autres fins actuellement autorisées par la directive «vie privée et communications électroniques» ([2])'intention de proposer une révision de la directive sur la conservation des données, qui serait présentée en même temps qu'une révision à venir de la directive «vie privée et communications électroniques». Toute proposition de réforme de cette dernière prendra en compte le résultat des négociations sur la réforme du régime de protection des données de l'UE, qui relève de la responsabilité du membre de la Commission chargé de la justice, des droits fondamentaux et de la citoyenneté.

([2]) Directive 2002/58/CE.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005140/12
alla Commissione
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) e Jens Rohde (ALDE)
(21 maggio 2012)

Oggetto: Direttiva sulla conservazione di dati

Diverse corti costituzionali nazionali (in Romania, Germania e Repubblica ceca) hanno dichiarato che le legislazioni nazionali che recepiscono la direttiva 2006/24/CE riguardante la conservazione di dati sono da considerarsi incostituzionali.

Con la sentenza del 5 maggio 2010, la Corte d'appello irlandese (Irish High Court) ha deciso di rinviare la direttiva alla Corte di giustizia dell'Unione europea per una pronuncia pregiudiziale che chiarisca se siano stati violati i diritti fondamentali ai sensi dei trattati dell'UE, della CEDU e della Carta dei diritti fondamentali.

Il 18 aprile 2012, la Commissione ha annunciato che avrebbe avviato una procedura di infrazione nei confronti di alcuni Stati membri (Austria, Repubblica ceca, Germania e Romania) che non hanno recepito la direttiva nella legislazione nazionale. Una procedura di infrazione contro la Svezia è già stata avviata.

Nell'aprile del 2011, la Commissione ha pubblicato una relazione di valutazione sulla direttiva nella quale si afferma che vi sono state discrepanze nel modo in cui lo strumento è stato recepito dagli Stati membri, e che tali disparità hanno condotto a notevoli differenze in materia di limitazione delle finalità, accesso ai dati, periodi di conservazione e protezione dei dati. In conclusione, nella relazione si annuncia che la Commissione presenterà una proposta di revisione del quadro giuridico in materia di conservazione dei dati; si prevede che tale proposta sarà presentata nel luglio 2012.

— Può la Commissione fornire informazioni sullo stato di avanzamento del procedimento giudiziario avviato dalla Corte d'appello irlandese?

— Intende avviare nuove procedure di infrazione nei confronti di altri Stati membri e, in caso affermativo, contro quali Stati?

— Come giustifica la sua decisione di avviare procedure di infrazione mentre una causa è ancora pendente dinanzi alla Corte di giustizia dell'Unione europea e in considerazione del suo annuncio, motivato sulla base dei risultati illustrati nel rapporto di valutazione, che presenterà una proposta di revisione del quadro giuridico in materia di conservazione dei dati?

— Può confermare che presenterà una proposta nel luglio 2012 e fornire informazioni circa i contenuti previsti della revisione proposta?

Risposta di Cecilia Malmström a nome della Commissione
(23 luglio 2012)

La direttiva sulla conservazione dei dati ([1]) è stata adottata dal Parlamento europeo e dal Consiglio nel marzo 2006 e tutti gli Stati membri sono tenuti a conformarvisi. I lavori della Commissione per riformare il quadro giuridico dell'UE in materia di conservazione dei dati, in stretta consultazione con tutti i soggetti portatori d'interesse, non mettono in discussione l'obbligo giuridico degli Stati membri di conformarsi alla direttiva.

La Commissione ha adottato misure volte a garantire un corretto recepimento della direttiva, avviando anche procedimenti di infrazione nei confronti di alcuni Stati membri. I procedimenti contro la Repubblica ceca, la Germania, la Romania e la Svezia sono ancora in corso. Il 31 maggio 2012 la Commissione ha deciso di porre fine al procedimento contro l'Austria e di rinunciare parzialmente al ricorso contro la Svezia, avendo tali Stati membri recepito la direttiva. La Commissione continua ad esaminare il recepimento della direttiva e, se necessario, avvierà ulteriori procedimenti.

La Commissione è consapevole del fatto che l'11 giugno 2012 la High Court d'Irlanda ha chiesto alla Corte di giustizia europea di pronunciarsi in via pregiudiziale sulla direttiva e che la causa è stata registrata con il numero di riferimento C-293/12.

([1]) Direttiva 2006/24/CE.

Per quanto riguarda la riforma del quadro giuridico dell'UE in materia di conservazione dei dati, la Commissione ritiene che qualsiasi revisione della citata direttiva debba garantire che i dati conservati siano utilizzati unicamente ai fini previsti da tale direttiva e non per altre finalità, come attualmente consentito dalla direttiva relativa alla vita privata e alle comunicazioni elettroniche. La Commissione mira pertanto a proporre una revisione della direttiva sulla conservazione dei dati, da presentare contestualmente a una futura revisione della direttiva relativa alla vita privata e alle comunicazioni elettroniche. Qualsiasi proposta di riforma di quest'ultima direttiva prenderà in considerazione l'esito dei negoziati sulla riforma del regime dell'UE in materia di protezione dei dati, di competenza della Commissaria per la giustizia, i diritti fondamentali e la cittadinanza.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005140/12
aan de Commissie
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) en Jens Rohde (ALDE)
(21 mei 2012)

Betreft: Richtlijn gegevensbewaring

Verschillende nationale constitutionele hoven (in Roemenië, Duitsland en de Tsjechische Republiek) hebben verklaard dat de nationale wetten tot omzetting van Richtlijn 2006/24/EG betreffende de bewaring van gegevens ongrondwettig waren.

In zijn uitspraak van 5 mei 2010 besloot het Ierse High Court bij het Europees Hof van Justitie een verzoek om een prejudiciële beslissing in te dienen ten aanzien van de vraag of de richtlijn niet in strijd is met grondrechten krachtens de EU-verdragen, het EVRM en het Handvest van de grondrechten.

Op 18 april 2012 heeft de Commissie aangekondigd dat zij inbreukprocedures zal starten tegen een aantal lidstaten (Oostenrijk, Tsjechië, Duitsland en Roemenië) die de richtlijn niet in nationale wetgeving hebben omgezet. Zij heeft al een inbreukprocedure tegen Zweden ingeleid.

In april 2011 heeft de Commissie een evaluatieverslag over de richtlijn gepubliceerd, waarin wordt vastgesteld dat er verschillen bestaan in de manier waarop het instrument door de lidstaten is omgezet en dat deze ongelijkheid heeft geleid tot aanzienlijke verschillen op het gebied van doelbinding, toegang tot gegevens, bewaarperiode en gegevensbescherming. Tot besluit werd in het rapport aangekondigd dat de Commissie een voorstel tot wijziging van het gegevensbewaringskader zou indienen; dat voorstel wordt naar verwachting in juli 2012 ingediend.

— Kan de Commissie informatie geven over de stand van zaken rond de door het Ierse High Court aangespannen rechtszaak?

— Is de Commissie van plan om nieuwe inbreukprocedures tegen andere lidstaten te starten en, zo ja, welke?

— Hoe rechtvaardigt de Commissie haar besluit om inbreukprocedures door te zetten terwijl er een rechtszaak loopt bij het EHvJ en gezien haar aankondiging, op grond van de conclusies van het evaluatieverslag, dat zij een voorstel tot wijziging van het gegevensbewaringskader zal indienen?

— Kan de Commissie bevestigen dat zij in juli 2012 een voorstel zal indienen en kan zij informatie verstrekken over de te verwachten inhoud van de voorgestelde wijziging?

Antwoord van mevrouw Malmström namens de Commissie
(23 juli 2012)

De richtlijn betreffende de bewaring van gegevens ([1]) werd in maart 2006 door het Europees Parlement en de Raad goedgekeurd en alle lidstaten moeten e.a.n voldoen. De werkzaamheden die de Commissie in nauw overleg met alle belanghebbenden uitvoert met het oog op de hervorming van het wettelijk kader van de EU voor gegevensbewaring, doen geen afbreuk aan de wettelijke verplichting van de lidstaten om aan deze richtlijn te voldoen.

De Commissie heeft stappen ondernomen om te verzekeren dat de richtlijn correct wordt omgezet, onder meer door tegen een aantal lidstaten inbreukprocedures in te leiden. Er lopen nog procedures tegen Tsjechië, Duitsland, Roemenië en Zweden. Op 31 mei 2012 heeft de Commissie besloten de procedure tegen Oostenrijk te beëindigen en de zaak tegen Zweden gedeeltelijk in te trekken, omdat deze lidstaten de richtlijn hebben omgezet. De Commissie blijft de omzetting van de richtlijn onderzoeken en zal, indien nodig, nog procedures inleiden.

De Commissie is ervan op de hoogte dat de Ierse High Court op 11 juni 2012 aan het Europees Hof van Justitie prejudiciële vragen heeft gesteld over de richtlijn en dat deze zaak werd ingeschreven onder nummer C-293/12.

([1]) Richtlijn 2006/24/EG.

Wat de hervorming van het EU-rechtskader voor gegevensbewaring betreft, is de Commissie van oordeel dat elke herziening van de richtlijn betreffende de bewaring van gegevens moet waarborgen dat bewaarde gegevens uitsluitend worden gebruikt voor de in deze richtlijn genoemde doelen en niet voor andere doeleinden, zoals momenteel krachtens de e-privacyrichtlijn ([2]) is toegestaan. De Commissie wil daarom haar voorstel voor een herziening van de richtlijn betreffende de bewaring van gegevens tegelijk met een toekomstige herziening van de e-privacyrichtlijn indienen. In elk voorstel voor een herziening van de e-privacyrichtlijn zal rekening worden gehouden met het resultaat van de onderhandelingen over de hervorming van de EU-gegevensbeschermingsregeling, die onder de verantwoordelijkheid valt van de commissaris voor Justitie, grondrechten en burgerschap.

([2]) Richtlijn 2002/58/EG.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005140/12
adresată Comisiei
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) şi Jens Rohde (ALDE)
(21 mai 2012)

Subiect: Directiva privind păstrarea datelor

Mai multe curți constituționale (din România, Germania și Republica Cehă) au declarat că legile naționale de transpunere a Directivei 2006/24/CE privind păstrarea datelor erau neconstituționale.

În hotărârea sa din 5 mai 2010, Înalta Curte a Irlandei a decis să adreseze directiva către CEJ în vederea unei decizii preliminare care să stabilească dacă a încălcat drepturile fundamentale în conformitate cu Tratatele UE, cu CEDO și cu Carta drepturilor fundamentale.

La 18 aprilie 2012, Comisia a anunțat că va demara procedurile privind încălcarea dreptului comunitar împotriva unor state membre (Austria, Republica Cehă, Germania și România) care nu au reușit să transpună directiva în legislația națională. A lansat deja o procedură privind încălcarea dreptului comunitar împotriva Suediei.

În aprilie 2011, Comisia a publicat un raport de evaluare a directivei, care a afirmat că au existat diferențe privind modul de transpunere a instrumentului de către statele membre, și că aceste diferențe au condus la deosebiri considerabile în domeniul de limitare a domeniului de aplicare, al accesului la date, al perioadelor de păstrare și de protecție a datelor. În concluzie, raportul a anunțat faptul că Comisia va prezenta o propunere de revizuire a cadrului de păstrare a datelor; în prezent se așteaptă prezentarea propunerii în iulie 2012.

— Ar putea oferi Comisia informații cu privire la situația actuală a cauzei în instanță inițiată de către Înalta Curte a Irlandei?

— Va demara Comisia noi proceduri privind încălcarea dreptului comunitar împotriva statelor membre și, în caz afirmativ, care sunt acestea?

— Cum justifică Comisia hotărârea sa de a continua procedurile privind încălcarea dreptului comunitar în timp ce o cauză este încă pendinte la CEJ și, având în vedere anunțul său, pe baza constatărilor prezentate în raportul de evaluare, faptul că va prezenta o propunere de revizuire a cadrului de păstrare a datelor?

— Poate confirma Comisia faptul că va prezenta o propunere în iulie 2012 și poate furniza informații cu privire la conținutul planificat al revizuirii propuse?

Răspuns dat de dna Malmström în numele Comisiei
(23 iulie 2012)

Directiva privind păstrarea datelor ([1]) a fost adoptată de către Parlamentul European și Consiliu în martie 2006 și toate statele membre sunt obligate să o respecte. Eforturile Comisiei în direcția unei reforme a cadrului juridic al UE privind păstrarea datelor, în strânsă colaborare cu toate părțile interesate, nu pun în discuție obligațiile juridice ale statelor membre de a respecta directiva.

Comisia a luat măsuri pentru a garanta o transpunere corectă a directivei, inclusiv prin inițierea, împotriva mai multor state membre, a unor acțiuni în constatarea neîndeplinirii obligațiilor. Sunt încă în curs acțiuni împotriva Republicii Cehe, Germaniei, României și Suediei. La 31 mai 2012, Comisia a decis să încheie acțiunea împotriva Austriei și să retragă parțial cauza împotriva Suediei, întrucât aceste state membre au transpus directiva. Comisia continuă să analizeze transpunerea directivei și, dacă va fi necesar, va iniția proceduri ulterioare.

Comisia este conștientă de faptul că la 11 iunie 2012, Înalta Curte a Irlandei a adresat întrebări referitoare la directivă Curții Europene de Justiție pentru pronunțarea unei hotărâri preliminare, iar cauza a fost înregistrată cu numărul C-293/12.

([1]) Directiva 2006/24/CE.

În ceea ce privește reforma cadrului juridic al UE pentru păstrarea datelor, Comisia consideră că orice revizuire a Directivei privind păstrarea datelor ar trebui să asigure că datele păstrate vor fi utilizate exclusiv în scopurile prevăzute în această directivă, și nu pentru alte scopuri, astfel cum permite în prezent Directiva privind confidențialitatea în mediul electronic ([2]). Prin urmare, Comisia intenționează să propună o revizuire a Directivei privind păstrarea datelor, care să fie prezentată în același timp cu o revizuire viitoare a Directivei privind confidențialitatea în mediul electronic. Orice propunere de reformare a Directivei privind confidențialitatea în mediul electronic va lua în considerare rezultatul negocierilor referitoare la reforma regimului UE de protecție a datelor, care se află în responsabilitatea comisarului pentru justiție, drepturi fundamentale și cetățenie.

([2]) Directiva 2002/58/CE.

(Svensk version)

Frågor för skriftligt besvarande E-005140/12
till kommissionen
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) och Jens Rohde (ALDE)
(21 maj 2012)

Angående: Direktivet om lagring av uppgifter

Flera nationella författningsdomstolar (i Rumänien, Tyskland och Tjeckien) har förklarat den nationella lagstiftningen som införlivar direktiv 2006/24/EG om lagring av uppgifter grundlagsstridig.

I sin dom av den 5 maj 2010 beslöt Irlands högsta domstol att hänvisa direktivet till EU-domstolen för ett förhandsavgörande om huruvida det kränker de grundläggande rättigheterna i EU-fördragen, Europakonventionen och EU-stadgan om de grundläggande rättigheterna.

Den 18 april 2012 tillkännagav kommissionen att den skulle inleda överträdelseförfaranden mot ett antal medlemsstater (Rumänien, Tjeckien, Tyskland och Österrike) som inte har införlivat direktivet i nationell lagstiftning. Överträdelseförfaranden har redan inletts mot Sverige.

I april 2011 offentliggjorde kommissionen en utvärderingsrapport om direktivet där det konstaterades att det finns skillnader i hur instrumentet införlivades av medlemsstaterna, och att detta orsakat avsevärda skillnader när det gäller ändamålsbegränsning, tillgång till uppgifter, lagringstid och uppgiftsskydd. Sammanfattningsvis tillkännagavs det i rapporten att kommissionen skulle lägga fram ett förslag om att ändra ramverket för lagring av uppgifter. Detta förslag förväntas läggas fram i juli 2012.

— Kan kommissionen ge information om det aktuella läget för det ärende som inleddes av Irlands högsta domstol?

— Kommer kommissionen att inleda överträdelseförfaranden mot andra medlemsstater, och om så är fallet, vilka?

— Hur motiverar kommissionen sitt beslut att inleda överträdelseförfaranden medan ett ärende ännu behandlas i EU-domstolen, och hur motiverar kommissionen, med tanke på dess tillkännagivande, att den kommer att lägga fram ett förslag för att ändra ramverket för lagring av uppgifter baserat på resultaten av utvärderingsrapporten?

— Kan kommissionen bekräfta att den kommer att lägga fram ett förslag i juli 2012, och kan den ge någon information om det planerade innehållet i den föreslagna revideringen?

Svar från Cecilia Malmström på kommissionens vägnar
(23 juli 2012)

Direktivet om lagring av uppgifter ([1]) antogs av Europaparlamentet och rådet i mars 2006 och alla medlemsstater är skyldiga att rätta sig efter det. Kommissionens arbete för en reform av EU:s rättsliga ram om lagring av uppgifter, som sker i nära samråd med alla berörda aktörer, påverkar inte medlemsstaternas rättsliga skyldighet att följa direktivet.

Kommissionen har vidtagit åtgärder för att se till att direktivet införlivas på ett korrekt sätt, bland annat genom att inleda överträdelseförfaranden mot ett antal medlemsstater. Förfaranden pågår fortfarande mot Tjeckien, Tyskland, Rumänien och Sverige. Den 31 maj 2012 beslutade kommissionen att avsluta förfarandet mot Österrike och att delvis lägga ned sitt förfarande mot Sverige, eftersom dessa medlemsstater har införlivat direktivet. Kommissionen fortsätter att granska införlivandet av direktivet och kommer vid behov att inleda ytterligare förfaranden.

Kommissionen är medveten om att Irlands högsta domstol hänvisade frågor gällande direktivet till EU-domstolen för ett förhandsavgörande den 11 juni 2012, och att ärendet registrerades som mål C-293/12.

([1]) Direktiv 2006/24/EG.

När det gäller reformen av EU:s rättsliga ram för lagring av uppgifter anser kommissionen att varje ändring av direktivet om lagring av uppgifter bör garantera att de lagrade uppgifterna används endast för de ändamål som omfattas av detta direktiv, och inte för andra ändamål som för närvarande är möjligt enligt direktivet om integritet och elektronisk kommunikation. ([2]) Därför avser kommissionen att föreslå en översyn av direktivet om lagring av uppgifter, vilket ska läggas fram samtidigt som en kommande översyn av direktivet om integritet och elektronisk kommunikation. Varje förslag om ändring av direktivet om integritet och elektronisk kommunikation kommer att beakta resultatet av förhandlingarna om ändringen av EU:s system för uppgiftsskydd som kommissionären med ansvar för rättsliga frågor, grundläggande rättigheter och medborgarskap ansvarar för.

([2]) Direktiv 2002/58/EG.

(English version)

Question for written answer E-005140/12
to the Commission
Renate Weber (ALDE), Sonia Alfano (ALDE), Alexander Alvaro (ALDE), Cecilia Wikström (ALDE), Nathalie Griesbeck (ALDE), Nadja Hirsch (ALDE), Gianni Vattimo (ALDE), Baroness Sarah Ludford (ALDE), Sophia in 't Veld (ALDE), Louis Michel (ALDE) and Jens Rohde (ALDE)
(21 May 2012)

Subject: Data Retention Directive

Several national constitutional courts (in Romania, Germany and the Czech Republic) have declared that the national laws transposing Directive 2006/24/EC on the retention of data were unconstitutional.

In its judgment of 5 May 2010, the Irish High Court decided to refer the directive to the ECJ for a preliminary ruling as to whether it breached fundamental rights under the EU Treaties, the ECHR and the Charter of Fundamental Rights.

On 18 April 2012, the Commission announced that it would begin infringement proceedings against a number of Member States (Austria, the Czech Republic, Germany and Romania) that that have failed to transpose the directive into national law. It has already launched an infringement procedure against Sweden.

In April 2011, the Commission published an evaluation report on the directive which stated that there were disparities in the way the instrument was transposed by Member States, and that these disparities had lead to considerable differences in the areas of purpose limitation, access to data, periods of retention and data protection. In conclusion, the report announced that the Commission would present a proposal for revising the data retention framework; that proposal is currently expected to be submitted in July 2012.

— Could the Commission provide information on the state of play of the court case initiated by the Irish High Court?

— Will the Commission start new infringement proceedings against other Member States and, if so, which ones?

— How does the Commission justify its decision to pursue infringement procedures while a court case is pending in the ECJ, and given its announcement, on the basis of the findings presented in the evaluation report, that it would present a proposal for revising the data retention framework?

— Can the Commission confirm that it will present a proposal in July 2012, and can it provide any information about the planned content of the proposed revision?

Answer given by Ms Malmström on behalf of the Commission
(23 July 2012)

The Data Retention Directive ([1]) was adopted by the European Parliament and the Council in March 2006 and all Member States are required to comply with it. The Commission's work towards a reform of the EU legal framework for data retention, in close consultation with all stakeholders, does not call into question the Member States' legal obligation to comply with the directive.

The Commission has taken steps to ensure a correct transposition of the directive, including by initiating infringement proceedings against a number of Member States. Proceedings are still open against the Czech Republic, Germany, Romania and Sweden. On 31 May 2012, the Commission decided to end proceedings against Austria, and to partially withdrawal its case against Sweden, as those Member States have transposed the directive. The Commission continues to examine the transposition of the directive and will, if necessary, initiate further proceedings.

The Commission is aware that the High Court of Ireland on 11 June 2012 referred questions relating to the directive to the European Court of Justice for a preliminary ruling, and that the case was registered as Case C-293/12.

([1]) Directive 2006/24/EC.

With respect to the reform of the EU legal framework for data retention, the Commission considers that any revision of the Data Retention Directive should ensure that retained data will be used exclusively for the purposes foreseen in this directive, and not for other purposes as currently allowed by the E-Privacy Directive ([2]). The Commission therefore aims to propose a revision of the Data Retention Directive, to be presented at the same time as a future revision of the E-Privacy Directive. Any proposal reforming the E-Privacy Directive will take into account the result of the negotiations on the reform of the EU data protection regime, which is under the responsibility of the Commissioner for Justice, Fundamental Rights and Citizenship.

([2]) Directive 2002/58/EC.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005142/12
alla Commissione
Matteo Salvini (EFD)
(21 maggio 2012)

Oggetto: Normativa europea per la registrazione dei veicoli mobili

In Italia la registrazione dei veicoli mobili viene effettuata da due istituzioni distinte: la motorizzazione civile, che fa capo al Ministero dei Trasporti, e il PRA (pubblico registro automobilistico). Tale duplicazione incrementa la pressione fiscale del nostro paese (già la più alta tra i paesi dell'UE) e contribuisce ad alimentare gli sprechi della spesa pubblica.

Numerose le iniziative politiche volte alla risoluzione del problema, tra cui la proposta di un referendum nel 1996, il progetto di legge 1330/2003 e la legge n. 40 del 2.4.2007 del pacchetto Bersani sulle liberalizzazioni: tutti rimasti a livello di progetti.

Non crede la Commissione che sia necessaria una direttiva europea che normalizzi la legislazione comunitaria in materia di registrazione dei veicoli mobili?

Risposta di Antonio Tajani a nome della Commissione
(28 giugno 2012)

Tutti gli Stati membri dispongono di un sistema di registrazione dei veicoli e rientra nelle loro competenze designare le autorità incaricate della registrazione. Poiché la materia non è armonizzata a livello dell'UE compete agli Stati membri assicurare una procedura agevole ed evitare le duplicazioni cui fa riferimento l'onorevole deputato.

Tuttavia i problemi legati alla registrazione dei veicoli — in particolare l'obbligo di registrare, nello Stato membro di destinazione, un veicolo a motore registrato nello Stato membro d'origine rappresenta da anni un'importante fonte di denunce e di cause presso la Corte di giustizia. Nelle sue iniziative volte ad affrontare tale problema la Commissione ha adottato di recente una proposta di regolamento recante norme per la semplificazione del trasferimento all'interno del mercato unico dei veicoli a motore immatricolati in un altro Stato membro. L'iniziativa, che riguarda esclusivamente le situazioni transfrontaliere all'interno dell'UE, intende migliorare il funzionamento del mercato unico e promuovere un'effettiva libera circolazione dei beni con l'eliminazione delle barriere amministrative legate alla duplice registrazione dei veicoli a motore. Gli obiettivi principali dell'iniziativa sono armonizzare, snellire e semplificare le procedure per la nuova registrazione dei veicoli a motore registrati in un altro Stato membro a vantaggio dei cittadini, dei lavoratori, dei datori di lavoro, delle società che offrono auto in affitto e in leasing, e delle autorità preposte alla registrazione, riducendo gli oneri amministrativi che gravano su tutti gli attori interessati.

(English version)

Question for written answer E-005142/12
to the Commission
Matteo Salvini (EFD)
(21 May 2012)

Subject: European legislation on the registration of moving vehicles

In Italy, the registration of moving vehicles is carried out by two distinct institutions: the vehicle licensing authority, which is part of the Ministry of Transport, and the PRA, the Italian Public Motoring Register. This duplication increases the tax burden in our country (which is already the highest of all EU Member States) and contributes to wasting public money.

There have been numerous political initiatives aimed at solving the problem, including the proposal for a referendum in 1996, Draft Law 1330/2003 and Law No 40 of 2 April 2007 included in the Bersani liberalisation package — all of these, however, have remained at the draft or proposal stage.

Does the Commission not believe that a European directive is necessary to standardise EU legislation on the matter of vehicle registration?

Answer given by Mr Tajani on behalf of the Commission
(28 June 2012)

All Member States have a vehicle registration system and it falls within their competence to designate the authorities in charge of registration. As the matter is not harmonised at EU level, it is the responsibility of Member States to ensure a smooth process and avoid the duplication to which the Honourable Member referred.

Nevertheless, car registration problems — in particular the obligation to register, in the receiving Member State, a motor vehicle registered in the Member State of origin have for many years been an important source of complaints and court cases ([1]). In its effort to address this situation, the Commission recently adopted a proposal for a regulation simplifying the transfer of motor vehicles registered in another Member State within the single market ([2]). The initiative, applying exclusively to cross-border situations within the EU, aims to improve the functioning of the single market and to facilitate a genuine free movement of goods through the elimination of administrative barriers related to the re-registration procedure for motor vehicles. The main objectives of the initiative are to harmonise, streamline, and simplify the procedures for re-registration of motor vehicles registered in another Member State, for citizens, employees, employers, car rental and leasing companies, and registration authorities, while reducing the administrative burdens of all actors involved.

([1]) During the last 10 years, there were more than 114 complaints and the Court of Justice ruled 17 judgments in car registration related cases.
([2]) COM(2012) 164.

(English version)

Question for written answer E-005144/12
to the Commission
Arlene McCarthy (S&D)
(21 May 2012)

Subject: Bear baiting in the US and Pakistan

Following the entry into force of the Lisbon Treaty, the EU recognises animals as sentient beings and has pledged to pay full regard to the welfare requirements of animals.

In light of this, and following the insertion of similar clauses into the EU-Korea and EU-Ukraine Free Trade Agreements, will the Commission consider inserting animal welfare clauses into trade agreements with the United States and Pakistan, due to the practice of bear baiting in these countries?

Answer given by Mr Dalli on behalf of the Commission
(10 July 2012)

As regards the inclusion of animal welfare provision in bilateral trade agreements with third countries, the Commission has been working for years now to raise awareness and promote shared understanding on mutually agreed standards with the main EU trading partners and will continue in the future, as announced in the EU strategy for animal welfare (2012-2015). However, as regards bear fighting or other animals fights there are no EU standards nor international standards at the World Organisation for Animal Health (OIE).

At this stage, the Commission does not envisage engaging in FTA negotiations with Pakistan in the short term. As regards the United States, there is no Free Trade Agreement (FTA) negotiations open at this stage. At the latest EUU/US Summit in November 2011, both sides agreed to look into ways and means to deepen further the trade and investment relationship with a view to maximising positive impact on jobs, growth and competitiveness, through the establishment of a High Level Working Group on Jobs and Growth (interim report issued on 19 June 2012).

(Versión española)

Pregunta con solicitud de respuesta escrita E-005145/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(21 de mayo de 2012)

Asunto: Impacto medioambiental de la industria peletera

El estudio «The environmental impact of mink fur production» ([1]), elaborado en 2011 por la consultora independiente CE Delft, muestra el grave impacto medioambiental que provoca la industria peletera en aquellos países donde las granjas y plantas de tratamiento se establecen. El informe advierte que las granjas de visones, todavía permitidas en parte de los Estados miembros, generan contaminación de los recursos hídricos, contaminación del aire y también una severa degradación del suelo.

En lo relativo al coste ecológico de las prendas de piel, se determina a través de una sencilla escala gráfica que estos productos de origen animal tienen un mayor impacto que otras alternativas sintéticas o naturales como el poliéster o el algodón.

Los investigadores de CE Delft, así como organizaciones internacionales, alertan del uso de elementos de alta toxicidad para tratar las pieles y evitar su putrefacción en los días posteriores a la muerte de los visones, en este caso, y de otras especies. Algunos de ellos identificados por las autoridades de salud de los Estados Unidos como carcinógenos.

Esto significa que a pesar de lo que se esfuerza la industria peletera por publicitar las supuestas ventajas «sostenibles» de los productos de origen animal, éstos no son ni tan naturales ni tan ecológicos como podrían parecer.

— ¿Conoce la Comisión el citado estudio? En caso positivo, ¿tiene previsto establecer alguna disposición normativa o recomendación para advertir a los consumidores del impacto medioambiental? En caso negativo ¿tiene previsto iniciar alguna investigación sobre la peletería y su impacto en el Medio Ambiente?

— Con respecto al bienestar de los animales en instalaciones peleteras ¿tiene previsto la Comisión redactar alguna disposición para mejorar la vida de estos seres vivos?

— ¿Considera la Comisión suficientes las directivas establecidas en este campo hasta el momento?

Respuesta del Sr. Potočnik en nombre de la Comisión
(5 de julio de 2012)

La Comisión no conoce el estudio que menciona Su Señoría. Tampoco tiene la intención de adoptar disposiciones o recomendaciones que adviertan a los consumidores del impacto medioambiental de las granjas dedicadas a la producción de pieles, ni va a emprender ninguna investigación sobre la industria peletera y su impacto en el medio ambiente.

La Directiva 98/58/CE, relativa a la protección de los animales en las explotaciones ganaderas ([2]), y la Recomendación del Consejo de Europa sobre los animales de peletería ([3]) establecen unos niveles de bienestar mínimos para los animales que se crían para la producción de pieles. Existen, además, disposiciones detalladas para las principales especies de cría, como, por ejemplo, los visones, y, en aplicación del artículo 10, apartado 2, de esa Directiva, los Estados miembros pueden adoptar a nivel nacional normas más estrictas para mejorar el bienestar de los animales.

La Segunda Estrategia de la UE para la Protección y el Bienestar de los Animales (2012-2015) ([4]) tiene por objeto desarrollar un enfoque holístico que se centre en la ejecución de la normativa existente y en el establecimiento de mecanismos generales que se apliquen a todos los animales utilizados en el contexto de una actividad económica.

Dentro de ese marco general, la Comisión evaluará en los próximos años la forma de tratar adecuadamente el bienestar de los animales de peletería.

([1]) http://www.cedelft.eu/publicatie/the_environmental_impact_of_mink_fur_production/1131.
([2]) DO L 221 de 8.8.1998.
([3]) http://wayback.archive-it.org/1365/20101114061613/http://www.coe.int/t/e/legal_affairs/legal_co-operation/biological_safety%2C_use_of_animals/farming/Rec%20fur%20animals%20E%201999.asp.
([4]) http://ec.europa.eu/food/animal/welfare/actionplan/actionplan_es.htm

(English version)

Question for written answer E-005145/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(21 May 2012)

Subject: Environmental impact of the fur industry

The study 'The environmental impact of mink fur production' ([1]), drawn up in 2011 by independent consultants CE Delft, shows the serious environmental impact of the fur industry in countries where farms and processing plants are established. The report warns that mink farms, which some Member States still permit, cause air and water pollution and severe soil degradation.

Regarding the ecological cost of fur garments, a simple linear scale determines that these animal products have a greater impact than synthetic and natural alternatives, such as polyester and cotton.

The CE Delft researchers and international organisations warn of the highly toxic chemicals used to treat pelts and to stop them rotting in the days following the death of minks, in this case, and of other species. Some of these chemicals have been identified by United States health authorities as carcinogenic.

This means that, despite the fur industry's attempts to advertise the supposed 'sustainable' advantages of animal products, they are neither as natural, nor as ecological, as they might seem.

— Is the Commission aware of this study? If so, does it plan to adopt any rules or recommendations to warn consumers of the environmental impact? If not, does it plan to conduct any investigation of the fur industry and its impact on the environment?

— With regard to animal welfare in fur plants, does the Commission intend to draft a provision to improve the lives of these creatures?

— Does the Commission consider the existing directives in this field to date to be sufficient?

Answer given by Mr Potočnik on behalf of the Commission
(5 July 2012)

The Commission is not aware of the study referred to by the Honourable Member and does not plan to either adopt any rules or recommendations to warn consumers of the environmental impact or fur farms or to conduct any investigation of the fur industry and its impact on the environment.

Directive 98/58/EC on the protection of animals kept for farming purposes ([2]) and the recommendation of the Council of Europe on fur animals ([3]) provide minimum welfare standards for animals bred and kept for fur production. Detailed provisions exist for the main farmed species such as minks. In line with Article 10 (2) of the directive, Member States can adopt stricter national provisions in order to improve further the welfare of animals.

The second EU strategy for the protection and welfare of animals 2012-2015 ([4]) aims at developing a holistic approach — focusing on enforcement of the existing legislation and the establishment of general mechanisms applicable to all animals used in the context of an economic activity.

Within this general framework, the Commission will evaluate, in the forthcoming years, how the welfare of fur animals could be addressed.

([1]) http://www.cedelft.eu/publicatie/the_environmental_impact_of_mink_fur_production/1131.
([2]) OJ L 221, 8.8.1998.
([3]) http://wayback.archive-it.org/1365/20101114061613/http://www.coe.int/t/e/legal_affairs/legal_cooperation/biological_safety%2C_use_of_animals/farming/Rec%20fur%20animals%20E%201999.asp.
([4]) http://ec.europa.eu/food/animal/welfare/actionplan/actionplan_en.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-005146/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(21 de mayo de 2012)

Asunto: Cursos de caza para personas menores de edad

Durante el último año se han sucedido en España la organización de diferentes cursos sobre caza dirigidos principalmente a personas menores de edad. Estos cursos, camuflados en ocasiones como actividades en la naturaleza, contemplan conferencias y clases prácticas en lo que supone el adoctrinamiento en una actividad para la cual no tienen la madurez suficiente ni la edad legal para participar.

En Galicia, durante 2011 se produce la organización de un curso de estas características en la localidad de Fornelos de Pontes (provincia de Pontevedra), denunciado por la Asociación Animalista Libera por permitir la presencia de personas menores de 16 años. Resulta paradójico que mientras la normativa gallega determina que las personas con 16 años de edad pueden participar en actividades de caza, se realicen cursos dirigidos a promover esta actividad entre niños de 12 a 14 años. Lo que a este eurodiputado le sugiere la idea de promover películas no recomendadas a ciertas edades precisamente a esos grupos de edad.

Además, el citado curso, que se repetirá en 2012, se muestra un cartel promocional con imágenes de menores en plena naturaleza, reflejando una situación completamente alejada de lo que supone la caza: sangre y muerte de animales como forma de ocio.

La Junta de Castilla y León también ha puesto en marcha durante los últimos meses campañas educativas para promover la caza en centros escolares, cuando en 2011 dejó el presupuesto dedicado a la Educación Ambiental a cero euros, lo que deja entrever las prioridades.

La caza es una actividad que genera un impacto ambiental evidente, a través de la contaminación a causa de la munición, envenenando los ecosistemas y los animales que allí viven, además de ser una actividad reprobable desde el aspecto moral, y que genera miles de víctimas colaterales, como los casos de maltrato a los perros empleados en actividades cinegéticas.

— ¿Qué opinión le merece a la Comisión la organización de cursos de estas características dirigidos a menores de edad?

— ¿Ha financiado la Comisión a través de sus fondos estructurales a alguna organización dedicada a la caza, a su promoción o impulso?

Respuesta de la Sra. Vassiliou en nombre de la Comisión
(3 de agosto de 2012)

El artículo 165 del Tratado de Funcionamiento de la Unión Europea asigna a la Unión la tarea de contribuir al desarrollo de una educación de calidad fomentando la cooperación entre los Estados miembros y, si fuere necesario, apoyando y completando la acción de éstos en el pleno respeto de sus responsabilidades en cuanto a los contenidos de la enseñanza y a la organización del sistema educativo. Cuestiones como la planteada por Su Señoría son competencia exclusiva de los Estados miembros.

Las acciones en el ámbito de la educación que pueden recibir financiación del Fondo Social Europeo (FSE) están relacionadas con reformas en los sistemas para aumentar la empleabilidad, mejorar la adecuación de la educación y formación profesionales a las exigencias del mercado de trabajo y actualizar los conocimientos del personal docente, así como para introducir medidas dirigidas a aumentar la participación en la educación y la formación, incluidas medidas tendentes a lograr la reducción del abandono escolar y de la orientación de los educandos a distintas materias en función de su sexo y a incrementar el acceso a la formación profesional y la educación y formación superior, y la calidad de estas. Por tanto, el FSE no financia actividades educativas relacionadas con la caza.

La Comisión no dispone de pruebas que indiquen que el Fondo Europeo de Desarrollo Regional (FEDER) haya apoyado ninguno de los proyectos mencionados por Su Señoría.

(English version)

Question for written answer E-005146/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(21 May 2012)

Subject: Hunting courses for underage children

Over the past year, various hunting courses, aimed primarily at underage children, have been organised in Spain. These courses, which are sometimes dressed up as nature activities, include lectures and practical classes that amount to indoctrination in an activity for which they are neither sufficiently mature nor of legal age to take part.

In Galicia, a course of this kind organised in 2011 in Fornelos de Pontes (Pontevedra province) was criticised by the Libera Animal Rights Association for allowing persons under 16 years of age to attend. Paradoxically, while Galician legislation specifies that 16 year olds may participate in hunting activities, courses aimed at promoting this activity are run for children aged from 12 to 14. For this MEP, this is like aiming the advertising of films not recommended for certain age groups precisely at those age groups.

Moreover, the course alluded to, which will be repeated in 2012, uses an advertising poster with images of underage children surrounded by nature, reflecting a situation completely removed from what hunting entails: blood and the death of animals as a leisure pursuit.

The Government of Castile-León has recently launched educational campaigns to promote hunting in schools, while no money was allocated to environmental education in 2011, which reveals its priorities.

Hunting is an activity with a clear environmental impact through pollution caused by ammunition, poisoning ecosystems and the animals that live in them, besides being a reprehensible activity from a moral standpoint, and one that generates thousands of collateral victims, such as the cases of mistreatment of dogs used in hunts.

— What is the Commission's opinion of the running of courses of this kind, aimed at underage children?

— Has the Commission, through its structural funds, financed any organisation that is dedicated to hunting, or to advertising or promoting this activity?

Answer given by Mrs Vassiliou on behalf of the Commission
(3 August 2012)

Article 165 of the Treaty on the Functioning of the European Union gives the Union the task of contributing to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organisation of the education system. Matters such as those raised by the Hounorable Member fall entirely within the competence of the Member States.

Education actions that could be financed by the European Social Fund (ESF) relate to reforms in systems in order to develop employability, improve the labour market relevance of vocational education and training, update skills of training personnel and measures to increase participation in education and training, including through action to reduce early school leaving, gender-based segregation of subjects and increase access to and quality of initial vocational and tertiary education and training. Therefore, the ESF does not finance education activities related to hunting.

The Commission has no evidence that the European Regional Development Fund (ERDF) supported any of the projects mentioned by the Honourable Member.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005147/12
alla Commissione
Giovanni La Via (PPE)
(21 maggio 2012)

Oggetto: MUOS (Mobile User Objective System): limiti di esposizione della popolazione ai campi elettromagnetici

Premesso che, conformemente ai trattati, gli Stati membri hanno la responsabilità di proteggere i loro cittadini dagli effetti potenziali per la salute derivanti dai campi elettromagnetici.

Premesso che la raccomandazione 1999/519/CE del Consiglio, relativa alla limitazione dell'esposizione della popolazione ai campi elettromagnetici, propone un insieme di limiti d'esposizione intesi a costituire una protezione a tutela dei cittadini dai campi elettromagnetici.

Considerato che:

presso il territorio di Niscemi, all'interno della riserva naturale «Sughereta», sito di interesse comunitario (SIC), si sta procedendo alla costruzione di un nuovo sistema di telecomunicazioni satellitari, ad altissima frequenza e a banda stretta, delle forze armate USA, denominato MUOS (Mobile User Objective System);

tale impianto ha un raggio di azione di emissione delle onde elettromagnetiche di circa 130 km, coprendo quindi zone abitate e non desertiche, come nel caso, invece, delle altre stazioni MUOS;

l'attività di monitoraggio eseguita dall'ARPA (Agenzia regionale di protezione ambientale) a Niscemi è stata ritenuta, da alcuni studiosi dei migliori atenei italiani, fortemente limitata, in quanto effettuata con strumentazione e procedure di misurazione non del tutto adeguate al rilievo del tipo di emissioni dovute all'installazione delle antenne del MUOS;

a pochi chilometri di distanza opererà l'Aeroporto di Comiso e, pertanto, tale impianto potrebbe essere incompatibile con le apparecchiature radar del suddetto aeroporto, e non è possibile escludere a priori eventi calamitosi e/o sismici, che potrebbero produrre un puntamento errato, anche di una sola delle tre antenne, con conseguenze devastanti sulla sicurezza del traffico aereo.

Viste, infine, le forti preoccupazioni dell'opinione pubblica in merito a questa decisione, a causa delle eventuali conseguenze sulla salute e sull'impatto ambientale, si chiede alla Commissione di sapere:

— se ritiene che con la decisione di installare il MUOS venga rispettata la normativa comunitaria e tutelata la salute dei cittadini, anche alla luce della succitata raccomandazione del Consiglio, del 12 luglio 1999, e dei limiti di esposizione della popolazione ai campi elettromagnetici in essa contenuti.

Risposta di John Dalli a nome della Commissione
(3 luglio 2012)

Conformemente al trattato sul funzionamento dell'Unione europea e in particolare al suo articolo 168 compete primariamente agli Stati membri la responsabilità della fornitura di assistenza sanitaria. Sono pertanto gli Stati membri ad essere responsabili della protezione del pubblico dagli effetti potenziali che i campi elettromagnetici potrebbero avere per la salute. Di conseguenza, una questione specificamente locale come quella descritta nella riserva naturale «Sughereta» va affrontata da parte delle autorità nazionali competenti.

La raccomandazione 1999/519/CE del Consiglio ([1]) propone orientamenti in tema di esposizione volti ad assicurare un livello elevato di protezione del pubblico. Tutti gli Stati membri dell'UE hanno posto in atto un quadro normativo almeno equivalente a questo strumento quadro ai fini della protezione.

([1]) Raccomandazione del Consiglio (1999/519/CE), del 12 luglio 1999 relativa alla limitazione dell'esposizione della popolazione ai campi elettromagnetici (da 0 Hz a 300 GHz).

Per assicurare che gli attuali limiti di esposizione siano sufficientemente rigorosi per proteggere la salute pubblica la Commissione segue continuativamente gli sviluppi delle conoscenze scientifiche nel merito con l'ausilio del Comitato scientifico dei rischi sanitari emergenti recentemente identificati (SCENIHR). Finora le prove scientifiche disponibili corroborano la constatazione che i limiti d'esposizione attualmente in vigore sono sufficienti ad assicurare un livello elevato di protezione del pubblico.

(English version)

Question for written answer E-005147/12
to the Commission
Giovanni La Via (PPE)
(21 May 2012)

Subject: Mobile User Objective System (MUOS): limits on electromagnetic field exposure for the general public

In accordance with the Treaties, Member States are responsible for protecting their citizens' health from the potential effects of electromagnetic fields.

In particular, Council Recommendation 1999/519/EC on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz) proposes a set of exposure limits designed to protect citizens from electromagnetic fields.

In the Niscemi area, within the Sughereta nature reserve, a site of Community importance (SCI), construction is going ahead for the new MUOS satellite telecommunications system for the US armed forces, which uses a very high frequency and narrow bandwidth;

This facility has an electromagnetic wave emission radius of around 130 km, including inhabited and non-desert regions, which is not the case with other MUOS stations;

According to a number of academics in leading Italian universities, the monitoring activity carried out by ARPA (Regional Environment Protection Agency) in Niscemi has been greatly hampered by the use of measuring instruments and processes that are far from suitable for the detection of the type of emissions resulting from installation of the MUOS antennas;

Comiso Airport is due to operate a few kilometres away and, as a result, this facility could be incompatible with the airport's radar equipment. Furthermore, one cannot rule out the possibility of future natural disasters and/or seismic events, which might cause any one of the three antennae to point in the wrong direction, with devastating consequences for the safety of air traffic.

Given the above, and in view of the strong public concern over this decision due to the potential health-related consequences and environmental impact:

— does the Commission consider that with the decision to install the MUOS, EU regulations are being complied with and the health of citizens protected, particularly in view of the aforementioned Council Recommendation of 12 July 1999, and of the limits on exposure to electromagnetic fields for the general public set out therein?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

In accordance with the Treaty on the Functioning of the European Union, and in particular in its Article 168, it is the Member States which are primarily responsible for the delivery of healthcare. It is therefore Member States who are responsible for the protection of the public from the potential health effects from electromagnetic fields. As a result, any specific local issue, such as the one described in the nature reserve 'Sughereta' must be dealt with by the relevant competent authorities.

Council Recommendation 1999/519/EC ([1]) proposes exposure guidelines meant to ensure a high level of protection of the public. All EU Member States have put a regulatory framework in place at least equivalent to this framework of protection.

([1]) Council Recommendation (1999/519/EC) of 12 July 1999 on the limitation of the exposure of the general public to electromagnetic fields (0 Hz-300 GHz).

In order to make sure that the current exposure limits are sufficiently strict to protect the health of the public, the Commission continuously monitors the development of the relevant scientific knowledge with the help of the European Scientific Committee for Emerging and Newly Identified Health Risks (SCENIHR). So far, the available scientific evidence continues to support that the exposure limits currently in place are sufficient to ensure a high level of protection for the public.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005148/12
an die Kommission
Karl-Heinz Florenz (PPE)
(21. Mai 2012)

Betrifft: Gescheiterter Fusionsversuch der Deutschen Börse AG mit der New York Stock Exchange

Wie der Presse zu entnehmen ist, werden nach dem gescheiterten Fusionsversuch der Deutschen Börse AG mit der New York Stock Vorwürfe laut, wonach die Deutsche Börse AG die EU-Kommission verklagen will — die Deutsche Börse AG gibt an, keinerlei Kenntnis von etwaigen kartellrechtlichen Problemen gehabt zu haben und will nun Kosten von mindestens 100 Mio. EUR geltend machen.

In diesem Zusammenhang stellen sich zahlreiche Fragen:

— Ist es zutreffend, dass es vor Veröffentlichung der Angebotsunterlagen für den geplanten Zusammenschluss der Deutschen Börse AG und der New York Stock Exchange keinerlei formelle oder informelle Anfragen oder Gespräche — auch über Dritte — mit der zuständigen EU-Wettbewerbskommission über eine Fusion der beiden Unternehmen gab?

— Gab es auch vorher — zu keinem Zeitpunkt — Gespräche zwischen Vertretern der beiden genannten Unternehmen und Vertretern der EU-Wettbewerbskommission über die aufsichtsrechtlichen Aspekte eines Zusammenschlusses zwischen der Deutschen Börse AG und der NYSE?

— Wann hat die EU-Kommission erstmalig von den Fusionsplänen zwischen der Deutschen Börse AG und der NYSE im Jahre 2011 erfahren?

— Wurden die Deutsche Börse AG und die NYSE, beziehungsweise deren Berater, erst nach Veröffentlichung der Angebotsunterlagen erstmalig auf kartellrechtliche Risiken einer Fusion hingewiesen? Wann wurden die Deutsche Börse/NYSE beziehungsweise von diesen beauftragte Dritte erstmalig offiziell oder inoffiziell von der EU-Kommission auf mögliche aufsichtsrechtliche Risiken des in Rede stehenden Zusammenschlusses hingewiesen?

— Wurden die unterschiedlichen Sichtweisen hinsichtlich des „Clearing-Marktes" erst nach Veröffentlichung der Angebotsunterlagen zwischen der Deutschen Börse AG und der NYSE erörtert, oder gab es diesbezüglich bereits vorher einen Austausch, gegebenenfalls über Dritte, z. B. mandatierte Anwälte oder Lobbyisten?

Antwort von Herrn Almunia im Namen der Kommission
(29. Juni 2012)

Der geplante Zusammenschluss zwischen Deutsche Börse AG und NYSE Euronext wurde von der Kommission nach der EU-Fusionskontrollverordnung ([1]) und den Leitlinien ihrer Generaldirektion Wettbewerb über bewährte Praktiken bei Fusionskontrollverfahren („Best Practices on the conduct of EC merger control proceedings" ([2])) geprüft.

Formell begann das Prüfverfahren mit der Anmeldung des geplanten Zusammenschlusses am 29. Juni 2011. Im Einklang mit den genannten Leitlinien gab es vor der Anmeldung Kontakte zwischen der Kommission und den Parteien sowie deren rechtlichen Vertretern, um die Vollständigkeit der Anmeldung zu gewährleisten und die anschließende Prüfung des Vorhabens durch die Kommission zu erleichtern. Die Kontakte kamen auf Ersuchen der rechtlichen Vertreter der Parteien im Februar 2011 nach der Ankündigung des Vorhabens durch die Parteien zustande. Vor diesem Zeitpunkt gab es hinsichtlich des geplanten Zusammenschlusses keine Kontakte zwischen den Parteien oder ihren rechtlichen Vertretern und der Kommission.

([1]) ABl. L 24 vom 29.1.2004, S. 1.
([2]) http://ec.europa.eu/competition/mergers/legislation/proceedings.pdf

Die Kommission hat den Parteien entsprechend den Leitlinien über bewährte Praktiken in jedem relevanten Verfahrensstadium ihre vorläufigen Feststellungen mitgeteilt, so auch zu den Kernpunkten Derivatehandel und Clearing. In diesem Zusammenhang fanden sogenannte „State of Play meetings" (Sachstandstreffen) statt; die Kommission hat ihren vorläufigen Standpunkt sowohl in dem Beschluss zur Einleitung des Hauptprüfverfahrens (Phase II) vom 4. August 2011 als auch in ihrer Mitteilung der Einwände vom 5. Oktober 2011 schriftlich dargelegt. Ferner hat die Kommission den Parteien mehrfach Rückmeldung zu den von ihnen angebotenen Abhilfemaßnahmen gegeben.

(English version)

Question for written answer E-005148/12
to the Commission
Karl-Heinz Florenz (PPE)
(21 May 2012)

Subject: Failed attempt to merge Deutsche Börse AG with the New York Stock Exchange

According to press reports, complaints are being made by Deutsche Börse AG, the company that operates the German Stock Exchange, following its failed attempt to merge with the New York Stock Exchange (NYSE). It would seem that Deutsche Börse AG intends to take action against the European Commission because it claims not to have known of any breach of antitrust rules and is to seek costs of at least EUR 100 million.

A number of questions arise in this context:

— Is it true that there were no formal or informal questions or discussions — even through intermediaries — with the responsible EU competition authority about a merger between Deutsche Börse AG and the NYSE before the publication of the offer document for the planned merger?

— Prior to this, were there never any conversations between representatives of the two aforementioned undertakings and representatives of the EU competition authority regarding the supervisory aspects of a merger between Deutsche Börse AG and the NYSE?

— When did the EU Commission first hear of the 2011 merger plans between Deutsche Börse and the NYSE?

— Were Deutsche Börse AG and the NYSE, or their advisors, only informed of the antitrust law risks associated with a merger after the offer documents had been published? When were Deutsche Börse and the NYSE, or third parties acting on their behalf, officially or unofficially informed by the European Commission of possible supervisory risks in relation to the merger under discussion?

— Were the different viewpoints in relation to the 'clearing market' only discussed after the publication of the offer document between Deutsche Börse and the NYSE, or had there already been an exchange of views, possibly through intermediaries such as mandated solicitors or lobbyists?

Answer given by Mr Almunia on behalf of the Commission
(29 June 2012)

The investigation of the proposed merger between Deutsche Börse and NYSE Euronext was carried out by the Commission in accordance with the EU Merger Regulation ([1]) and the Commission's Directorate General for Competition's Best Practices on merger proceedings ([2]).

The investigation formally started with the notification of the merger on 29 June 2011. In line with the Best Practices, the Commission had contacts with the parties and their legal representatives prior to the notification with the aim of ensuring the completeness of the notification itself and to facilitate the Commission's investigation. Those contacts were initiated at the request of the parties' legal representatives in February 2011, after the announcement of the transaction by the parties. No contacts relating to the proposed merger between the parties or their representatives and the Commission took place before that time.

At every relevant stage of its investigation, the Commission communicated its preliminary findings to the parties, including on the core issue of derivatives trading and clearing, and in line with the Best Practices on merger proceedings. In this regard, a number of so-called State of Play meetings were held, and the Commission outlined its preliminary position in writing both in the decision opening the second phase proceedings on 4 August 2011, and in a Statement of Objections on 5 October 2011. In addition, the Commission provided feedback to the parties on their proposed remedies on a number of occasions.

([1]) OJ L 24, 29.1.2004, p. 1.
([2]) http://ec.europa.eu/competition/mergers/legislation/proceedings.pdf

(English version)

Question for written answer E-005149/12
to the Commission
Jill Evans (Verts/ALE)
(21 May 2012)

Subject: Animal health

1. What records do you hold relating to the incidence of (a) breeding sow deaths, (b) piglet stillbirths, (c) piglet malformations in live births, and (d) the use of antibiotics and other medications, in the EU pig farming industry?

2. Have you investigated the links that appear to exist between animal health and the use of GM soy and Roundup residues in the feedstuffs and litter materials used on pig farms?

3. What steps has the Commission taken to ensure adequate supplies of animal feed protein for EU farmers in the event that GM soy should prove to be dangerous?

Answer given by Mr Dalli on behalf of the Commission
(7 August 2012)

EU animal health legislation provides for the notification on the occurrence of certain animal diseases of transmissible nature. Data on occurrence and losses are available only for such diseases. However, there are no similar obligations for the specific parameters mentioned by the Honourable Member.

As regards medication, the Commission does not hold data in question. Some data on the use of antibiotics in veterinary medicine are available in the report 'Trends in the sales of veterinary antimicrobial agents in nine European countries' ([1]).

The Commission is not aware of any problem for pigs as regards the use of GM soy and Roundup. As for any other substance, the assessment of the toxicological safety of glyphosate is based on trials in experimental animals that allow extrapolating its innocuousness for humans.

Irrespective of future needs of protein feed sources, and based on new scientific and control developments, the Commission 'TSE Roadmap 2' ([2]), outlines possible changes to EU measures related to Transmissible Spongiform Encephalopathies. One initiative envisaged is a revision of the current 'feed ban' which suspends the use of certain animal proteins in feed for food producing animals. The Commission intends to reintroduce processed animal proteins from non-ruminants in feed for aquaculture and for pigs and poultry in a later stage while avoiding intra-species recycling (cannibalism). This may enable the EU to decrease its dependence on other sources of proteins to a certain extent

The EU is also supporting under its Research Framework Programmes (FP) scientific activities to promote legume production as protein sources for food and feed (e.g.FP6 project 'Grain Legumes' and ongoing FP7 projects 'Legume-Futures' ([3]) and MULTISWARD ([4])) and a research topic will be published under the last FP7 call to promote genetic resources, breeding and management of European legumes (thus excluding soya).

([1]) EMA/238630/2011, Trends in the sales of veterinary antimicrobial agents in nine European Countries Antimicrobial use, p. 173. http://www.ema.europa.eu/docs/en_GB/document_library/Report/2011/09/WC500112309.pdf.
([2]) http://ec.europa.eu/food/food/biosafety/tse_bse/docs/roadmap_2_en.pdf
([3]) http://www.legumefutures.eu/home.
([4]) http://www.multisward.eu/.

(Versión española)

Pregunta con solicitud de respuesta escrita E-005150/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(22 de mayo de 2012)

Asunto: Pregunta complementaria V: Gestión y financiación de los puertos españoles; competencia leal y ayudas estatales que podrían ser incompatibles con los Tratados de la UE

En su respuesta del 28 de octubre de 2010 E-7504/2010, el Comisario Sr. Almunia en nombre de la Comisión afirmó: «*La Comisión pedirá a España que proporcione información sobre la creación y funcionamiento del Fondo de Compensación Interportuario*.»

En su respuesta del 22 de marzo de 2011 E-000935/2011, el Comisario Sr. Almunia en nombre de la Comisión afirmó: «*En este momento, la Comisión está evaluando la información remitida por las autoridades españolas en respuesta a dicha petición*.»

En su respuesta del 19 de octubre de 2011 E-008285/2011, el Comisario Sr. Almunia en nombre de la Comisión afirmó: «*La Comisión ha recibido la respuesta de las autoridades españolas detallada sobre el funcionamiento del Fondo de Compensación Interportuario pero considera disponer de más información para adoptar un criterio sobre este expediente. La Comisión solicitará algunas aclaraciones a las autoridades españolas.*»

En su respuesta del 12 de marzo de 2012 E-001185/2012, el Comisario Sr. Almunia en nombre de la Comisión afirmó: «*la Comisión ha recibido la respuesta de las autoridades españolas sobre el funcionamiento del Fondo de Compensación Interportuario. La información adicional está siendo analizada por la Comisión. En este momento, la Comisión no puede anticipar los resultados de esta investigación antes de su conclusión.*»

A la luz de lo anterior y considerando que han pasado 2 meses desde la última respuesta de la CE:

1. ¿Ha recibido la Comisión una respuesta y las oportunas clarificaciones necesarias por parte del Gobierno español sobre «*la creación y funcionamiento del Fondo de Compensación Interportuario*»? En caso afirmativo ¿podría dar detalles al respecto?

2. ¿La Comisión está satisfecha con sus explicaciones? ¿Son suficientes para garantizar que no infringen el principio de *competencia* leal y no represente *ayudas estatales que podrían ser incompatibles con los Tratados de la UE*?

3. ¿Cuándo tiene previsto la Comisión publicar las conclusiones de su investigación?

Respuesta del Sr. Almunia en nombre de la Comisión
(16 de julio de 2012)

1. La Comisión ha evaluado la información facilitada por las autoridades españolas sobre el funcionamiento del Fondo de Compensación Interportuario. Las autoridades españolas han confirmado que los recursos del Fondo proceden de las contribuciones individuales de las 28 Autoridades Portuarias, que proporcionan un porcentaje de sus ingresos anuales de explotación y de las tasas por asistencia a la navegación, y de una contribución voluntaria del organismo público Puertos del Estado. Las autoridades españolas también han indicado que la contribución de Puertos del Estado, que desempeña el papel central en la gestión del Sistema Portuario de Titularidad Estatal, proviene exclusivamente del porcentaje de tasas portuarias que las Autoridades Portuarias proporcionan a Puertos del Estado como fuente de financiación.

2. Las autoridades españolas no han informado sobre el Fondo de Compensación Interportuario de conformidad con el artículo 108, apartado 3, del TFUE. Por lo tanto, la Comisión no ha investigado el Fondo en profundidad. No obstante, la Comisión desea señalar que los pagos a los puertos con menos de 300 000 pasajeros al año pueden quedar exentos de la obligación de notificación previa con arreglo a lo dispuesto en el artículo 108, apartado 3, del TFUE, si la financiación cumple las condiciones establecidas en la Decisión 2012/21/UE. La Comisión, en la fase actual del procedimiento, no dispone de ninguna indicación que sugiera lo contrario. Corresponde a las autoridades españolas garantizar el cumplimiento de la Decisión 2012/21/UE.

3. Conforme a lo anteriormente expuesto, la Comisión no estima necesario, en la fase actual, pronunciarse sobre la cuestión de si el Fondo de Compensación Interportuario puede falsear la competencia entre los diferentes puertos que forman parte de Puertos del Estado.

(English version)

Question for written answer E-005150/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(22 May 2012)

Subject: Supplementary question V: management and financing of Spanish ports, fair competition and state aid that may breach EU Treaties

In his reply E-7504/2010 of 28 October 2010, Mr Almunia stated on behalf of the Commission: 'The Commission will ask Spain to provide information on the setting-up and operation of the Puertos del Estado.'

In his reply E-000935/2011 of 22 March 2011, Mr Almunia stated on behalf of the Commission: 'The Commission is currently assessing the information submitted by the Spanish authorities in reply to this request.'

In his reply E-008285/2011 of 19 October 2011, Mr Almunia stated on behalf of the Commission: 'The Commission has received the reply of the Spanish authorities on the operation of the Inter-port Compensation Fund. Nevertheless, the Commission considers that information is required to allow it to take position on this file. In this regard, a letter requesting some clarifications will be sent to the Spanish authorities in the coming weeks.'

In his reply E-001185/2012 of 12 March 2012, Mr Almunia stated on behalf of the Commission: 'The Commission has received the reply of the Spanish authorities on the operation of the Inter-port Compensation Fund. The additional information is being analysed by the Commission. At this stage the Commission cannot anticipate the results of this investigation before it is concluded.'

In view of the above and given that two months have passed since the Commission's last response:

1. Has the Commission received a reply and the appropriate clarifications required from the Spanish Government regarding the creation and operation of the Inter-port Compensation Fund? If so, could it provide details in this regard?

2. Is the Commission satisfied with its explanations? Are they sufficient to guarantee that they do not infringe the principle of fair competition and do not represent state aid that may be in breach of the EU Treaties?

3. When does the Commission expect to publish the findings of its investigation?

Answer given by Mr Almunia on behalf of the Commission
(16 July 2012)

1. The Commission has assessed the information provided by the Spanish authorities on the functioning of the Inter-port Compensation Fund. The Spanish authorities have confirmed that the resources of the Fund come from the individual contributions by the 28 port authorities (which contribute a percentage of their annual operating income and of the dues for navigation assistance) and from a voluntary contribution by the public body Puertos del Estado. The Spanish authorities have also indicated that the contribution of Puertos del Estado — which plays the central role in the management of the State-owned port system — originates exclusively from the percentage of port dues which the port authorities provide to Puertos del Estado as a source of financing.

2. The Spanish authorities have not notified the Inter-port Compensation Fund pursuant to Article 108 (3) TFEU. Therefore, the Commission has not investigated the Fund in detail. Nonetheless, the Commission would like to point out that payments to ports that have less than 300,000 passengers per year may be exempted from prior notification pursuant to Article 108(3) TFEU, if the funding respects the conditions set out in Decision 2012/21/EU. The Commission has, at this stage, no indication that would suggest the contrary. It is up to the Spanish authorities to ensure compliance with Decision 2012/21/EU.

3. On the basis of the foregoing, the Commission considers at this stage that it does not need to take a view on the question whether the Inter-port Compensation Fund may create distortions of competition between the different ports that form part of Puertos del Estado.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005151/12
an die Kommission
Jutta Steinruck (S&D)
(22. Mai 2012)

Betrifft: Entsandte Arbeitnehmer und Arbeitnehmerinnen

In den letzten Monaten werden immer mehr Fälle bekannt, in denen auf deutschen Baustellen entsendete Arbeitnehmer durch illegale Methoden weit unter den Mindeststandards für Löhne, Sozialversicherung und Unterkunft beschäftigt werden.

Das konkrete Beispiel liefert eine slowenische Baufirma, die Arbeiter in Slowenien anwirbt. Ihnen wird Arbeit in Deutschland mit einem Bruttogehalt von 748,10 EUR versprochen. In Deutschland aber werden den Arbeitern Unterbringungskosten in einem Container vom Lohn abgezogen, obwohl zuvor anders abgesprochen. Überstunden werden nicht bezahlt, trotz durchschnittlicher 220 Überstunden im Monat. Der Lohn wird über die Monate reduziert oder nicht gezahlt. Des Weiteren werden Sozialversicherungsbeiträge unterschlagen.

Den Kontrollbehörden fehlen zu häufig die Möglichkeiten, einzuschreiten, da durch die Einschaltung von Subunternehmern und durch das Unterzeichnen rechtswidriger Verträge vonseiten der Arbeitnehmer kaum verwertbare Beweise vorliegen. Das Problem ist jedoch nicht nur ein deutsches Problem. Es ist mittlerweile in ganz Europa zu einem Phänomen mit unvorhersehbaren sozialen Konsequenzen für die Betroffenen geworden.

Beschäftigte werden unter falschen Versprechungen nach Deutschland gelockt und werden um ihren versprochenen Lohn betrogen. Weiterhin werden ihnen angebliche Leistungen in Rechnung gestellt, um ihren Lohn noch weiter zu drücken.

1. Wie will die Kommission im Zuge der Überarbeitung der Umsetzungsrichtlinie sicherstellen, dass die Einhaltung geltenden europäischen Rechts auch in den Mitgliedstaaten kontrolliert und sanktioniert werden kann?

2. Ist der Kommission bewusst, dass es in den Mitgliedstaaten massive Probleme mit entsendeten Arbeitnehmern und Arbeitnehmerinnen gibt?

3. Welche Maßnahmen sind seitens der Kommission geplant, um die katastrophale soziale Lage vieler entsendeter Beschäftigter in der Europäischen Union endlich zu verbessern?

4. Seit wann ist der Kommission bekannt, dass aufgrund der mangelhaften gesetzlichen Lage viele Arbeitnehmer und Arbeitnehmerinnen sich in größten sozialen Schwierigkeiten befinden? Wurden in der Vergangenheit Schritte unternommen, um diese abzumildern?

5. Welche Maßnahmen wird die Kommission ergreifen, um kurzfristig die Mitgliedstaaten anzuhalten, die Mindeststandards für Löhne, Sozialversicherung und Unterkunft den entsandten Arbeitnehmern und Arbeitnehmerinnen zu garantieren und somit eine gewisse Rechtssicherheit bis zur Überarbeitung des Gesetzes zu gewährleisten?

Antwort von Herrn Andor im Namen der Kommission
(11. Juli 2012)

1. & 3. Am 21. März 2012 nahm die Kommission ein Legislativpaket an, um den Schutz entsandter Arbeitnehmer zu verbessern. Dazu gehört auch eine Durchsetzungsrichtlinie ([1]), die umfassende Maßnahmen vorsieht, u. a. bessere Information der entsandten Arbeitskräfte und der Unternehmen, Regeln für die Zusammenarbeit der nationalen Behörden, Überwachung der geltenden Arbeitsbedingungen, Prüfungen und nationale Kontrollmaßnahmen, ein Beschwerdeverfahren für entsandte Arbeitnehmer, ein System der gesamtschuldnerischen Haftung im Baugewerbe, Sanktionen und grenzüberschreitende Durchsetzung von Verwaltungsbußgeldern und —sanktionen.

2. Die Kommission ist sich der missbräuchlichen Praktiken bei der Beschäftigung entsandter Arbeitnehmer bewusst. Ihr ist bekannt, dass die geltenden Arbeitsbedingungen in zahlreichen Fällen nicht eingehalten werden. Dies spiegelt sich in der Folgenabschätzung ([2]) entsprechend wider, die dem Legislativpaket beigefügt ist.

([1]) Vorschlag für eine Richtlinie des Europäischen Parlaments und des Rates zur Durchsetzung der Richtlinie 96/71/EG über die Entsendung von Arbeitnehmern im Rahmen der Erbringung von Dienstleistungen (KOM(2012)131 endg.).

([2]) Arbeitsunterlage der Kommissionsdienststellen, Folgenabschätzung, Überarbeitung des Rechtsrahmens über die Entsendung von Arbeitnehmern im Rahmen der Erbringung von Dienstleistungen (SWD(2012) 63).

4. Die Kommission hat in ihren Mitteilungen aus den Jahren 2006 und 2007 und in ihrer Empfehlung aus dem Jahr 2008 auf die bestehenden Probleme hingewiesen ([3]).

5. Gemäß der Richtlinie 96/71/EG7 ([4]) haben entsandte Arbeitnehmer Anspruch auf den im Aufnahmemitgliedstaat geltenden Mindestlohn. Daher sieht der Vorschlag für eine Durchsetzungsrichtlinie vor, dass die Mitgliedstaaten Verfahren einrichten müssen, um zu gewährleisten, dass den entsandten Arbeitnehmern ausstehende Lohnzahlungen ausgezahlt werden können, einschließlich der Erstattung ungerechtfertigt einbehaltener Sozialversicherungsbeiträge und unvertretbar hoher Unterbringungskosten, die von ihrem Arbeitsentgelt abgezogen wurden.

([3]) KOM(2006)159 endg., KOM(2007)304 endg., Empfehlung der Kommission vom 31. März 2008, ABl. C 85 vom 4.4.2008, S. 1.

([4]) Richtlinie 96/71/EG des Europäischen Parlaments und des Rates vom 16. Dezember 1996 über die Entsendung von Arbeitnehmern im Rahmen der Erbringung von Dienstleistungen, ABl. L 018 vom 21.1.1997, S. 1.

(English version)

Question for written answer E-005151/12
to the Commission
Jutta Steinruck (S&D)
(22 May 2012)

Subject: Posting of workers

In recent months, there have been an increasing number of cases where illegal methods are used to employ workers on German building sites at far below the minimum standards for wages, social security and accommodation.

One specific example is a Slovenian construction company. It recruits workers in Slovenia and promises them work in Germany at a gross wage of EUR 748.10. However, once these workers reach Germany, they find that the cost of their accommodation in a container is deducted from their wages, even though other arrangements were previously agreed. Overtime is not paid, despite an average of 220 hours of overtime per month. Wages are reduced over several months, or, in some cases, not paid at all. Social security contributions are also misappropriated.

The inspection authorities are often unable to intervene: the use of subcontractors and the unlawful contracts signed by workers mean that almost no concrete evidence of the abuse exists. This is not an exclusively German problem. It has become a phenomenon throughout Europe with unforeseeable social consequences for those affected.

1. When revising the implementation directive, how does the Commission intend to ensure that compliance with the relevant European law can also be monitored and sanctioned?

2. Is the Commission aware that massive problems exist in the Member States for posted workers?

3. What measures are planned by the Commission to improve the catastrophic social position of many posted workers in the European Union?

4. How long has the Commission been aware that deficiencies in the legal position have left many workers with enormous social difficulties? Have steps been taken in the past to relieve this situation?

5. What measures will the Commission take to make it incumbent upon the Member States to guarantee minimum standards for wages, social security and accommodation for posted workers, and thus to ensure a degree of legal certainty until the law is revised?

Answer given by Mr Andor on behalf of the Commission
(11 July 2012)

1 and 3. On 21 March 2012, the Commission adopted a legislative package to improve the protection of posted workers, including an Enforcement Directive ([1]). The Enforcement Directive includes a comprehensive set of measures covering: better information for posted workers and companies; rules for cooperation between national authorities; monitoring of the applicable working conditions; inspections and national control measures; a complaint mechanism for posted workers; a mechanism for joint and several liability in the construction sector; penalties; and the cross-border enforcement of administrative fines and penalties.

2. The Commission is aware of the work-related abuse concerning posted workers and that, in a number of situations, the applicable working conditions have not been respected. The evidence for this is reflected in the impact assessment ([2]) which accompanies the legislative package.

4. The Commission addressed the existing problems in Communications in 2006 and 2007 and by way of a recommendation in 2008 ([3]).

([1]) Proposal for a directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (COM(2012)131 final).
([2]) Commission Staff Working Document Impact Assessment, Revision of the legislative framework on the posting of workers in the context of provision of services (SWD(2012) 63 final).
([3]) COM(2006)159 final, COM(2007)304 final, Commission Recommendation of 3 April 2008, OJ C 85, 4.4.2008, p. 1-4.

5. Directive 96/71/EC ([4]) provides that posted workers are entitled to the minimum wages applicable in the host Member State. The proposal for an Enforcement Directive therefore stipulates that the Member States have to put mechanisms in place to ensure that posted workers are able to be refunded for outstanding remuneration, including unduly withheld social security contributions and excessive costs for accommodation which have been deducted from their wages.

([4]) Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, OJ L 018, 21.1.1997, p. 1.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005152/12
an die Kommission
Franz Obermayr (NI)
(22. Mai 2012)

Betrifft: Gefahren durch Chemikalien — Neuevaluierung der Zulassungen

Die Europäische Umweltagentur hat kürzlich die Ergebnisse einer Studie veröffentlicht, die über einen Beobachtungszeitraum von 15 Jahren eine signifikante Zunahme bestimmter Erkrankungen mit der Tatsache in Verbindung setzt, dass die Menschen zunehmend Chemikalien ausgesetzt sind. Diese Erkenntnis deckt sich mit bereits vorhandenen Nachweisen, und Experten mahnen einen äußerst sensiblen Umgang mit diesen in der Studie als besonders gefährlich eingestuften Substanzen ein. Sogenannte „endokrine Disruptoren", das sind hormonaktive Chemikalien, die sich etwa in Lebensmitteln, Medikamenten, Kosmetika und Haushaltsreinigern befinden, könnten Krebs und Unfruchtbarkeit als mögliche Folgen der Exposition erzeugen. Daraus ergeben sich folgende Fragen:

1. Ist der Kommission diese Studie bekannt?

2. Wenn ja, wie steht die Kommission zu den veröffentlichten Ergebnissen?

3. Plant die Kommission eine dementsprechende Neuevaluierung der Zulassungen?

4. Wenn nein, warum nicht, wenn der mehrfach belegte Verdacht existiert, dass diese Stoffe Krebs, Unfruchtbarkeit, Diabetes oder auch neuronale Erkrankungen auslösen könnten?

Antwort von Herrn Potočnik im Namen der Kommission
(27. Juli 2012)

Die Weybridge+15-Studie, in der die Auswirkungen von endokrinen Disruptoren auf Mensch, Tier und Umwelt untersucht werden, ist der Kommission bekannt.

Die Kommission wird die derzeitige Gemeinschaftsstrategie für endokrine Disruptoren aus dem Jahr 1999 überarbeiten und dabei die Ergebnisse der Weybridge-Studie berücksichtigen.

Im Vorfeld dieser Überarbeitung hat die Kommission am 11. und 12. Juni 2012 in Brüssel eine Konferenz über endokrine Disruptoren ausgerichtet. Dabei wurde auf den derzeitigen Stand der Wissenschaft in Bezug auf diese Stoffe eingegangen, und es wurden einige der in der Weybridge+15-Studie behandelten Fragen erörtert.

Die Kommission hat zudem Verpflichtungen, die sich aus verschiedenen Rechtsakten ergeben. So muss sie bis 1. Juni 2013 das Verfahren überarbeiten, nach dem endokrine Disruptoren gemäß der Verordnung (EG) Nr. 1907/2006 zur Registrierung, Bewertung, Zulassung und Beschränkung chemischer Stoffe (REACH) ([1]) zugelassen werden dürfen. Bis Ende 2013 muss die Kommission sowohl im Rahmen der Pflanzenschutzmittel-Verordnung (EG) Nr. 1107/2009 über das Inverkehrbringen von Pflanzenschutzmitteln ([2]) als auch der neuen Biozidprodukt-Verordnung (EU) Nr. 528/2012 über die Bereitstellung auf dem Markt und die Verwendung von Biozidprodukten ([3]) Kriterien zur Bestimmung von Stoffen mit endokrinschädlichen Eigenschaften vorschlagen.

([1]) ABl. L 396 vom 30.12.2006.
([2]) ABl. L 309 vom 24.11.2009.
([3]) ABl. L 167 vom 27.6.2012.

(English version)

Question for written answer E-005152/12
to the Commission
Franz Obermayr (NI)
(22 May 2012)

Subject: Risks from chemicals — re-evaluation of approvals

The European Environment Agency recently published the findings of a 15-year study that links a significant increase in specific diseases to the fact that people are increasingly exposed to chemicals. These findings are in line with existing evidence, and experts warn that the substances identified as particularly dangerous should be handled with extreme care. Exposure to the so-called chemical 'endocrine disruptors' found in foods, medicines, cosmetics and household cleaners can cause cancer and infertility. This gives rise to the following questions:

1. Is the Commission aware of this study?

2. If so, what is the Commission's position in relation to the published findings?

3. Is the Commission planning to re-evaluate approvals in view of these findings?

4. If not, why not? After all there is plenty of evidence to suggest that these substances can cause cancer, infertility, diabetes or even neuronal diseases.

Answer given by Mr Potočnik on behalf of the Commission
(27 July 2012)

The Commission is aware of the Weybridge+15 study which discusses the impacts of endocrine disruptors on wildlife, people and their environments.

The Commission will review the current Community Strategy on Endocrine Disruptors (adopted in 1999) and in reviewing the strategy will take the findings of the Weybridge study into account.

The Commission hosted a major conference on Endocrine Disruptors in Brussels on 11 and 12 June 2012 in preparation of the review process. The conference addressed the current state of the science on endocrine disruption, and also considered some of the issues raised in the Weybridge+15 study.

The Commission also has obligations under the various legislative acts. By 1 June 2013, the Commission is required to review the way endocrine disrupting substances may be authorised under Regulation (EC) No 1907/2006 ([1]) on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH). By the end of 2013, the Commission is required to propose criteria for the identification of substances with endocrine disrupting properties, under both the Plant Product Regulation 1107/2009 ([2]) concerning the placing of plant protection products on the market and the new Biocidal Products Regulation 528/2012 ([3]) **concerning the making available on the market and use of biocidal products.**

([1]) OJ L 396, 30.12.2006.
([2]) OJ L 309, 24.11.2009.
([3]) OJ L 167, 27.6.2012.

(English version)

Question for written answer E-005153/12
to the Commission
Jill Evans (Verts/ALE)
(22 May 2012)

Subject: Multilingualism and communication with the citizens

According to EU policy, all 23 official languages of the European Union have equal status. Enabling EU citizens to communicate in any of the official languages has made the Union more transparent and more efficient.

Translating the web pages of the EU institutions is important, as EU citizens look to these pages to find information. The 'Your life in the European Union' pages are a good example of this. Information is available on these pages on a range of subjects that EU citizens would find useful, from how to study abroad to rights to healthcare. The fact that these pages are translated into all 23 official EU languages makes them more accessible to citizens.

The European Commission is proposing to restructure the Web Translation Unit of DG Translation. In effect, the Unit will be disbanded and the translators sent back to their respective language departments. The Web Translation Unit was established in response to negative referendum results on the European Constitution in 2005. Margot Wallström, the then Commissioner for Institutional Relations and Communication Strategy, identified the Internet as the best medium of communication with citizens, and the decision was made to translate the pages into all the official languages of the EU. The communication to the Commission 'Communicating about Europe via the Internet: Engaging the citizens' (SEC(2007)1742) states, under point 3.2.2: 'Finally, with a view to providing information for the general public in the top layers of the Europa website in 23 languages, and delivering a website that provides services to citizens in a language they can understand, DG Translation has created a web translation unit.'

Without a dedicated, specialist unit working on translating the Commission's web pages, it is difficult to foresee how the website will continue to be translated into all 23 official languages. With the dissolution of the Web Translation Unit of DG Translation, how will the European Commission be able to fulfil its commitment to communicate with the citizens via the Internet in all 23 EU official languages?

Answer given by Ms Vassiliou on behalf of the Commission
(27 June 2012)

The Commission would like to reassure the Honourable Member that it will continue to communicate with citizens via the Internet in all the official languages of the Union, as is the case now. In this respect, the Commission would refer the Honourable Member to its reply to Written Question E-4392/2012 ([1]) by Ms Fajon and others.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-005154/12
alla Commissione
Iva Zanicchi (PPE)
(22 maggio 2012)

Oggetto: Il dramma degli stupri correttivi in Sudafrica

Una terribile piaga ha colpito negli ultimi anni il Sudafrica: si chiama stupro correttivo ed è una barbarie molto comune in tutto il paese, dove le donne lesbiche vivono oramai nel terrore. Fonti umanitarie denunciano almeno uno stupro del genere al giorno nella sola Città del Capo.

Lo stupro correttivo si fonda infatti sull'assurda convinzione secondo la quale una donna lesbica, se violentata, può diventare eterosessuale. Le vittime sono soprattutto donne di colore, povere ed emarginate e neppure l'omicidio di Eudy Simelane, eroina nazionale e campionessa della squadra di calcio femminile del Sudafrica, stuprata a morte nel 2008 da un gruppo di uomini rimasti impuniti, ha potuto ribaltare la situazione poiché questo genere di crimini non è considerato tale dalla legge.

Al di là della violenza sessuale contro le lesbiche, bisogna purtroppo ricordare come il Sudafrica sia uno dei paesi con la più alta percentuale al mondo di stupri: una ragazza sudafricana ha più possibilità di essere violentata che di imparare a leggere e un quarto delle ragazze viene stuprato prima ancora di compiere sedici anni.

Il fattore culturale è determinante: secondo recenti statistiche, il 62 % degli uomini sudafricani sopra agli undici anni è convinto che costringere qualcuno a fare sesso non sia violenza. Se a ciò si aggiungono situazioni di estrema povertà e l'incuranza delle forze dell'ordine, il drammatico quadro della situazione è completo.

È incomprensibile che in un paese come il Sudafrica, fondato sul ripudio di ogni discriminazione e nato dalla lotta all'apartheid, si sopportino tali crimini. Intende dunque la Commissione promuovere azioni che costringano il governo sudafricano a condannare pubblicamente queste barbarie, lottando contro l'impunità degli stupri e degli stupri correttivi in Sudafrica?

Risposta di Andris Piebalgs a nome della Commissione
(29 giugno 2012)

Gli stupri correttivi — e più in generale la violenza basata sul genere — sono una forma di discriminazione di genere molto diffusa in Sudafrica, paese in cui per ogni 100 000 donne sono denunciati 222 casi di stupro. Questi dati evidenziano la portata del problema e la necessità di una strategia globale ed efficace che miri soprattutto a garantire il rispetto della legge.

L'Unione europea è preoccupata per la violenza basata sul genere in Sudafrica e, dal 1995, fornisce un sostegno finanziario considerevole al paese sia per lottare contro la criminalità — compresi gli atti di violenza e la violenza basata sul genere — sia per potenziare lo Stato di diritto. Nell'ambito della cooperazione allo sviluppo con il Sudafrica, l'UE sostiene un programma governativo per l'accesso alla giustizia e per la promozione dei diritti costituzionali. Tale programma riguarda problematiche legate ai diritti umani, tra cui la violenza fondata sul genere e questioni relative a lesbiche, gay, bisessuali e transgender (LGBT) a livello delle comunità, agevolando piattaforme di dialogo tra governo, istituzioni democratiche di controllo, organizzazioni della società civile e comunità. L'UE sostiene inoltre le organizzazioni della società civile per potenziare la capacità del sistema sanitario e della giustizia penale di rispondere alla violenza fondata sul genere e per migliorare l'accesso alla giustizia delle donne, in particolare nelle aree rurali.

Infine, nel quadro del partenariato strategico UE-Sudafrica, l'UE partecipa a un dialogo politico approfondito con Pretoria che riguarda anche questioni relative agli LGBT, alla violenza basata sul genere e ai diritti umani. L'UE continuerà a sfruttare ogni opportunità per sostenere il consolidamento dei progressi realizzati nel contrastare le cause della violenza nella società sudafricana.

(English version)

Question for written answer E-005154/12
to the Commission
Iva Zanicchi (PPE)
(22 May 2012)

Subject: The tragedy of corrective rape in South Africa

In recent years, South Africa has been affected by a scourge known as corrective rape: one of the most common and barbaric acts in a country where lesbian women now live in terror. Humanitarian sources report at least one such rape a day in Cape Town alone.

Corrective rape is based on the absurd conviction that a lesbian may become heterosexual after she is raped. The victims are primarily black, poor and marginalised, and not even the murder of Eudy Simelane, a national heroine and champion of the South African women's football team who was raped to death in 2008 by a group of men who were never punished, was able to overturn the situation because rape is not regarded as a criminal act.

Unfortunately, apart from sexual violence against lesbians, we must also remember that South Africa has one of the highest rates of rape in the world: a South African girl has more chance of being raped than of learning to read, and a quarter of girls are raped before they reach the age of 16.

The cultural factor is decisive: according to recent statistics, 62% of South African men aged over 11 are convinced that forcing someone to have sex does not constitute a violent act. Add to this extreme poverty and police indifference, and the dramatic nature of the situation becomes clear.

How can a country like South Africa, founded on the rejection of all discrimination and born of the struggle against apartheid, accept this sort of crime? Will the Commission therefore promote actions that will force the South African Government to publicly condemn these barbarous acts and combat impunity for rape and corrective rape in South Africa?

Answer given by Mr Piebalgs on behalf of the Commission
(29 June 2012)

Corrective rapes — and more generally gender-based violence (GBV) — is a form of gender discrimination widespread in South Africa where the prevalence of reported rape is 222 per 100 000 of the female population. These figures emphasise the extent of the problem and the need for a comprehensive and effective strategy, particularly in law enforcement terms.

The European Union is concerned about gender based violence in South Africa and, since 1995, has provided significant financial support to South Africa in its fight against criminality, including violent crime and gender based violence, as well as in strengthening the overall rule of law. In the framework of its development cooperation with South Africa, the EU supports a government-led 'Access to justice and Promotion of constitutional rights' programme that addresses human rights issues, including GBV and lesbian, gay, bisexual and transgender (LGBT) at community level while facilitating platforms for dialogue between government, democratic oversight institutions, civil society organisations and communities. The EU is also supporting civil society organisations to strengthen the health and criminal justice systems' response to gender-based violence as well as the improvement of the access to justice for women, particularly in rural areas.

Finally, in the framework of the EU-South Africa Strategic Partnership, the EU is involved in a close political dialogue with Pretoria, which encompasses LGBT issues and gender-based violence and Human Rights. The EU will continue to use every opportunity to advocate for a consolidation of progress made against the underlying causes of violence in South Africa's society.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005155/12
à Comissão
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(22 de maio de 2012)

Assunto: Direitos e deveres dos bolseiros de investigação nos 27 Estados-Membros da UE

Em Portugal, a Associação dos Bolseiros de Investigação Científica (ABIC) denunciou recentemente a intenção do Governo de obrigar os bolseiros de investigação a pagarem IRS (Imposto sobre o Rendimento Singular) sobre o valor das suas bolsas.

Até ao momento, as bolsas de investigação têm estado isentas de IRS por serem consideradas subsídios à formação e não remunerações pela prestação de serviços. Tal acontece, não obstante as bolsas de investigação constituírem, na sua maioria, formas de retribuição de trabalho dependente que acarreta vantagens económicas para as instituições a que os bolseiros pertencem. A ABIC considera que, por esta razão, os bolseiros deveriam ter acesso a contratos de trabalho e não aos atuais contratos de bolsa, que negam aos bolseiros direitos básicos de todos os trabalhadores, como o direito à inscrição no regime geral da Segurança Social, entre muitos outros. Assim, caso os bolseiros de investigação fossem reconhecidos como trabalhadores que, de facto, são, seria igualmente justo que tivessem, para além dos direitos, os deveres dos demais trabalhadores, incluindo o pagamento de impostos. Mas enquanto tal não suceder, de acordo com a ABIC, não se pode exigir aos bolseiros o pagamento de IRS.

Em face do exposto, perguntamos à Comissão se dispõe de informação relativamente ao seguinte:

1. Em que países da UE os bolseiros de investigação são obrigados a pagar IRS, mesmo não beneficiando dos direitos reconhecidos aos demais trabalhadores?

2. Em que países da UE as bolsas de investigação científica são utilizadas como formas de retribuição de trabalho dependente (que acarreta vantagens económicas para as instituições a que os bolseiros pertencem)?

Resposta dada por Androulla Vassiliou em nome da Comissão
(3 de Agosto de 2012)

Os Estados-Membros têm a mais ampla liberdade para conceber as suas políticas de fiscalidade direta da forma mais adequada para alcançarem os seus objetivos de política interna. A única limitação à soberania fiscal dos Estados-Membros reside no facto de que, no exercício dos seus direitos de tributação, devem respeitar as suas obrigações ao abrigo do TFUE, tais como as regras em matéria de não discriminação.

A questão suscitada pelos Senhores Deputados não parece envolver uma violação do direito da UE e, por conseguinte, não parece ser uma questão da competência da Comissão. A Comissão não dispõe de informações que lhe permitam responder às questões colocadas pelos Senhores Deputados sobre as políticas dos Estados-Membros em matéria de tributação de bolsas de investigação nos Estados-Membros da UE.

(English version)

Question for written answer E-005155/12
to the Commission
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(22 May 2012)

Subject: Rights and obligations of research fellows in the 27 EU Member States

The Portuguese Association of Scientific Research Fellows (ABIC) recently criticised the Portuguese Government's intention to make research fellows pay income tax on the amount of their grants.

Until now, research grants have been exempt from income tax because they are considered to be training grants and not a reward for the performance of services. That has been the position despite the fact that research grants are, for the most part, a form of wage for work that provides economic benefits for the institutions which employ research fellows. The ABIC accordingly believes that grant holders should be offered employment contracts and not, as at present, grant contracts which deny them many of the basic rights accorded to workers as a whole, not least the right to join the general social security scheme. It follows that, if research fellows were to be recognised as employees, as indeed they are, it would be only fair if, in addition to enjoying the same rights as other employees, they were also subject to the same obligations, including the payment of taxes. However, for as long as that is not the case, the ABIC maintains that research fellows should not be required to pay income tax.

1. In which EU countries do research fellows have to pay income tax, even when they do not enjoy the same rights as other employees?

2. In which EU countries do scientific research grants serve as form of wage for work (which provides economic benefits for the institutions that employ research fellows)?

Answer given by Ms Vassiliou on behalf of the Commission
(3 August 2012)

Member States have broad freedom to design their direct tax policies in the most appropriate way to meet their domestic policy objectives. The only limitation to the fiscal sovereignty of the Member States lies in the fact that, in the exercise of their taxing rights, they must respect their obligations under the TFEU such as the rules on non-discrimination.

The matter raised by the Honourable Member does not appear to involve a breach of EC law and does not, therefore, appear to be a matter for the Commission. The Commission has no information which would allow it to answer the questions posed by the Honourable Member regarding Member States' policies in regard of taxation of research grants in the EU Member States.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-005156/12
à Comissão (Vice-Presidente / Alta Representante)
Inês Cristina Zuber (GUE/NGL) e João Ferreira (GUE/NGL)
(22 de maio de 2012)

Assunto: VP/HR — Assassinatos e ameaças a ativistas e responsáveis políticos na Colômbia

Diversas organizações e movimentos sociais de vários países vieram recentemente a público denunciar o assassinato de três membros do movimento político recém-constituído na Colômbia denominado Marcha Patriótica. Denunciam também as ameaças de morte contra a senadora colombiana Piedad Cordoba, líder do movimento «colombianos e colombianas pela paz», destacada lutadora em defesa de uma saída política para o conflito armado colombiano.

Na origem destas ameaças de morte, recordam, estão grupos paramilitares como os denominados «autodefesas unidas da Colômbia», «Los Rastrones» e «Las Águilas Negras», que têm por detrás o envolvimento de setores da elite política do país. Estas ameaças são acompanhadas de tentativas de inviabilização da construção de um diálogo que possa levar a uma saída negociada para o conflito que já ultrapassa quatro décadas de existência.

Face a estas novas denúncias e tendo em conta outras anteriormente feitas (E-000184/2011, E-006701/2011, E-002210/2011, entre outras), solicitamos à Vice-presidente / Alta Representante que nos informe sobre o seguinte:

1. De que informações dispõe sobre estas denúncias?

2. Que medidas tomou ou vai tomar na sequência das mesmas?

3. Que implicações daqui retira quanto ao futuro do Acordo de Associação UE-Colômbia? Em que circunstâncias admite a Comissão denunciar este Acordo, tendo em conta as reiteradas violações de direitos humanos na Colômbia? Não contém este Acordo disposições que prevejam a sua denúncia em caso de violações de direitos humanos?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(26 de Junho de 2012)

A UE segue de perto a evolução da situação em matéria de direitos humanos na Colômbia. Por conseguinte, a Comissão está bem consciente das ameaças e ataques contra os defensores dos direitos humanos e as atividades ilegais perpetrados por grupos armados ilegais de todos os quadrantes, tendo exortado o Governo a adotar medidas eficazes para assegurar a segurança das pessoas em risco. O caso concreto da *Marcha Patriótica* e o dos seus membros que foram vítimas de atentados ou de desaparecimentos será abordado na próxima VII sessão do Diálogo UE-Colômbia sobre os direitos humanos.

Tal como indicado na resposta às perguntas E 006701/2011 e E-002210/2011, a que os Senhores Deputados se referem, o acordo comercial negociado com a Colômbia e o Peru contém uma cláusula relativa aos direitos humanos que permite, em última análise, a suspensão unilateral das concessões caso se verifiquem violações dos direitos humanos nos países signatários.

(English version)

Question for written answer E-005156/12
to the Commission (Vice-President/High Representative)
Inês Cristina Zuber (GUE/NGL) and João Ferreira (GUE/NGL)
(22 May 2012)

Subject: VP/HR — Activists and political leaders murdered and threatened in Colombia

A number of social organisations and movements in several countries have recently publicly condemned the murder in Columbia of three members of the newly formed *Marcha Patriótica* ('Patriotic March') political party. They have also condemned death threats made against Senator Córdoba Ruiz, leader of the Colombians for Peace human rights group and a prominent advocate for a political solution to Columbia's armed conflict.

It is reported that paramilitary groups are behind these death threats: the 'United Self-Defence Forces of Colombia', '*Los Rastrojos*' and the 'Black Eagles', which are backed by sections of the country's political elite. These threats are accompanied by attempts to block any form of dialogue which might lead to a negotiated solution to the conflict, which has already lasted more than four decades.

Given these latest reports and taking account of earlier reports (referred to in, among others, Questions E-000184/2011, E-006701/2011 and E-002210/2011):

1. What information does the Vice-President/High Representative have on these reports?

2. What measures has she taken or is she going to take in response?

3. What conclusions does she draw with regard to the future of the EU-Colombia free-trade agreement? Under what circumstances would the Commission denounce that agreement, given the repeated human rights violations in Columbia? Are there any provisions in the agreement for it to be denounced in the event of human rights violations?

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

The EU follows human rights-related developments in Colombia closely. Accordingly, it is well aware of threats and attacks on human rights defenders and activities perpetrated by illegal armed groups of all stripes, and has consistently called on the government to take effective measures to ensure the safety of persons under threat. It intends to raise the specific case of the *Marcha Patriótica* and of those of its members that have been victims of attacks or disappearances at the forthcoming VIIth session of the EU-Colombia Human Rights Dialogue.

As indicated already in the response to Questions E-006701/2011 and E-002210/2011, to which the Honourable Members refer, the Trade Agreement negotiated with Colombia and Peru contains a human rights clause which ultimately permits the unilateral suspension of concessions in case of human rights violations in the signatory countries.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005157/12
aan de Commissie
Philippe De Backer (ALDE)
(22 mei 2012)

Betreft: Verplichte naleving rij- en rusttijden, volgens Verordening (EG) nr. 561/2006, door brandstofleveranciers

Mijn vraag betreft de uitzonderingen op Verordening (EG) nr. 561/2006, en meer bepaald het specifieke geval van de brandstofleveranciers. Dit zijn vrachtwagenchauffeurs die brandstoffen leveren aan de eindgebruiker, en vooral opereren binnen een beperkte straal rond de onderneming. Vaak is het zo dat zij meer tijd doorbrengen buiten de vrachtwagen dan achter het stuur; dit onder andere bij het aanmelden bij de klant, het af- en oprollen van de slang, het lossen, het afgeven van de leveringsbon, het regelen van de betaling, enzovoort. Toch moeten deze chauffeurs, zoals de beroepsgoederenvervoerders, voldoen aan de bepalingen onder de Verordening (EG) nr. 561/2006.

Vanuit de sector rijst de vraag naar een uitzondering op deze verordening. Dit is bijvoorbeeld nodig om consumenten die plots zonder brandstof komen te zitten, te kunnen helpen buiten de gewone werkuren. Verwarming is een basisbehoefte. Als een leverancier onverwachts in het weekend moet uitrijden, bestaat de kans dat hij maandag niet kan vertrekken. Dit kan vooral in de winter een groot probleem vormen.

1. Ziet de Commissie een mogelijkheid om brandstofleveranciers uit te zonderen op basis van artikel 13, lid 1?

2. Indien het antwoord op bovenstaande vraag negatief is, ziet de Commissie de mogelijkheid voor de lidstaten om een tijdelijke uitzondering te geven onder artikel 14, lid 1? Kan een periode van extreme kou, waardoor gezinnen vaak onverwachts zonder brandstof komen te zitten, dan eventueel aangezien worden als „een uitzonderlijke omstandigheid"?

3. Plant de Commissie een herziening of een evaluatie van Verordening (EG) nr. 561/2006, waarbij de situatie voor de brandstofleveranciers herbekeken kan worden, zodat zij toch onder het uitzonderingsregime kunnen vallen?

Antwoord van de heer Kallas namens de Commissie
(29 juni 2012)

Op Verordening (EG) nr. 561/2006 ([1]) kan geen uitzondering worden gemaakt op de manier waarnaar het geachte Parlementslid in zijn vraag verwijst. In dringende gevallen kunnen de lidstaten op grond van artikel 14, lid 2, van Verordening 561/2006 echter een tijdelijke uitzondering toestaan op de toepassing van de regels voor rij— en rusttijden voor een periode van maximaal 30 dagen. De lidstaten dienen dergelijke uitzonderingen onmiddellijk aan de Commissie te melden. De individuele lidstaten zijn ervoor verantwoordelijk om te beoordelen of dergelijke tijdelijke uitzonderingen doeltreffend zijn in het licht van de doelstellingen van de verordening en de individuele omstandigheden. De lijst met tijdelijke uitzonderingen die de lidstaten in dergelijke dringende gevallen hebben toegestaan, staat op de EUROPA-website:

http://ec.europa.eu/transport/road/social_provisions/driving_time/doc/temporary-relaxation-of-drivers.pdf

Als er sprake is van uitzonderlijke omstandigheden dienen de lidstaten de Commissie overeenkomstig artikel 14, lid 1, van de verordening om een machtiging te vragen. De Commissie bekijkt per geval of de lidstaat zijn verzoek om uitzondering voldoende heeft gemotiveerd. Daarbij houdt zij rekening met diverse elementen. Zo wordt bijvoorbeeld bekeken of de omstandigheden waarop de lidstaat zich beroept onvermijdelijk en niet te voorzien waren, of het noodzakelijk is om de verordening kortstondig op te schorten teneinde de logistieke keten in stand te houden en of er nationale maatregelen van kracht zijn die ervoor zorgen dat chauffeurs wat betreft rij— en rusttijden voldoende bescherming genieten.

De Commissie controleert of de bepalingen van de verordening correct worden uitgevoerd en stelt hierover regelmatig een verslag op, waarin de doematigheid van de regels wordt beoordeeld en meningen uit de branche worden weergegeven. Het laatste verslag is in januari 2011 ([2])gepubliceerd. Bovendien licht de Commissie samen met de lidstaten en de sociale partners regelmatig door hoe de regels worden toegepast. Daarbij is tot nu toe geen melding gemaakt van de noodzaak om de huidige regels te herzien.

([1]) Verordening (EG) nr. 561/2006 van het Europees Parlement en de Raad van 15 maart 2006 tot harmonisatie van bepaalde voorschriften van sociale aard voor het wegvervoer (PB L 102 van 11.4.2006, blz. 1).
([2]) SEC(2011) 52 definitief.

(English version)

Question for written answer E-005157/12
to the Commission
Philippe De Backer (ALDE)
(22 May 2012)

Subject: Mandatory compliance with driving times and rest periods, pursuant to Regulation (EC) No 561/2006, by fuel suppliers

My question concerns exemptions from Regulation (EC) No 561/2006, and in particular the specific case of fuel suppliers. These are lorry drivers who deliver fuels to the end user, and who operate mainly within a limited radius around their business. It is often the case that they spend more time outside the lorry than behind the wheel, amongst other things while reporting their arrival to the client, unrolling and rolling up the hose, unloading, handing over the delivery note, sorting out payment, etc. Nevertheless, these drivers, as professional hauliers, must comply with the provisions of Regulation (EC) No 561/2006.

A demand is emerging in the industry for an exemption from this regulation. This is necessary, for example, to be able to help consumers who suddenly find themselves without fuel, outside normal working hours. Heating is a basic need. If a supplier has to make an unscheduled trip at the weekend, there is a chance that he will not be able to drive on Monday. This can be a serious problem, especially in winter.

1. Does the Commission feel it is possible to exempt fuel suppliers on the basis of Article 13(1)?

2. If not, does the Commission feel it is possible for the Member States to grant a temporary exemption under Article 14(1)? Can a period of extreme cold, when families often unexpectedly find themselves without fuel, possibly be viewed as an 'exceptional circumstance'?

3. Is the Commission planning a review or an evaluation of Regulation (EC) No 561/2006, whereby the situation for fuel suppliers can be revisited, so that they can qualify for the exemption provisions after all?

Answer given by Mr Kallas on behalf of the Commission
(29 June 2012)

An exception of the type mentioned by the Honourable Member would not be possible under Regulation (EC) No 561/2006 ([1]). However in urgent cases, Member States have the possibility to grant under Article 14(2) of Regulation 561/2006 a temporary exception from the application of the rules on driving time, breaks and rest periods for a maximum period of 30 days. Member States are obliged to immediately notify such an exception to the Commission. It is the responsibility of individual Member States to assess the appropriateness of such temporary derogations in light of the objectives of the regulation and depending on the individual circumstances. The list of such temporary exceptions granted in urgent cases by the Member States is available on the Europa website:

http://ec.europa.eu/transport/road/social_provisions/driving_time/doc/temporary-relaxation-of-drivers.pdf

In case of exceptional circumstances, Member States would need to seek an authorisation from the Commission, in accordance with Article 14(1) of the regulation. The Commission assesses, on a case-by-case basis, if a Member State's request for derogation is justified. In doing so, the Commission takes into account several elements such as whether the circumstances presented by the Member State were unavoidable and could not be anticipated, the necessity, for the sake of maintaining logistic chain, not to apply the regulation's provisions for a short period of time, the existence of national measures ensuring that drivers are adequately protected in terms of driving times, breaks and rest periods. The Commission already monitors the implementation of the regulation's provisions via regular reports, which assess the effectiveness of the rules and gather the views of the industry. The latest report was published in January 2011[2].

Application issues are also commonly reviewed with Member States and social partners. These do not indicate the need for reviewing the rules currently in force.

([1]) Regulation (EC) No 561/2006 of the European parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport OJ L 102, 11.4.2006, p. 1.

([2]) SEC(2011) 52 final.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005158/12
aan de Commissie
Philippe De Backer (ALDE)
(22 mei 2012)

Betreft: Mogelijkheid voor brandstofleveranciers tot terugvordering accijnzen op brandstofproducten bij faillissement klant

Een groot aantal Belgische brandstofhandelaars bestaat uit niet-erkende entrepothouders. Zij betalen bij de aankoop van hun brandstofproducten de prijs van die brandstof inclusief accijnzen. Zij schieten dus als het ware de accijnzen op de brandstofproducten, die ze verkopen aan hun klanten, voor. In geval van een faillissement van een klant is het onmogelijk om de betaalde accijnzen op die niet-verkochte brandstofproducten terug te vorderen.

1. In België interpreteert men artikel 11 van Richtlijn 2008/118 als zich verzettend tegen terugbetaling van accijnzen in het kader van een faillissement van een klant. Is de Commissie akkoord met deze interpretatie?

2. In Duitsland zou er wel een mogelijkheid zijn om reeds betaalde accijnzen terug te vorderen en dit via een „Steuerentlastung bei Zahlungsaussfall". Leidt het feit dat in België de accijnzen niet, en in Duitsland wel kunnen worden teruggevorderd niet tot oneerlijke concurrentie en een verstoring van de interne markt? Kan de Commissie hiertegen optreden? Of kan België zelf de interpretatie van de richtlijn in nationale wetgeving aanpassen, zodat terugvordering ook in België mogelijk wordt?

Antwoord van de heer Šemeta namens de Commissie
(28 juni 2012)

1. In artikel 11 van Richtlijn 2008/118/EG wordt voorkomen dat lidstaten overgaan tot teruggave of kwijtschelding van accijns die aanleiding zou geven tot niet onder het EU-recht vallende vrijstellingen. In gevallen waarbij het zeker is dat de accijnsgoederen niet zijn verbruikt (bv. bij onherstelbaar verlies of teruggave van goederen aan de verkoper), kunnen de lidstaten de voldane accijns terugbetalen.

2. De lidstaten zijn er vrij in om te bepalen of zij kiezen voor teruggave of kwijtschelding van accijns op grond van artikel 11 van Richtlijn 2008/118/EG. De Commissie kan altijd op eigen initiatief of op basis van een externe klacht op grond van de artikelen 258 en 259 van het Verdrag betreffende de werking van de Europese Unie actie ondernemen als een lidstaat het EU-recht lijkt te schenden.

(English version)

Question for written answer E-005158/12
to the Commission
Philippe De Backer (ALDE)
(22 May 2012)

Subject: Possibility for fuel delivery firms to reclaim excise duty on fuel products if customers go bankrupt

A great number of Belgian fuel traders are anonymous warehouse-keepers. When they purchase their fuel products, they pay the price of the fuel itself plus excise duty. They therefore advance, as it were, the excise duty on the fuel products that they sell to their customers. If a customer goes bankrupt, it is impossible to reclaim the excise duty already paid on the unused fuel products.

1. In Belgium, Article 11 of Directive 2008/118/EC is interpreted as ruling out repayment of excise duty in the event of a client's bankruptcy. Does the Commission agree with this interpretation?

2. In Germany, on the other hand, it is possible to reclaim excise duty already paid, thanks to an arrangement called 'Steuerentlastung bei Zahlungsaussfall' [tax relief in case of payment default]. Does the fact that excise duty can be reclaimed in Germany but not in Belgium not lead to unfair competition and to disruption of the internal market? Can the Commission address this problem? Or can Belgium, in its own national legislature, reinterpret the directive so that claims for repayment can be made in Belgium too?

Answer given by Mr Šemeta on behalf of the Commission
(28 June 2012)

1.Article 11 of Directive 2008/118/EC prevents the Member States from reimbursing or remitting excise duty that would give rise to exemptions not covered by the EC law. In cases where it is guaranteed that the excise goods were not consumed (e.g. irretrievable loss, or return of goods back to the seller), Member States may grant a reimbursement of the duty paid.

2.The Member States are free to decide whether they will opt for reimbursement or remission of excise duty according to Article 11 of Directive 2008/118/EC. The Commission can always take action based on its own initiative or on the basis of an external complaint in application of Articles 258 and 259 of the Treaty on the Functioning of the European Union if it seems that a Member State violates the EC law.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005160/12
an die Kommission
Herbert Reul (PPE)
(22. Mai 2012)

Betrifft: Direktor der „Fusion for Energy"-Agentur in Barcelona

Seit 2010 wird die „Fusion for Energy"-Agentur in Barcelona, die für das Gemeinschaftsvorhaben ITER zuständig ist, von einem Interimsdirektor geleitet. Um die Stelle endgültig zu besetzen, hat die Kommission unter der Federführung der Generaldirektion PERS ein Auswahlverfahren durchgeführt, aus dem keiner der Bewerber erfolgreich hervorgegangen ist.

Für den internationalen Forschungsreaktor ITER wäre es allerdings sehr wichtig, dass auf dem Direktorenposten der zuständigen Agentur so bald wie möglich die notwendige personelle Stabilität und Kontinuität erreicht wird.

Seit wann ist die Kommission bemüht den Posten des Direktors dauerhaft zu besetzen?

Aus welchen Gründen konnte nach Auffassung der Kommission der Direktorenposten im Auswahlverfahren nicht besetzt werden?

Erwägt die Kommission, die Auswahlverfahren für externe Bewerber zu überdenken?

Wann soll ein neues Auswahlverfahren stattfinden?

Antwort von Herrn Šefčovič im Namen der Kommission
(24. September 2012)

Das Europäische Gemeinsame Unternehmen für den ITER und die Entwicklung der Fusionsenergie („Fusion for Energy") wurde 2007 gegründet. Sein Direktor/seine Direktorin wird vom Vorstand für einen Zeitraum von fünf Jahren ernannt, der um fünf weitere Jahre verlängert werden kann. Der Direktor des Unternehmens „Fusion for Energy" ist Zeitbediensteter und unterliegt den Beschäftigungsbedingungen für die sonstigen Bediensteten der EU, die auch für das Gemeinsame Unternehmen gelten.

2010 trat der Direktor des Unternehmens „Fusion for Energy" zurück. Der Vorstand ernannte den amtierenden Direktor „ad interim". Da dieser 2012 in den Ruhestand tritt, veröffentlichte die Kommission am 15. November 2011 eine Stellenausschreibung und organisierte ein Auswahlverfahren. Nach sorgfältiger Prüfung aller Bewerbungen beschloss die Kommission jedoch, das Auswahlverfahren ohne Ernennung zu beenden, da nach ihrer Auffassung keiner der Bewerber alle für eine Ernennung erforderlichen Kriterien erfüllte.

Am 27. Juni 2012 veröffentlichte die Kommission eine neue Stellenausschreibung, die als Frist für die Einreichung von Bewerbungen den 18. Juli vorsah. Das Verfahren ist noch nicht abgeschlossen. Der neue Direktor des Unternehmens „Fusion for Energy" dürfte im Herbst ernannt werden.

Das vorhergehende Auswahlverfahren für externe Bewerber war angemessen, führte jedoch zu dem Ergebnis, dass keiner der Bewerber für die Stelle geeignet war. Daher musste das Verfahren als solches nicht korrigiert werden. Im Rahmen des laufenden Auswahlverfahrens wurden die relevanten Akteure, insbesondere die Vertreter der Mitglieder des Unternehmensvorstands, im Vorfeld einbezogen, um sicherzustellen, dass Bewerbungen eines breiten Spektrums qualifizierter Kandidaten eingehen, damit dieses Auswahlverfahren einen erfolgreichen Abschluss findet.

(English version)

Question for written answer E-005160/12
to the Commission
Herbert Reul (PPE)
(22 May 2012)

Subject: The director of the 'Fusion for Energy' agency in Barcelona

The 'Fusion for Energy' agency in Barcelona, which is responsible for the International Thermonuclear Experimental Reactor project (ITER), has been led by an interim director since 2010. In order to fill the vacancy, the Commission held a selection process under the auspices of the Directorate-General for Personnel. However, none of the candidates were successful.

It is, however, extremely important for the ITER international research reactor that stability and continuity should be achieved as soon as possible in relation to the post of director of the 'Fusion for Energy'.

For how long has the Commission been trying to fill the position of director?

What are the reasons, in the Commission's view, why the post of director could not be filled in the selection procedure?

Is the Commission considering revising its selection procedure for external candidates?

When is a new selection procedure due to take place?

Answer given by Mr Šefčovič on behalf of the Commission
(24 September 2012)

The European Joint Undertaking for ITER and the Development of Fusion Energy (Fusion for Energy) was created in 2007. Its Director is appointed by the Governing Board for a period of five years, which can be extended up to five more years. The Director of Fusion for Energy is a Temporary Agent subject to the Conditions of Employment of Other Servants of the EU, which also apply to the Joint Undertaking.

In 2010, the Director of Fusion for Energy resigned and the Governing Board appointed the current Director *ad interim*. Since he will retire this year the Commission published a vacancy notice on 15 November 2011, and organised a selection procedure. However, further to careful assessment of all applications, the Commission decided to close the selection procedure without making a nomination as it considered that none of the candidates fully met the criteria required for appointment.

On 27 June 2012 the Commission published a new vacancy notice with a deadline for the submission of candidatures of 18 July. The procedure is ongoing and the new Director of Fusion for Energy is expected to be nominated this autumn.

The previous procedure to select external candidates was correct, concluding however that none of the candidates was adequate for the post. It was therefore not necessary to revise the procedure as such. For the current selection process, relevant stakeholders, in particular the representatives of the members of Fusion for Energy's Governing Board, have been approached proactively to make sure that applications from a wide range of qualified candidates were received in order to successfully complete the selection procedure.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005161/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(22 mai 2012)

Subiect: Eșecul întregului sistem european de monitorizare epidemiologică și anchetă epidemiologică

Serviciul federal de control sanitar al Federației Ruse a apreciat că produsele agricole din Olanda ar putea fi periculoase, inclusiv din cauză că în această țară se desfășoară studii privind mutațiile tulpinii gripei aviare (H5N1), activități interzise printr-o convenție internațională din anii 70.

Federația Rusă a anunțat că își rezervă dreptul de a fi prudentă: „prudentă față de toate livrările de produse agricole" din Olanda. De asemenea, Rusia este preocupată de faptul că Uniunea Europeană nu a depistat cauza răspândirii tulpinii înalt patogene Escherichia coli (E. coli), motiv pentru care a instituit restricții la importul de legume din UE în vara anului 2011.

Autoritățile ruse subliniază „eșecul întregului sistem european de monitorizare epidemiologică și anchetă epidemiologică" și „convingerea îngrijorătoare că în cazul repetării unor astfel de fenomene, țările europene vor fi la fel de nepregătite ca la începutul verii trecute".

Având în vedere alte puncte de vedere similare ale autorităților ruse cu privire la calitatea și siguranța pentru consumatori a produselor alimentare europene și ținând cont de măsurile adoptate în privința importurilor,

Comisia este rugată să comenteze declarațiile amintite și să prezinte măsurile pe care le va adopta pentru soluționarea, prin dialog bilateral, a acestui conflict.

Răspuns dat de dl Dalli în numele Comisiei
(3 iulie 2012)

Declarațiile Serviciului federal pentru supravegherea protecției drepturilor consumatorilor și a bunăstării umane din Federația Rusă (Rospotrebnadzor), astfel cum au fost prezentate de către distinsul membru, sunt declarații destinate presei și nu informații oficiale transmise de autoritățile ruse.

Comisia întreține un dialog periodic cu Rospotrebnadzor, care, în 2011, a permis retragerea restricțiilor rusești privind importurile de legume din UE la două luni după intrarea lor în vigoare. Comisia a informat și continuă să informeze Rospotrebnadzor în mod regulat cu privire la rezultatul investigațiilor privind originea epidemiei de E. coli din 2011 și măsurile adoptate pentru prevenirea unor asemenea epidemii în viitor.

Comisia reamintește că standardele de siguranță alimentară ale Uniunii Europene oferă printre cele mai ridicate niveluri de siguranță din lume, și că sistemul ei de monitorizare a siguranței alimentare permite detectarea rapidă a riscurilor și o reacție imediată. Comisia se angajează să își continue cooperarea fructuoasă cu autoritățile Federației Ruse și, în special, cu Rospotrebnadzor.

(English version)

Question for written answer E-005161/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(22 May 2012)

Subject: Failure of the entire European epidemiological monitoring and research system

The Russian Federation's federal health inspection service has assessed that Dutch agricultural products could be dangerous, particularly because studies are being carried out there on mutations of bird flu (H5N1) strains, activities which are forbidden under an international convention from the 1970s.

The Russian Federation has announced that it reserves the right to be 'cautious towards all deliveries of agricultural products' from the Netherlands. Russia is also concerned by the fact that the European Union has not discovered the cause of the spread of the highly pathogenic strain of Escherichia coli (E. coli), which is why it placed restrictions on vegetable imports from the EU in summer 2011.

The Russian authorities underline 'the failure of the entire European epidemiological monitoring and research system' and 'the worrying belief that if such phenomena are repeated, European countries will be just as unprepared as they were at the beginning of last summer'.

Given other similar views of the Russian authorities on the quality and consumer safety of European food products, and taking into account the measures adopted on imports:

Can the Commission comment on the above statements and present the measures it will adopt to resolve this dispute through bilateral dialogue?

Answer given by Mr Dalli on behalf of the Commission
(3 July 2012)

The declarations of the Russian Federation Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing (Rospotrebnadzor), as reported by the Honourable Member, are statements made in the press and not official information transmitted by the Russian authorities.

The Commission has a regular dialogue with Rospotrebnadzor, which, in 2011, enabled the withdrawal of the Russian restrictions on imports of vegetables from the EU two months after their entry into force. The Commission has informed and continues to inform Rospotrebnadzor on a regular basis on the outcome of investigations on the origin of the E. coli 2011 outbreak and measures taken to prevent such outbreaks in the future.

The Commission reminds that the European Union's food safety standards provide among the highest levels of safety worldwide, and that its food safety monitoring system allows swift detection of risks and immediate reaction. The Commission is committed to continue its fruitful cooperation with the Russian Federation authorities and with Rospotrebnadzor in particular.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-005163/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(22 mai 2012)

Subiect: Comasarea instituțiilor competente cu gestionarea fondurilor din Pilonul I, respectiv II al PAC

Noul Guvern al României a anunțat că intenționează să comaseze cele două agenții de plăți din subordinea Ministerului Agriculturii, APIA și APDRP, afirmând că acesta este un „obiectiv politic". Comisia este rugată să precizeze:

1. dacă această măsură este considerată oportună, având în vedere faptul că cele două agenții corespund politicilor acoperite de cei doi piloni ai PAC;

2. dacă această măsură este în conformitate cu Programul Național de Dezvoltare Rurală, redactat de România și aprobat de Comisie;

3. în câte din statele membre ale UE politicile acoperite de cei doi piloni ai PAC sunt acoperite de o singură instituție, respectiv de două instituții.

Răspuns dat de dl Cioloș în numele Comisiei
(25 iunie 2012)

1. În cadrul propunerilor de reformă a PAC și în vederea creșterii eficienței și a reducerii costurilor administrative, Comisia prevede regula generală potrivit căreia în fiecare țară (sau regiune) toate cheltuielile PAC pentru ambii piloni sunt gestionate și controlate de către o singură agenție de plăți (AP). Prin urmare, comasarea celor două agenții de plăți existente este considerată a fi nu numai oportună, ci și de dorit. Cu toate acestea, în astfel de cazuri, autoritățile naționale trebuie să se asigure că know-how-ul dobândit și resursele umane cu experiență sunt menținute și că viitoarea nouă AP îndeplinește toate condițiile de autorizare ([1]). În cazul României, Comisia nu a primit încă o comunicare oficială referitoare la o astfel de comasare.

2. Nu există nicio dispoziție în Programul Național de Dezvoltare Rurală care ar putea reprezenta un obstacol în calea comasării. Desigur, pe parcursul procesului de comasare, trebuie evitate întârzierile și perturbările punerii în aplicare a programului.

3. În trei state membre, FEGA și FEADR sunt gestionate separat la nivel național de către AP diferite. Celelalte 24 de state membre au o singură AP pentru întreaga țară (sau regiune) care gestionează atât FEGA cât și FEADR, iar unele dintre aceste state membre au înființat o AP separată sau mai multe AP separate pentru scheme/regiuni specifice.

([1]) Condițiile de autorizare sunt prevăzute în anexa I la Regulamentul (CE) nr. 885/2006 al Comisiei.

(English version)

Question for written answer E-005163/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(22 May 2012)

Subject: Merging institutions responsible for administering funds from Pillars I and II of the common agricultural policy (CAP)

The new Romanian Government has announced that it intends to merge the two payment agencies under the Ministry of Agriculture, the Agency for Payments and Intervention in Agriculture (APIA) and the Paying Agency for Rural Development and Fisheries (PARDF), stating that this is a 'political objective'. In view of this:

1. Can the Commission say whether this measure is considered appropriate, given that these two agencies correspond to the policies covered by the two pillars of the CAP?

2. Can the Commission say whether this measure is in line with the National Rural Development Programme, drafted by Romania and approved by the Commission?

3. Can the Commission say in how many Member States policies covered by the two pillars of the CAP come under a single institution, and in how many they come under two institutions?

Answer given by Mr Cioloş on behalf of the Commission
(25 June 2012)

1. The Commission, in the framework of the CAP reform proposals and with a view to increase efficiency and reduce administrative costs, foresees the general rule of having a single Paying Agency (PA) per country (or region) managing and controlling all CAP expenditure from both pillars. The merger of the two existing PAs into one is thus considered to be not only appropriate, but desirable. In such cases the national authorities must, however, ensure that the acquired know-how and experienced human resources are maintained and the future new PA meets all accreditation criteria ([1]). With regard to Romania, the Commission has not yet received a formal communication on such a merger.

2. There is no provision in the National Rural Development Program that would be an obstacle to the merger. Delays and disruptions of the program implementation should, of course, be prevented during the merger process.

3. Three Member States have different PAs handling separately EAGF and EAFRD at national level. The other 24 other Member States have one single PA for the country (or region) handling both EAGF/EAFRD, including some that established separate PA(s) for specific schemes/regions.

([1]) Accreditation criteria listed in Annex I of Commission Regulation (EC) No 885/2006.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-005164/12
aan de Commissie
Barry Madlener (NI)
(22 mei 2012)

Betreft: Turkije zal Cyprus en de EU omzeilen met de „positieve agenda"

1. Is de Commissie bekend met de berichten „Turkey will bypass Cyprus with EU „positive agenda" talks" ([1]), „Ankara meldt schending luchtruim door Israël" ([2]) en „Turkije dreigt energiebedrijven te straffen" ([3])?

2. Kan de Commissie aangeven welk positief signaal er wordt afgegeven door EU-lidstaten buitenspel te zetten met de „positieve agenda" en of de opmerkingen van de Turkse EU-onderhandelaar Bagis, waarin hij zegt dat de „positieve agenda" is ontwikkeld met als doel een reactie te zijn op EU-lidstaten die tegen een Turks EU-lidmaatschap zijn, correct weergegeven zijn?

3. Wat vindt de Commissie ervan dat Cyprus wordt gepasseerd om tijdens zijn EU-voorzitterschap deel te nemen aan Turkse EU-toetredingsonderhandelingen door middel van het opstellen van de „positieve agenda"?

4. Wat vindt de Commissie van de opmerkingen van Turkije waarin opheldering wordt gevraagd over een Israëlisch toestel dat boven het noorden van Cyprus vloog en wat vindt de Commissie van de dreigementen van Turkije om ondernemingen te straffen die meewerken aan de exploitatie van olie en gas bij Cyprus terwijl internationaal Noord-Cyprus als een bezet gebied wordt gezien en gewoon bij de Republiek Cyprus hoort?

5. Is de Commissie bereid om naast de „positieve agenda" ook een „negatieve agenda" bij te houden met daarin alle dreigementen, schendingen van mensenrechten en alle afspraken waar Turkije zich niet aan houdt in beschreven? Zo neen, waarom niet?

Antwoord van de heer Füle namens de Commissie
(21 september 2012)

De positieve agenda heeft niet de bedoeling in de plaats te treden van de toetredingsonderhandelingen, maar deze aan te vullen en te steunen. De Raad heeft zijn goedkeuring gehecht aan de positieve agenda en het Europees Parlement en de lidstaten worden regelmatig geïnformeerd over de stand van zaken. De Commissie verwijst tevens naar het standpunt van de Europese Unie op de recentste zitting van de Associatieraad met Turkije van 22 juni 2012, waarin werd onderstreept dat het engagement en de concrete bijdrage van Turkije voor een alomvattende oplossing van de kwestie-Cyprus cruciaal zijn. De EU herinnerde met grote bezorgdheid aan de conclusies van de Europese Raad van 9 december 2011 in verband met de Turkse verklaringen en dreigementen en eist volledig respect voor de rol van het voorzitterschap van de Raad, dat in overeenstemming met het Verdrag een fundamenteel institutioneel kenmerk van de EU is. De Commissie zal deze kwestie ook behandelen in het volgende voortgangsverslag van 2012 voor Turkije.

([1]) http://famagusta-gazette.com/turkey-will-bypass-cyprus-with-eu-positive-agenda-talks-p15473-69.htm
([2]) http://www.telegraaf.nl/buitenland/12155713/__Ankara_meldt_schending_luchtruim__.html
([3]) http://www.telegraaf.nl/buitenland/12159833/__Turkije_dreigt_bedrijven__.html

(English version)

Question for written answer E-005164/12
to the Commission
Barry Madlener (NI)
(22 May 2012)

Subject: Turkey to bypass Cyprus and the EU with the 'positive agenda'

1. Is the Commission acquainted with the reports headed 'Turkey will bypass Cyprus with EU "positive agenda" talks' ([1]), 'Ankara alleges airspace violation by Israel' ([2]) and 'Turkey threatens to punish energy companies' ([3])?

2. Can the Commission explain what positive signal will be sent out by the sidelining of EU Member States through the 'positive agenda', and whether Mr Bagis, the Turkish negotiator with the EU, has been correctly reported as saying that the 'positive agenda' has been developed in response to the EU Member States that are opposed to Turkish membership?

3. How does the Commission view the fact that, when Cyprus comes to assume the EU Presidency, it will nonetheless be excluded by the terms of the 'positive agenda' from participating in negotiations over Turkish EU membership?

4. How does the Commission view Turkey's demand for an explanation regarding the flight of an Israeli aircraft over Northern Cyprus, and how does the Commission view Turkey's threats to punish companies collaborating in the development of Cyprus' oil and gas resources as long as Northern Cyprus is seen internationally as occupied territory belonging to the Republic of Cyprus?

5. In addition to the 'positive agenda', is the Commission prepared to compile a 'negative agenda' recording all Turkey's threats, all its abuses of human rights and all the agreements it has broken? If not, why not?

Answer given by Mr Füle on behalf of the Commission
(21 September 2012)

The positive agenda is not there to replace, but to complement and assist the accession negotiations. The Council has endorsed the positive agenda and the European Parliament and Member States are regularly informed on developments. The Commission refers furthermore to the position of the European Union at the latest Association Council with Turkey which took place on 22 June 2012, at which it underlined that Turkey's commitment and contribution in concrete terms to a comprehensive settlement of the Cyprus problem is crucial. Recalling the European Council conclusions of 9 December 2011, with regard to Turkish statements and threats, the EU expressed serious concern and calls for full respect of the role of the Presidency of the Council, which is a fundamental institutional feature of the EU provided for in the Treaty. The Commission will also cover this issue in the upcoming 2012 Progress Report on Turkey.

([1]) http://famagusta-gazette.com/turkey-will-bypass-cyprus-with-eu-positive-agenda-talks-p15473-69.htm
([2]) http://www.telegraaf.nl/buitenland/12155713/__Ankara_meldt_schending_luchtruim__.html
([3]) http://www.telegraaf.nl/buitenland/12159833/__Turkije_dreigt_bedrijven__.html

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-005165/12
an die Kommission
Angelika Werthmann (NI)
(22. Mai 2012)

Betrifft: Salzburg-Leitung: 380-kV-Leitung im Bereich Salzachtal

Die geplante und vor allem noch in Planung befindliche 380-kV-Leitung hat in der Bevölkerung viele, sehr wertvolle Diskussionen ausgelöst und birgt einige nachhaltige Überlegungen und Fragen in sich:

1. Wurde für die Salzburg-Leitung jemals über eine Teil- oder Vollverkabelung, die einen wesentlich geringeren Energieverlust hätte und in deren Folge die Mehrkosten des Baus durch den verringerten Verlust wieder eingebracht würden, in der Planungsphase diskutiert?

Laut einer von der Salzburger Landesregierung in Auftrag gegebenen Studie (KEMA-Studie) wäre sowohl eine Teil- als auch eine Vollverkabelung durchaus möglich. Warum bleibt dieses Ergebnis unberücksichtigt?

Die Kommission wird um ausführliche Begründung gebeten.

2. Die Trasse im Bereich Hagengebirge wird nach dem Abbau der derzeitigen 220-kV-Leitung zum „Natura 2000"-Gebiet. Wurde in die Überlegungen einbezogen, neben der bestehenden, 60-m-breiten Trasse, eine Trasse (80 m breit) für die 380-kV-Leitung zu ziehen und damit die Bevölkerung im Tal zu entlasten?

Antwort von Herrn Oettinger im Namen der Kommission
(2. Juli 2012)

1. Die Kommission verweist die Frau Abgeordnete auf ihre Antwort auf die schriftliche Anfrage E-004784/2012 der Frau Abgeordneten.

2. Die Kommission kann nicht für die relevanten Stellen sprechen.

(English version)

Question for written answer P-005165/12
to the Commission
Angelika Werthmann (NI)
(22 May 2012)

Subject: Salzburg cable: 380 kV power line in the area of the Salzach Valley

The ongoing planning for the 380 kV power line has given rise to many extremely worthwhile discussions among the public and has brought up a number of important issues and questions.

1. Was the idea of partial or full use of underground cables for the Salzburg power line ever discussed in the planning phase, as this would involve far less energy loss and the additional cost of the construction work would be recouped through the reduced energy loss?

According to a study commissioned by the Salzburg provincial government, the full and partial use of underground cable would be perfectly feasible. Why were these findings ignored?

I would request a detailed explanation from the Commission.

2. The section in the Hagengebirge area is to become a 'Natura 2000' area after the removal of the current 220 kV line. Have the relevant bodies considered the idea of laying a new line (80 m wide) next to the existing 60 m wide line for the 380 kV line, thus providing relief to the population of the valley?

Answer given by M. Oettinger on behalf of the Commission
(2 July 2012)

1. The Commission would refer the Honourable Member to its answer to Written Question E-004784/2012 by the Honourable Member.

2. The Commission cannot speak for the relevant bodies.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005166/12
an die Kommission
Angelika Werthmann (NI)
(22. Mai 2012)

Betrifft: China-Privilegien für den Ankauf von US-Bonds

Gemäß aktuellen Medienberichten (Reuters) hat die USA der Volksrepublik China für den Kauf von US-Staatsanleihen ein bisher beispielloses Sonderverfahren ermöglicht. So soll China US-Bonds direkt beim Finanzministerium in Washington erwerben. In der Praxis bedeutet dies, dass die chinesische Zentralbank als einzige Notenbank der Welt beim Kauf von US-Staatsanleihen eine Sonderbehandlung genießt. In der Regel erhalten die Primärhändler, also die ausgewählten US-Banken, Order von Zentralbanken wie beispielsweise der Bank of Japan. Die Primärhändler bieten dann im Auftrag der ausländischen Notenbanken bei den US-Bonds-Auktionen. Diesen Weg über den freien Markt muss China nur noch nehmen, wenn es US-Staatsanleihen abstößt. Für einen Kauf verfügt China dagegen über eine direkte Computerverbindung. Im Ergebnis könnte China somit amerikanische Anleihen zu besseren Konditionen erwerben.

1. Ist der Kommission bekannt, ob es innerhalb der Europäischen Union ähnliche Sonderbehandlungen/ Vorzugskonditionen für die Volksrepublik China gibt?

2. Ist der Kommission bekannt, ob es innerhalb der Europäischen Union ähnliche Sonderbehandlungen/ Vorzugskonditionen für Drittländer gibt?

3. Können sich aus dieser chinesisch-amerikanischen Konstellation wirtschaftliche Nachteile für die EU ergeben?

Antwort von Herrn Rehn im Namen der Kommission
(23. Juli 2012)

Die Anfrage der Frau Abgeordneten bezieht sich auf Medienberichte, denen zufolge die Vereinigten Staaten von Amerika ein Sonderverfahren eingeführt haben, das der Volksrepublik China den direkten Ankauf von US-Staatsanleihen von den Vereinigten Staaten von Amerika ermöglicht.

Die Kommission weist darauf hin, dass das direkte Bieten in Auktionen für US-Staatsanleihen, die einem breiten Spektrum an Investoren zugänglich sind, — neben dem Erwerb von Wertpapieren über einen Börsenmakler, Händler oder ein anderes Finanzinstitut — Standard ist. Die EU-Mitgliedstaaten geben ihre staatlichen Schuldtitel in der Regel mithilfeeines Systems von Primärhändlern(„Primary Dealer")/Auktionsgruppen(„Auction Group") aus, denen das ausschließliche Recht vorbehalten ist, in den Auktionen zu bieten. Daneben nutzen die meisten Mitgliedstaaten auch noch andere Methoden zur Ausgabe von Anleihen, insbesondere syndizierte Anleihen („syndications"). Der Kommission liegen keine Informationen vor, wonach ein Mitgliedstaat mit Investoren aus Drittländern, einschließlich der Volksrepublik China, Sondervereinbarungen getroffen oder ihnen Vorzugskonditionen eingeräumt hätte. Die Kommission würde aus den vorliegenden Informationen, die die Frau Abgeordnete zur Verfügung gestellt hat, nicht schließen, dass ein wirtschaftlicher Nachteil für die EU besteht.

(English version)

Question for written answer E-005166/12
to the Commission
Angelika Werthmann (NI)
(22 May 2012)

Subject: Privileges for China in the purchase of American bonds

According to recent media reports (Reuters), the USA has facilitated a hitherto unparalleled special procedure to allow the People's Republic of China to purchase American government bonds. The arrangement allows China to purchase American bonds directly from the Treasury Department. In practice, this means that the Chinese Central Bank is the only bank of issue in the world to enjoy special treatment when purchasing American Government bonds. As a rule, the primary dealers, namely select American banks, receive orders from central banks, such as the Bank of Japan. The primary dealers then bid at American bond auctions on behalf of the foreign bank of issue. China only needs to use this free market channel if it wishes to sell American government bonds, as it now has a direct computer link for making purchases. As a result, China is able to acquire American bonds at better prices.

1. Is the Commission aware of whether similar special arrangements or preferential conditions exist for the People's Republic of China within the European Union?

2. Is the Commission aware of whether similar special arrangements or preferential conditions exist for third countries within the European Union?

3. Could this US-China set-up have economic disadvantages for the EU?

Answer given by Mr Rehn on behalf of the Commission
(23 July 2012)

The Honourable Member is referring to media reports that the US has introduced a special procedure in order to allow for China to purchase US Treasuries directly from the US Treasury.

The Commission notes that direct bidding is a standard feature in US Treasury auctions that are open to a wide range of investors, in parallel with purchasing securities through a broker, dealer, or financial institution. EU Member States normally issue their government debt with the help of a Primary Dealer/Auction group system, enjoying an exclusive right to bid in their auctions. In addition most Member States also use other forms of issuing methods, in particular syndications. The Commission is not aware of any Member State having adopted any special arrangements or preferential conditions for third country investors, including China. The Commission would not, based on available information provided by the Honourable Member, state that there is an economic disadvantage to the EU.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005167/12
an die Kommission
Angelika Werthmann (NI)
(22. Mai 2012)

Betrifft: Nato-Raketenabwehrschild

Die Nato hat dieses Wochenende während ihrer Tagung in Chicago die Installation des sogenannten europäischen Raketenabwehrschirmes bekannt gegeben.

1. Sind für die Entwicklung und den Aufbau dieses Systems direkt oder indirekt bis heute Mittel aus dem EU-Haushalt geflossen?

2. Ist geplant, für weitere Entwicklungen sowie den weiteren Aufbau direkt oder indirekt Mittel aus dem EU-Haushalt zur Verfügung zu stellen?

3. Sollten Fragen 1 oder 2 positiv beantwortet werden, erbittet die Fragestellerin eine detaillierte Aufstellung (unter Angabe der jeweiligen Haushaltszeile) darüber, aus welchen Förderprogrammen diese Mittel stammen.

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(20. Juli 2012)

1. Für die Entwicklung und den Aufbau des Raketenabwehrschirms der NATO sind weder direkt noch indirekt Mittel aus dem EU-Haushalt geflossen.

2. Nach Artikel 41 Absatz 2 EUV können „Ausgaben aufgrund von Maßnahmen mit militärischen oder verteidigungspolitischen Bezügen" nicht zulasten des Haushalts der EU gehen. Da der Raketenabwehrschirm der NATO verteidigungspolitische Bezüge hat, würde jegliche Bereitstellung von EU-Mitteln gegen die Bestimmungen von Artikel 41 Absatz 2 verstoßen und kommt deshalb nicht in Betracht.

3. Die Frau Abgeordnete sei auf die Antworten zu den Fragen 1 und 2 verwiesen.

(English version)

Question for written answer E-005167/12
to the Commission
Angelika Werthmann (NI)
(22 May 2012)

Subject: NATO's missile defence shield

At this weekend's summit in Chicago, NATO announced the installation of the so-called European missile defence shield.

1. To date, have any funds come directly or indirectly from the EU budget for the development and construction of this system?

2. Are there plans to provide funds either directly or indirectly from the EU budget for further development and construction?

3. If the answer to questions 1 and/or 2 is yes, can the Commission provide a detailed list of the funding programmes from which these funds were taken (indicating the respective budget line in each case).

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

1. No funds have come directly or indirectly from the EU budget for the development and construction of the North Atlantic Treaty Organisation (NATO) Missile Defence Capability.

2. In accordance with Article 41.2 TEU, 'expenditure arising from operations having military or defence implications' cannot be charged to the EU budget. Since the NATO Missile Defence Capability has defence implications, any EU funding would therefore fail to respect the provisions of Article 41.2, and hence cannot be envisaged.

3. The Honourable Member is invited to refer to the answers to questions 1 and 2 above.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-005168/12
an die Kommission
Angelika Werthmann (NI)
(22. Mai 2012)

Betrifft: Bodenaufklärungssystem AGS

Während der Nato-Tagung von diesem Wochenende in Chicago wurde zwischen Vertretern des Militärbündnisses sowie der Industrie ein Beschaffungsvertrag über das sogenannte Bodenaufklärungssystem AGS (*Alliance Ground Surveillance*) unterzeichnet.

1. Sind für die Entwicklung dieses Systems direkt oder indirekt bis heute Mittel aus dem EU-Haushalt geflossen? Wenn ja, erbittet die Fragestellerin eine detaillierte Aufstellung (unter Angabe der jeweiligen Haushaltszeile) darüber, aus welchen Programmen diese Mittel stammen.

2. Wird die EU dieses System künftig unterstützen?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(24. August 2012)

Das Bodenaufklärungssystem (AGS) wird durch 13 NATO-Bündnispartner angeschafft (Bulgarien, Deutschland, Estland, Italien, Lettland, Litauen, Luxemburg, Norwegen, Rumänien, die Slowakei, Slowenien, die Tschechische Republik und die Vereinigten Staaten von Amerika). Es wird durch die NATO erworben und von ihr genutzt und kommt voraussichtlich im Jahr 2017 zum Einsatz. Entwicklung und Einsatz von Verteidigungskapazitäten sind zunächst Aufgabe der einzelnen Nationalstaaten, doch im Falle des AGS haben einige EU-Mitgliedstaaten beschlossen, mit NATO-Partnern, die nicht Mitglieder der EU sind, das System gemeinsam zu entwickeln und zu erwerben. Für dieses Projekt werden keine Mittel aus dem EU-Haushalt bereitgestellt.

Die EU und die NATO arbeiten eng zusammen, damit die Aktivitäten, die sie im Rahmen ihrer jeweiligen Initiative — zur Bündelung und gemeinsamen Nutzung militärischer Kapazitäten (EU) bzw. zur intelligenten Verteidigung (NATO) — unternehmen, sich nicht überschneiden, kohärent sind und sich gegenseitig verstärken.

Gegenwärtig ist nicht geplant, dass die EU Mittel für das AGS bereitstellt.

(English version)

Question for written answer E-005168/12
to the Commission
Angelika Werthmann (NI)
(22 May 2012)

Subject: Alliance Ground Surveillance system (AGS)

During this weekend's NATO summit in Chicago, military alliance and industry representatives signed a procurement contract for what is known as the AGS system.

1. To date, have any funds come directly or indirectly from the EU budget to develop this system? If so, can the Commission provide a detailed list of the programmes from which these funds were taken (indicating the respective budget line in each case).

2. Does the EU intend providing support for this system in the future?

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

The Alliance Ground Surveillance (AGS) system is being acquired by 13 NATO Allies (Bulgaria, Czech Republic, Estonia, Germany, Italy, Latvia, Lithuania, Luxembourg, Norway, Romania, Slovakia, Slovenia and the United States). It will be a NATO-owned and operated system and is expected to be fully operational in 2017. The development and deployment of defence capabilities is first and foremost a national responsibility but in the case of AGS a number of EU Member States have decided together with non-EU NATO allies to develop and acquire an AGS system in common. The EU budget has not supplied funds to support this project.

The EU and NATO work in close cooperation to ensure that activities undertaken in the framework of their respective initiative on Pooling and Sharing military capabilities (EU) and Smart Defence (NATO) are non-duplicative, coherent and mutually reinforcing.

There are currently no plans for the EU to provide support for the AGS system in the future.

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